

KELLY: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the Thirty-third Day of the One Hundred Ninth Legislature, Second Session. Our chaplain for today is Senator Dorn. Please rise.

DORN: Good morning, colleagues. Join me in a moment of prayer. As we come before you today to discuss important matters, we ask for your guidance and wisdom. You are the source of all knowledge and understanding. Therefore, we seek your direction in our decision-making process. Help us to listen attentively to one another with open hearts and open minds. May we not be quick to judge or criticize, but instead seek to understand different perspectives. We pray that you will give us the discernment to make the best decision for the greater good. We trust that you will guide us on this path and lead us to reach a consensus that reflects your will and serves the people of this state. May our word and actions be guided by your love and grace. Also help guide us through the season of Lent and the powerful message from this season, the dying on the cross and the rising again from the dead for our Lord Jesus Christ. Yes, he has risen indeed. Amen.

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

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

KELLY: I call to order the Thirty-third Day of the One Hundred Ninth Legislature, Second Session. Senators, please record your presence. Roll call. Record, Mr. Clerk.

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

KELLY: Are there any corrections for the Journal?

CLERK: There is, Mr. President. On page 804, line 44, delete the word "the." That's all I have at this time.

Any messages, reports, or announcements?

CLERK: There are, Mr. President. Communication from the Governor. Engrossed LB103, LB202, LB320, LB9-- LB397, LB441, LB663, LB794, and LB821 were received in my office on February

20, 2026, and signed on February 24, 2026. These bills were delivered to the Secretary of State on February 24, 2026, signed sincerely Jim Pillen, Governor. Additionally, gubernatorial appointment committee report from the Agriculture Committee concerning an appointment to the Nebraska Brand Committee and the Nebraska State Fair Board. Additionally, your Committee on Revenue chaired by Senator von Gillern reports LB1124 to General File with committee amendments. Amendment-- motions to be printed from Senator Fredrickson to LB926. That's all I have at this time.

KELLY: Thank you, Mr. Clerk. Senator Fredrickson would like to recognize the physician of the day, Dr. Steve Williams of Omaha. Please stand and be recognized by the Nebraska Legislature. Senator Dorn would like to represent-- to recognize members of the Nebraska Health Care Association's LEAD class from all across Nebraska. Please stand and be recognized by the Nebraska Legislature. Mr. Clerk, please proceed to the first item on the agenda.

CLERK: Mr. President, General File, LB455 from Senator Hallstrom. Senator Raybould has MO76 to indefinitely postpone the bill pursuant to Rule 6, Section 3(f).

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

HALLSTROM: Thank you, Mr. President, members. I bring before you today LB455, which is a bill that advanced from the Business and Labor Committee last session on a vote of 5-1. I had prioritized the bill last session, and time did not allow us to get to the bill, so we are here morning. I have reprioritized this bill, so I am most interested in getting across the board and to the finish line, and over to the governor's desk. Before we get to the IPP motion of Senator Raybould, I will give you a little bit of background on what the legislation is designed to do. It came out of committee with a committee amendment which served to combine both the original LB455 with Senator Ibach's LB313. What does the bill do? The bill, in its original form, LB455, has to do with workers' compensation in general, and confidentiality of first injury reports more specifically. When we look at the current workers' compensation system, whenever a worker is injured, they will have the employer file a first injury report, which has certain information regarding the injury, and that information currently is considered to be a public record. As a public record, it is available for review, as the name-- as the

designation denotes, by the public. More specifically, what happens is the Workers' Compensation Court has put together a list that can be accessed by workers' compensation attorneys, trial lawyers, and they can find out who has had a first injury report filed on their behalf in connection with a workplace injury. What happens after that is that the individual gets a letter from a multitude of attorneys, most generally, indicating to them that they may need to be represented in connection with their claim. Whether or not they are, they may ultimately be-- hire or retain an attorney, and if they didn't need an attorney, they will end up having a good portion of their award go to the attorney for representation, in some cases in which they may not have needed the, the representation. The second part of the bill, which is Senator Ibach's bill-- and when we get around to discussing the committee amendment and her portion of the bill, which, again, is LB313, has to do with the issue of subrogation. What subrogation involves in general-- and I'll probably have an opportunity to talk in more detail later, as will Senator Ibach-- it involves a situation in which an insurer or a self-insured employer under workers' compensation has a right to recover from a third party who has caused or contributed to a workplace injury. So, the best way to describe this would think of a, a, a worker going along in the course and scope of their employment, perhaps driving an automobile to make a delivery; they're clearly within the confines of their employment relationship. But another third party negligently causes a personal injury accident to occur, giving that injured worker a right to go after the third party for recovery of damages, which could include medical expenses, lost wages, and a whole host of things that are not necessarily covered under the workers' compensation law. The reason someone would do that is because the workers' compensation system in general is set up on the basis of, essentially, strict liability for the employer for any workplace accidents that may occur, and injuries and benefits in the form of medical expenses and lost wages. But there's limitations on the amount of lost wages; it's not full 100-percent recoupment of those wages. But that's part of the trade-off or the grand bargain, as we describe it. The trade-off for essentially strict liability on behalf of the employer is a limitation on the maximum amount of wage replacement that's available under the workers' compensation system. But back to subrogation, what happens in the situation that I've described is that the individual third party who caused the accident can be taken to the court, lawsuit filed against that individual, a recovery of damages is, is awarded, and when that third party has an obligation to pay that lawsuit damages award, that is to go back

to the insurer or the self-insured employee who has been paying in the meantime for medical expenses and the portion of lost wages that are required under the workers' compensation system. And so, subrogation is the right to recover or recoup those expenses that have been advanced by the insurer or self-insured employer on behalf of the employee, and recover those amounts because someone else was actually responsible for the damages. The system that we currently have in Nebraska is based on a fair and equitable distribution process, which brings uncertainty into the system, which is what Senator Ibach's bill is intended to do. And rather than trample over what her opening and the committee statement description by Senator Kauth from the Business and Labor Committee is going to entail, I will refocus my remarks on the portions of LB455 regarding confidentiality of first injury reports. I may not get through the entire litany here, but we'll go through. LB455 is designed to provide for the confidentiality of first injury reports filed with the Workers' Compensation Court. It accomplishes this purpose by requiring that workers' compensation first reports of injury be withheld from the public with certain designated exceptions, and I'll have an opportunity to discuss those exceptions which were all at the request of interested parties, and made sense to make sure that access for other purposes other than soliciting an injured worker for legal representation were in order and appropriate. Restricting access to workers' compensation records is not unique or unprecedented. At least 37 states have some form of restriction on access to workers' compensation court records, including-- importantly including the neighboring states of Iowa, Kansas, Missouri, and South Dakota. LB455 is designed to offset the avalanche of solicitations which injured employees receive from attorneys once a report of first injury is filed with the Workers' Compensation Court. Protecting injured workers from this invasion of privacy should cause no harm to employees in need of legal representation. There can be little doubt that injured employees have adequate access to information regarding potential legal representation for their claims. Many lawyers advertise on TV, radio, Yellow Pages, and more recently, in virtually any Google search of a workers' compensation-related issue. Employee rights and access to information are further protected by the fact that the Workers' Compensation Court has an 800 number which employees may call to obtain information regarding court procedures and their rights under the workers' compensation system. In addition, the Workers' Compensation Court publishes a pamphlet which explains the rights and obligations of both employees and-- employers and their employees. It appears that the vast majority of work-

related injuries are handled between the injured employee and their employer or insurance carrier without the need for litigation or legal intervention. The communications by lawyers pursuant to information contained within the first injury reports produce unnecessary conflicts and needless litigation, thereby increasing the cost of workers' compensation system and reducing the net benefits received by an injured employee. The first reports of injury often contain medical information relating to an injured employee. While workers' compensation is exempted from the provisions of HIPAA, it is safe to assume that most individuals have a greater expectation of privacy with regard to records relating to their medical conditions, and state law can and should provide protection for the confidentiality of these records. In addition, employers typically bear the brunt of the slew of attorney solicitations, as employees question why the employer is releasing information regarding their injuries resulting in these unwanted communications. Employees retaining counsel purely as a result of the solicitations end up, end up sharing a portion of the benefits to which they would otherwise be entitled with their attorney, whose services again, in many cases, may not be needed. Simply put, the solicitation by attorneys injects needless friction into a system designed to compensate workers who have been injured. As stated, when attorneys are unnecessarily involved, the injured workers must forgo a significant part of their award. I see my time is about up, so I will continue and get back in the queue. Thank you.

KELLY: Thank you, Senator Hallstrom. Senator Raybould, you're recognized to open on the priority motion.

RAYBOULD: Thank you, Mr. President. Good morning, colleagues. Good morning, fellow Nebraskans watching this on TV. I introduced this motion last year. This is a carryover bill that was again prioritized by Senator Hallstrom. I did so, and I did my homework and research over our recess period; reached out to a lot of stakeholders, HR people, employees, attorneys, to have a better understanding. I did, did a deep dive how this compares us to the-- our surrounding states. And I, I look forward-- and I hope we have a very robust debate and discussion on this. My mantra has always been, when it comes to business issues, is it fair and is it predictable? And I want to say that Senator Hallstrom did a great job opening on this, but I wanted to share with you, last year, when we heard it in committee, I was a present, not voting because I didn't have enough information to

go on and make a really sound policy decision. But I went back and actually watched the video from last year, which you can do, and these were some of the, the people that spoke as proponents that were for LB455. It was National Federation of Independent Business, Nebraska Chamber of Commerce and Industry, Lincoln Chamber of Commerce, Nebraska Grocery Industry Association, Nebraskans for Workers' Compensation Equity and Fairness. And I think we all agree, both on the employer and employee side, we want that our employee, that party to be restored to health and wellness and healed, and we want them to be cleared to get back to duty, even if it is light duty or accommodations. This is really so important because we have a workforce shortage. And more importantly, that employee wants to get back to work. They know that they are a provider for their family, and it is also very important to them. I know Senator Hallstrom did a great job in explaining it, but I'm just going to reiterate some of the things and skip over some items that he has already mentioned. So, the two parts of the bill are subrogation and maintaining the confidentiality of that first report of injury. Senator Hallstrom talked about this, but for those folks out there listening, what does sub-- subrogation mean? It is when your insurance company pays for you and your covered loss, and then steps into your shoes to recover the proceeds from the party that is at fault. So, that's in Section 1, and in the amendment, AM678, Section 1 would modify the current standard for payment of judgments and settlements for subrogation claims in workers' compensation cases from the current fair and equitable distributions of the proceeds that are found in Nebraska Revised Statute 48-118.04 to a statutory formula-- predictable-- whereupon deduction of the reasonable expenses of making the recovery, one-third to the employee or his or her personal representative, the balance remaining to the employer or worker's compensation insurers for all compensation payments, and thereafter to the employee or his or her personal representative. A worker's compensation subrogation claim is a legal action where an employer, a worker's compensation insurance carrier, or an injured employee seeks recovery from a third party who caused a workplace injury. Under long-standing Nebraska law, the employer or its insurer has a statutory right to be subrogated to any recovery by the employee against a third-party for his or her work-related injuries. Since 1994, when an employee and the employer or its insurer do not agree in writing upon the distribution of the proceeds of any judgment or settlement, the court, upon application, shall order a fair and equitable distribution of the proceeds of any judgment or settlement. There is no set rule as to what constitutes a fair

an equitable distribution. However, the Nebraska Supreme Court has specifically rejected a claim that an employee must be made whole before consideration may be given to the worker's compensation subrogation interest. As you can imagine, this has produced wildly different results from county to county or judge to judge. Section 1 provides a statutory formula for distribution of proceeds that provides certainty for all parties involved, and it talks about the statute is amended with a predictable formula to assist when parties disagree. There is nothing in this bill as amended that prohibits the parties from reaching a settlement throughout any of these proceeds. And I want to say, this model and this bill is replicated off-- after Wisconsin law that has been in place for many years and worked well. This section provides certainty to all parties involved in these claims. The next element that Senator Hallspin-- Hallstrom raised is the confidentiality of first report of injury. The remaining sections constitute a complete redrafting of LB455, which is designated to provide confidentiality for first injury reports filed with the Workers' Compensation Court. It accomplishes this purpose by requiring that workers' compensation first reports of injury to be withheld from the public, with certain designated exceptions. Restricting access to workers' compensation records is not unique or unprecedented. I know Senator Hallstrom said 37 states, and it also-- in most U.S. states, the employer's first report of injury or illness, FROI, is considered a confidential, private, or not subject to public inspection as it contains sensitive employee medical and personal information. These records are typically filed with the state workers' compensation boards or courts or insurance carriers, and are generally exempt from public workers' requests. Privacy protections, statutes in states like Minnesota, California and Colorado, for example, require the FROI to be filed directly with state agencies to initiate claims. Data usage. While private, the data is used for statistical purposes by state agencies and independent rating bureaus. Exceptions. Information may be shared between the insurer and employer and state officials for claiming-- for claim processing, but is not public. And I know Senator Hallstrom mentioned there can be little doubt that injured employees have adequate access to information regarding potential legal representation in their claims. Senator Hallstrom mentioned that many lawyers advertise on TV, billboards, use Google search, advertise on Facebook as well. And most importantly, the Workers' Compensation Court sends out a packet of information with a pamphlet, and it says in, in one of the handouts explaining the workers' compensation process,

part of the handout from them says do I need an attorney? You are not required to have an attorney. It is up to you to decide if you want to hire an attorney. If you decide to hire an attorney, you will have to make those arrangements. The court does not provide or recommend attorneys. If you represent yourself, you will be required to follow all court rules, statutes, and procedures. Employees' rights and access to information are further protected by the fact that the Workers' Compensation Court has that 800 number, which employees may call to obtain information regarding court proceedings and their rights. And I know Senator Hallstrom had mentioned it, and it appears that the vast majority of work-related injuries are handled between the injured employee and their employer or insurance carrier without the need for litigation or legal intervention. In addition, employers typically bear the brunt of the slew of attorney solicitations as employees question, why is the employer releasing my private information regarding this injury and getting all the unwanted communications? So, for these reasons, I do hope we can have a really robust dialogue and discussion and debate on this, and I look forward to hearing both sides of this issue. Thank you, Mr. President.

KELLY: Thank you, Senator Raybould. Senator Murman would like to recognize a guest under the south balcony. Tripp Bracco, a senior at Sandy Creek. Please stand and be recognized by the Nebraska Legislature. Moving to the queue, Senator Dungan, you're recognized to speak.

DUNGAN: Thank you, Mr. President. Good morning, colleagues. I do rise today in favor of Senator Raybould's motion to indefinitely postpone and opposed to LB455 and the pending amendment, which I'm sure we're going to talk about a little bit more. I want to start by just situating this conversation with two things. One, I do appreciate that Senator Hallstrom has had conversations with myself and some other folks who are opposed to this bill ahead of time. And so those conversations, I believe, continue to be ongoing. And so, just for, for those who are wondering why we're talking, there's definitely some continued conversation happening between the parties, and I do appreciate the ability to talk about the bills. We've seen this year, multiple times, people be able to work together and advance the, the, the necessary things out of certain bills and take out others, and so I think that's helpful. Second of all, I, I want to situate this debate on LB455 about what I think it's truly about, and that is about fundamental fairness. So, you're going to hear a

lot during this debate about workers' comp, workers' compensation, the system. I plan on talking a little bit about where that comes from, why we have workers' comp. You've heard the phrase "the grand bargain" already multiple times, and so there's a very interesting history of workers' compensation and the bargain struck between employers and employees in order to ensure that the system functions for everybody, or at least tries to. But at the heart of what we're discussing here is fundamental fairness in a system, and ensuring that workers, everyday hardworking Nebraskans, are not being taken advantage of and are provided with the opportunity to understand their options, and provided with opportunity to make sure that there is a level playing field when they are looking at a very complex system. As you know, not everybody in here is a practicing attorney, and the attorneys that are in here don't all operate within the workers' comp realm, but one thing that I can tell you not being a practicing attorney in that area is that it's very complex. And when you talk to the attorneys both on the business and the employee side of workers' compensation, they will use a very specific language, because it is a very niche field of the law. When an employee is hurt on the job, when somebody is going to work or at work and they, they get hurt, they're faced with this incredibly complex system that has been put in place over a number of years in order to sort of make workers' compensation work. To deprive an individual the opportunity to seek legal counsel or to make it harder for an individual to seek legal counsel when facing one of the most difficult and complex situations they may ever find themselves in is a problem. And I want to be very clear, that is what I believe LB455 does. There is not currently an issue that LB455 is addressing. We oftentimes hear the phrase "this is a solution in search of a problem." There is not a currently a problem that LB455 is addressing. What LB455, I believe, in its current iteration is doing is seeking to limit the ability for individuals who have been hurt on the job to fully explore or fully figure out what their options are as it pertains to workers' compensation, and making sure that they have adequate legal counsel when those problems arise. In any number of circumstances, colleagues in this body, if you were faced with a complex legal problem, you would seek legal advice. At least you should. Whether it's signing a contract, or looking at a will, or a probate, or, you know, hopefully not, but if you find yourself involved in some sort of criminal matter, every single person here would seek the advice of an expert to ensure that they're not being taken advantage of and to ensure they are operating in that world in the correct way. That is what

individuals do, not all the time, but sometimes, in the workers' comp realm, when they find themselves faced with not getting the medical care they think they need, when they find themselves faced with being forced to go back to work too early, when they find themselves faced with a settlement offer that they're not entirely sure the parameters of. They shall seek, or they should seek, help, and that's what this bill is seeking to stop. It's trying to stymie the ability of members of the public to actually get the help that they may need in what is probably one of the most stressful parts of their life. Senator Raybould is correct. People oftentimes do want to get back to work. But they want to back to get to work once they're physically able to do so and once their medical problems, which oftentimes in these circumstances were caused by their employment, are addressed. And so, what we need to make sure we look at in this entire system is, are we ensuring fundamental fairness? And I believe that LB455 puts its thumb on that scale against everyday hardworking Nebraskans. Thank you, Mr. President.

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

J. CAVANAUGH: Thank you, Mr. President. Well, I rise in support of the motion to indefinitely postpone, and opposed to LB455. And I, I obviously would echo a number of Senator Dungan's comments. I did want to point out Senator Raybould read who came and testified in favor of this bill. I thought I would at least give notice or-- of the folks who testified opposed. So, on the committee statement, you can always go and look and see, and the vote on this was 5 in favor, 1 opposed, 1 present, not voting. And there were 3 proponents. One of them was Senator Hallstrom himself, one of the was Ryan McIntosh, representing about seven organizations, and then someone named Dallas Jones, representing Nebraska [SIC] for Workers' Compensation Equity and Fairness. So, I guess an association designed to change workers' comp law in the state of Nebraska. And then you had-- 1, 2, 3, 4, 5, 6, 7 people testifying opposed, representing themselves, representing lawyers, representing the workin-- Workers' Compensation Court, representing workers, the Nebraska AFL-CIO, and 2 individuals representing themselves. So, you know, I, I, I think it is relevant to point out that businesses did come in favor of this, workers came opposed. So-- trying to set down my computer over there. So, I, I, I oppose this bill for a number of reasons, and I think that there are folks that came in favor of this bill who want to rebalance the power dynamic in this situation in the

interest of it costing them less from a business perspective. And the system, as Senator Dungan pointed out, it's called "the grand bargain," is set up in a balancing sort of way to help workers get taken care of, get made whole, get-- be able to get back to work if the injury is not so severe that they can return to work. And there are-- in a lot of these instances, there may be some, many instances that do not require the assistance of a, of a lawyer if somebody has, you know, a very minor injury or something like that. But if someone has a serious injury and is of course having-- you know, is incapacitated or is in the hospital, or has an inability to be, you know, out taking care of their legal matters themselves, it is really important that they be able to have availability of a lawyer. And so, one of the things that LB455 does is makes it harder for a person in that situation to get a lawyer because it prevents the lawyers from reaching out to them, finding out who's injured. And I think that if, in an honest conversation about negotiating for-- in the interest of privacy or in the interest of protecting workers who are injured, you would have a different proposal here. There are other things you could have proposed other than just outright banning lawyers from being on notice that someone is in need of a lawyer. So, I don't consider that an honest proposal in the interests of protecting workers who have been injured on the job. And if that were a serious attempt here, was to actually protect workers, it would come in a different form. But my big opposition to this bill is in the other part, which is the-- I think it was LB313, and it's this part about the employer's insurance being able to recover against the private individual, the worker's insurance. And that is something that just really strikes me as wrong. If you are working for someone and you're injured in the-- in your capacity as working for them, you should not have to be responsible to pay out pocket for the-- that injury. That's the whole point of the system. And so, when they recover against your private insurance to make themselves whole, they are recovering against you as an individual, because we all know that you have claims against your insurance, your insurance premium goes up, you pay that premium for that coverage. So, it's essentially you have paid into an insurance, the worker has paid into insurance that then the employer is now-- the employer's insurance is now recovering against. So, I'm going to run out of time, but I'm sure there will be many of opportunities to continue speaking on this bill. But I, again, rise in support of the IPP and opposed to LB455, opposed to the committee amendment, and I thank you for the time. Thank you, Mr. President.

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

CONRAD: Thank you, Mr. President. Good morning, colleagues. I rise opposed to the legislation and to the committee amendment, and actually in full support of Senator Raybould's IPP motion, even though I'm guessing that now that she's decided to support the measure, she may be withdrawing that before we have an opportunity to vote on it. But I think we're going to have plenty of time to talk about workers' comp and the components of this legislation today, tomorrow, and into Friday for General File, so that will be good. It will be a good opportunity to educate members who haven't had a chance to do a deep dive into some of these issues. We'll have a lot of time to lift up the technical concerns and considerations. Maybe I'll even have a chance to do that during my first time on the mic here today. But let me just start with some clear framing about what's at stake with this legislation, and what, what the, the key objectives are. Supporters of this measure want it to be easier for insurance companies to basically run over the rights of injured workers. Ask yourself how many times on the campaign trail, how many times at a town hall, how many times when you were knocking doors, did you make a promise: I'm going to work so hard to get down to Lincoln so that I can give big insurance companies more sweetheart deals, as opposed to maintaining an appropriate balance for injured workers, your constituents, who vote for you? Your insurance companies don't vote for you, and they're doing just fine. They're making record profits, and now they want to make it harder for people, everyday folks-- cops, corrections attor-- corrections officials, firefighters, warehouse workers, folks working in ag, folks working in the factories, and who get hurt, who get hurt through no fault of their own while they're working. They want to make it harder for them to understand their legal rights in a complex and byzantine system. If you've ever had a legal issue face you or your family, have you ever thought, "I can handle this myself? I'm not going to get represented. I'm not going to seek legal consultation. I'm going to go up against who's ever bringing suit all by myself." If that's the course you want to take, that's fine, but I don't think it mirrors reality. Senators know that complex legal issues need representation in order to ensure each party knows and understands their rights and the process, and how to proceed moving forward. The key components in this legislation have serious implications for empowering injured workers to know their rights, and give an unfair advantage to insurance companies to run roughshod over the ability of injured

workers to understand and know their rights. And it's really clear how this plays out. There is no problem with this; this is a wish list that insurance companies have been putting forward for years, that many, many senators in this body have rejected for years because it upsets the grand bargain and delicate balance and working efficient, effective status quo in regards to these measures. So, I want to talk a little bit about the restrictions on-- oh, I'm going to run out of time here. But we're going to spend a lot of time talking about commercial speech, and-- which is also at the heart of this issue. And there's a well-known axiom through the case law and through law review articles detailing kind of the perspectives on commercial speech as opposed to individual expressive conduct. The saying goes, liberals don't much like commercial speech because it's commercial; conservatives mistrust it because it's speech. Yet, in a market economy, a free market economy, the ability to give and receive information about commercial matters is important. It is important. Getting understanding and information about your legal rights when you're injured is important. Making sure that you can connect with a lawyer, if you don't know one who practices in this field, to do a free consultation to say, hey, you got a case or don't have a case,--

KELLY: That's your time, Senator.

CONRAD: --that's all we're talking about. Thank you, Mr.--

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

HUNT: Thank you, Mr. President. Good morning, colleagues. I am grateful for the opportunity over the next couple of days to get some more information and knowledge about workers' compensation. I spent two years on the Business and Labor Committee where we worked on a lot of that, and came off of that committee last year, but, but it's always been a really interesting topic to me, and it's one that in my professional life, in my own personal career, I haven't had to deal with. You know, which is kind of lucky in a lot of ways, that that's not something that's touched my life yet at this point. But what I do know about workers' compensation is a little bit about the history. Workers' compensation exists because more than a century ago, just more than century ago, lawmakers recognized a basic truth about fairness, which is when someone is injured at work, they should not have to gamble their future in a courtroom and put

themselves through all that just to survive financially; that when someone is injured at work, oftentimes the employer bears some responsibility for that. It's-- again, kind of the deal that you make as a, as a worker and an employer, that we're going to exchange, you know, money and benefits for your labor, and that labor comes at great risk, sometimes, to workers, and that's something that we take up under a number of measures here in the Legislature. But workers had to deal and bargain for generations to get something set up to create that system. They gave up the right to sue their employers in most circumstances. They gave up a lot of other things, but in exchange, employers and insurers promise certainty, including prompt medical care and wage replacement and stability, during what can be one of the most vulnerable moments in a person's life. I've heard some stories from some of our colleagues about times that they or a loved one have had to receive workers' compensation because in of an-- of an injury they sustained at work. Certainly, I've hear that from many of my constituents and many Nebraskans. And from these stories, we know that that balance only works when both sides are treated fairly. And whenever we change that system, we should move slowly and carefully and mindfully with that before we put something into statute that, as Senator Conrad said, amounts to nothing more than something from the wishlist of another big corporation, of a big insurance company, of a big company. When someone is hurt on the job, that's a person that can't lift their child, potentially; it's a family wondering how their rent is going to be paid next month; it's someone who's trying to recover physically while navigating paperwork, while navigating insurance approvals, while navigating potentially, you know, legal and court responsibilities, and a lot of uncertainty about how they're ever going to return to the career that they worked so hard to build. And the question I keep coming back to as I read the committee amendment and I read original bill-- and I look at other amendments that have been introduced, and I'm receiving the same paperwork that all of you are getting from the lobby from both sides about the pros and cons of LB455. But the question I keep coming back to, as I read this committee amendment is simple: how does this make injured workers safer? How does this improve the quality of life of Nebraskans who exchange their labor for profits for their employer in our state? How does this prevent injuries? How does improve recovery? And I'm really struggling to find those answers. Once again, all I'm seeing from this legislation is another tick on the wishlist of the people in our state who are already the most powerful and the most advantaged. It looks like one of the most

significant changes that this committee amendment-- I'm sort of talking to the committee amendment, because that's the thing that's most likely to get adopted, right?-- is expanding the ability of employers and workers' compensation insurers to receive-- to recover money from third-party claims beyond the compensation that they have paid, which actually has some significant, significant consequences, and is a significant change. These lawsuits are sometimes the only opportunity that an injured worker has to recover damages from pain, from permanent disability, from the long-term loss of earning ability. And when we expand those reimbursement rights for insurers, we have to ask who benefits from that. Are we strengthening the injured worker's ability to rebuild their life? Or are we strengthening the financial position of insurance companies? Because I have not heard from injured Nebraskans asking us to prioritize insurer recovery mechanisms or profits.

KELLY: That's your time, Senator.

HUNT: I've heard from workers who struggle to get their treatments--

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

HUNT: --approved and need support. Thank you--

KELLY: Mr. Clerk has an announcement.

CLERK: Thank you, Mr. President. The Urban Affairs Committee will have an executive session in Room 2022 at 10:15. Urban Affairs, exec session, 10:15, 2022. Thank you, Mr. President.

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

ANDERSEN: Thank you, Mr. President. I rise in opposition to the IPP and in support of LB455, and would yield the remainder of my time to Senator Hallstrom.

KELLY: Senator Hallstrom, 4 minutes, 50 seconds.

HALLSTROM: Thank you, Senator Andersen. I'll just complete a little bit of a back end of my opening statement on the provisions of LB455 relating to the confidentiality of first

injury reports. Senator Cavanaugh referenced the individuals who had testified in opposition. One of them was the Workers' Compensation Court. The amendments that the Business and Labor Committee placed on LB455 have made technical changes that address all of the concerns raised by the Workers' Compensation Court. In addition, LB455 and AM678 contain a number of exceptions to the general rule that would be established that first injury reports are confidential. First, the employee is allowed to waive confidentiality of the report on a form to be provided by the Workers' Compensation Court. The reports would also be required, and not be confidential, to be released to the employee or his attorney, to the employer, workers' compensation insurer, risk management pool, or third-party administrator; be given to state and federal authorities for research or investigation purposes; allow redacted information to be made available to third parties for the purpose of bona fide statistical research; be released to a non-profit organization for the purpose of sending condolences to, providing memorials for, and offering grief counseling to family members of employees whose death was caused by a workplace incident; or released to treating physician of an injured employee. Some of these areas that were criticized in terms of having a blanket confidentiality-- well, one of them was the trial lawyers were interested in having access regarding the frequency of injuries, such as carpal tunnel, for example. If someone had indicated in the course of a deposition, an employer, that they did not have frequency of carpal tunnel injuries, if all reports were confidential, that information would not be available. This exception clearly allows a trial lawyer to get that redacted aggregate information to refute someone saying that we haven't had a series of carpal "tunner" injuries at our place of employment. The issue with regard to the memorials, we had a group that does a good service in terms of contacting people in, in those types of situations, and we carved out an exception for them as well. I would like to just address a few of the things that have been said. Senator Dungan noted that whenever you have a complex legal problem or you need a will drafted, or you need some type of legal representation-- his words, not mine-- you would seek legal counsel. Most people, as we've indicated, have at their disposal the ability to determine if they need an attorney, who that attorney might be, and they seek them out, as Senator Dungan's words suggest. We don't typically get solicited and bombarded by a bevy of solicitations whenever we have a legal problem that arises in our life. If I have a client that needs to put together a will, they pick up the phone or they see me on the street, and they come in and they ask for me to do

some services for them. That's the way it works, as opposed to being solicited and potentially ending up having representation in some cases where the representation was not needed, and you end up paying out of pocket for that. Senator Conrad noted that this benefits big insurance companies. There she goes, spinning the narrative again. Workers' compensation premiums are paid by employers; they're based on the frequency of injuries. Their workers compensation premium go up if there's more injuries, their modification or their mod raises, and they pay it. Small businesses and self-insured employers pay the premiums. And finally, with regard to subrogation, subrogation does not provide double-recovery for anybody other than the employee, if you don't allow--

KELLY: That's your time, Senator.

HALLSTROM: --subrogation in its traditional sense. Thank you, Mr. President.

KELLY: Thank you, Senator Hallstrom. Speaker Arch would like to recognize some guests in the north balcony: students from the University of Nebraska-Omaha. Please stand and be recognized by the Nebraska Legislature. Returning to the queue, Senator Guereca, you're recognized to speak.

GUERECA: Thank you, Mr. President. Good morning, colleagues. I rise in opposition to LB455, and in support of the motion to indefinitely postpone, MO76. Senator Conrad took, took my opening line away. When I was knocking doors over, you know, 2023 and 2024, running for this seat, had a lot of great conversations with my constituents all over my district. There was concerns about making sure that they had access to good schools, that the children had the opportunity to, you know, better themselves, provide a better life for their children than the one that they were able to provide for their children, have safe streets. And what I heard time and time again was making sure that we have access to good health care, to safe and good-paying jobs, to not have to go into a job where you're putting your life and limb on the line. What I did not hear was the poor workers' compensation insurance is really struggling, and how that is going to be a very pressing issue, and that that is something, if I were to win my election, that I need to get to Lincoln and fix. Senator Conrad pointed out this legislation, for years, has been brought forth, but it has not been a pressing issue, so it hasn't, you know, seen the light of day,

hasn't passed. So, we'll speak specifically to the, the privacy concerns within LB455. 37 states have restricted how-- what information is released, how certain attorneys can access that information. Well, in Nebraska, you know, we have a proud tradition. We, we don't do things the way other states do. We have a proud tradition of transparency and of open government. And here's the part that really gets to me. So, we're limiting an injured worker at a time when, depending on how grave that injury is, their life has been turned upside down, they don't know where to turn. We're limiting their ability to continue to pay rent and to continue put food on the table. We're limiting their ability to talk to professionals who can let them know of what their options are. My issue with this, this isn't restricting an insurance company's ability to use their own legal counsel. It's not restricting an insurance company's ability to, to retain outside legal services. So, why are we placing more of a value on the insurance company than our constituent who got hurt on the job? Our constituent who wants to get back to work so they can buy their kids new shoes, so they can make sure their sick parent is taken care of, so they can go about their daily life. Nebraskans want a good-paying job, Nebraskans want a safe workplace, Nebraskans want to go home to their children and have a safe community. They're not asking for a lot, folks. And legislation like this gets directly in the way of our hard-working constituents' ability to live the Nebraska dream. Because quite frankly, I think Nebraska's better than the 37 other states, and every other state in this union, but that's just me. So, folks, as we have this-- what's going to be a very robust discussion, let's think about who voted for us, who went into that polling booth on election day and pressed that lever, even though we don't have levers anymore, and sent us here. I was elected by the hard-working residents of Legislative District 7, a community that for over a century has fed this state, has worked hard, has raised their family with values, with hard work, and with dignity. And folks, that's what I'm going to fight for over the course of this debate, and I hope you do too. Thank you, Mr. President.

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

M. CAVANAUGH: Thank you, Mr. President. Good morning, colleagues. Ope, sorry. We have a height differentiation at this microphone. How tall are you, Senator? 6'2", 5'5". So, yeah, I have to adjust the microphone every time. Good morning. I rise

in support of M076 to indefinitely postpone LB455. I think that what we got going right now for workers' comp is working and should remain as-is. I'm kind of confused as to what is prompting this desire to change it. I don't know that there's a large amount of workers that are coming in complaining that they don't like getting contacted by an attorney when they have a worker's comp claim. It's, you know, pretty standard, and it just helps increase access for them, and they can make the decision, the informed decision themselves as to whether or not they want to hire the attorney. So, that piece of the privacy concerns seems, I don't know, excessive, I guess. And then, there's the insurance part, and that's-- I'm getting confused about, because it seems like-- well, I was going to pull up the fiscal note. Bear with me. I will-- you know, workers' comp, this is a technical, legal thing. We've heard from a lot of attorneys this morning. And so, feel like this-- my perspective is a little bit different. I've never had a workers' comp claim, but I-- unless-- can I file one for my therapist for this job? Does that qualify? Emotional damages? I think my therapist deserves to be paid for my emotional damages. OK. So, this has no fiscal impact, which I get. It has no fiscal impact to the state, which-- so, the fiscal note doesn't help there. My question is, how much money are we saving businesses, and how much are we savings insurance? Well, specifically, they are a business, but how much money are we saving insurance companies, the employer's insurance companies? And how would this change-- I think it's the amendment, so maybe I'm getting ahead of myself since the amendment isn't on the board. But how would this change impact the employees' personal insurance and those claims? Because that, to me, feels like a big concern. So, we had the Nebraska Workers' Compensation Court in opposition. They are a state agency, so they clearly think things are going fine the way that they are and don't want the change. OK, this is what I was looking for, the amendment. So, the amendment is to allow workers' compensation insurers to be subrogated to the right of an employee or their dependents against a third person who is liable for the injury or death of the employee. Any money recovered in excess of the amount paid by the workers' compensation insurer plus expenses of recovering the money shall be paid to the employee or their dependents. A workers' compensation insurer has a right to be paid a party to any suit involving an employee they have paid benefits to. So, if an employee is injured, the workers' comp-- the employer's workers' comp insurance pays out the claim.

KELLY: That's your time, Senator.

M. CAVANAUGH: Just when I was figuring it out. Thank you, Mr. President.

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

DeBOER: Thank you, Mr. President, and I yield my time to Senator Dungan.

KELLY: Senator Dungan, 4 minutes, 55 seconds.

DUNGAN: Thank you, Mr. President, and thank you to Senator DeBoer. I rise again in favor of the motion to indefinitely postpone, and opposed to LB455. I appreciate some of the responses and some of conversation we've had thus far about some of issues this seeks to address. I wanted to dive a little bit deeper into a couple of the topics that I started on earlier. I know we're going to have a little bit of time here to talk today. But as I listen to some of the folks who are in favor of this talk about why they want to pass this bill, I continue to be, I guess, curious as to what the problem is that we're seeking to address. The only real, I guess, issue that's been raised so far about LB455 is privacy, is that individuals may have some privacy concerns with the information that's being shared. I actually have had an opportunity to look at the list that you can get from the Workers' Comp Court with regard to these public records, and colleagues, I can tell you it is not extensive in any way, shape, or form, nor does it divulge a bunch of private information that wouldn't be readily accessible but for these claims. And in addition to that, it, it does give a very brief description as to the nature of the injury and the cause of the injury, and then, like, a one-sentence accident description narrative. And going through these is pretty harrowing, and I think actually indicative of the issues that we're talking about here. These are claims made by people who are working, just working to make a living. And the very first one on the list-- literally, you open up the spreadsheet and the first thing on the is vision loss from chemicals that somebody got while they were cleaning at a grocery store. I mean, that is significant. That is serious. And I think that it underscores what exactly the opponents to LB455 have been saying, and what I want to continue to reiterate, is we are talking about people who have been injured on the job who are seeking to ensure that they have their medical bills paid and that they are not broke while they recover from that injury, and get back to a place

where they can actually return to work, which, again, I think everybody can agree is the goal. And the people on workers' comp are making an effort to get back into the workplace and ensure that they can continue to feed their family, put a roof over their head, put their kids through school, but they've been injured due to things that happened to them on the job. There's other instances you can see and hear with regards to slipping and falling because mats are covered in slime or were not properly cleaned; you have people who aren't able to move fingers after working in cattle chutes. I mean, these are serious injuries. And what we're seeking to protect is the equity and fairness in the system. I know one of the organizations that came in in favor of LB455, I think is named, like, the workers' compensation equity and fairness something-something, but the things they seem to be favoring absolutely put their thumb on the scale towards business in a system where there's not currently a, a crisis that needs to be addressed. Individuals who find themselves in these situations certainly need help in a number of ways, with medical care and also with the legal system. This system they find themselves in for workers' comp is incredibly complicated, it's incredibly nuanced, and they are not always going to be aware of what next best steps to take. I know Senator Hallstrom made comments about seeking legal advice, and that's the word that I'd used. But the, the reality is a lot of individuals receive letters. There was testimony at the hearing about an individual who received a letter from an insurance company from the insurance company, who, by the way, has their information, can share whatever information they want with them, telling them not to seek an attorney, telling them not to seek legal advice. And if you're just a person in the world who gets a letter from your insurance company that you are dependent upon in order to get some of this workers' comp or money in case of your injury and they tell you not to see legal advice, you may find yourself in a situation where you're afraid to reach out to find out what actual benefits or help you could have, because you don't want to do something wrong in an otherwise complicated system. So, the idea that attorneys can contact these individuals in an effort to ensure that they understand their rights, not even to take their cases, not even get paid. Initial consultations are oftentimes free, and the attorneys don't take the cases that they're not needed in. And so, I want to make sure--

KELLY: That's your time, Senator.

DUNGAN: --that we are ensuring fairness and equity in the situation. Thank you, Mr. President.

KELLY: Thank you, Senator Dungan. Members, Senator Murman would like to recognize, in the north balcony, members of the Nebraska Community College Association. Please stand and be recognized by the Nebraska Legislature. Senator Fredrickson, you're recognized to speak.

FREDRICKSON: Thank you, Mr. President. Good morning, Nebraskans. Good morning, colleagues. So, I, I, I really do appreciate this conversation. I think this is a bill that, when I was first reading it, I, I was trying to learn more, and, and certainly, I'm, I'm trying to learning more as I listen to the conversation here today, from both the introducer and also the opposition, to get a better grasp on what we're trying to do here. And you know, I've been listening closely to debate so far, and I have also been reading the underlying legislation in the, in the white copy amendment that's not yet on the board, but I understand will hopefully-- or will be up there at some point soon. And I guess what, what I'm kind of struggling to understand a little bit here is, you know, what the, what the real compelling public policy that we're trying to solve here that requires putting this into statute. And what I mean when I say that is, like, you know, before we put something into law, I think we really need to be able to clearly explain why the people that we represent, our constituents, need it to happen. And I want to remind my colleagues that the legislative branch, we are the representatives of the people of Nebraska. We represent our constituents in our districts. We represent workers, we represent families, we represent injured employees. We do not represent business interests. We do not represent insurance companies. We represent Nebraskans. And this piece of legislation feels a little bit more like system optimization, if you will, than public policy. And I'm just not convinced at this point that we have a compelling case here that the people that we represent, our constituents, asked us to do this. And I want to tie this to a bit of a larger context about some of the things I've been thinking about. I, I think a lot about-- during sessions about, like, kind of what is the-- what's the theme of this year's session? What are the-- what are the things that we, we seem to be prioritizing and, and, and spending time on as the Nebraska Legislature? And one thing that I've noticed-- and I've heard this a handful of times from colleagues in different contexts, whether it's exec sessions or whether it is

conversations on the floor-- this idea of, you know, something along the lines of, you know, I know that this policy isn't necessarily the greatest, or I know this still isn't necessarily where it needs to be, but I, but I want to be a good team player. I really want to be a good team player and just give it a vote. And I really want to remind my colleagues that, again, we aren't here to be good team players; we are here to represent our constituents and to do what's best for them. So, I don't know. I, I was out knocking doors last night in, in my district, and, you know, I was-- I, I spoke to-- with a staffer, a former staffer of the Legislature who actually worked for a really, a really conservative representative. And, you know, he was asking me, he's like, what is going on down in Lincoln? He was, like, you know, back in the day, back in the day when he worked here, he would-- he talked about how whenever we would do something in the Legislature that was an incentive or a corporate incentive, it would, it would always be balanced with something else for your everyday Nebraskans. And the idea there being, like, we wanted to lift everyone up. And it was actually really validating to hear this individual talk about this, because I've constantly felt like the last few years we've done so much in this Legislature that's been so focused on the interests of industry and corporations, and it's really not been targeted on people and individuals. And it is our job, I will say it again and again, to represent our constituents. And again, I have yet to hear from proponents of this legislation what the compelling reason is for your everyday Nebraskan. I've heard about businesses, I've heard about insurance, I've heard about industry, but I've-- I have yet to hear why it's compelling or why it is necessary for my constituents for this legislation to pass. So, I'm going to continue to listen to the debate, but I look forward to hearing more about the people we represent and less about business interests. Thank you, Mr. President.

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

HALLSTROM: Thank you, Mr. President. I too am, am appreciative of the fact that we are having some good substantive discussion about workers' compensation in general, and more specifically with regard to the component parts of the bill, confidentiality of first injury reports and subrogation. And I'll talk a little bit more about subrogation on-- this time on the mic. One of the things I think we have to keep in mind is when we're talking about subrogation, we start with a workplace injury. The self-

insured employer or the small business employer who has purchased workers' compensation insurance coverage, as they're required to do by state law, has paid the bill for either the insurance or for going bare as a self-insured employer, and all of the costs that accrue to the self-insured employer are on their dime. So, the entire panoply of benefits that are available under workers' compensation, including reimbursement of medical expenses associated with the injury, recovery, and payment of the percentage of wages that are recoverable under the workers' compensations laws of Nebraska, those are two-thirds of the amount of wages. Those are not subject to income tax, which I believe is why they are two-thirds of the amount of wages so that they're in essence between not having to pay taxes on the amount of benefits that they receive for lost wages essentially amounts to 100 percent of those lost wages in most cases. They're also, depending upon the nature of the injuries, entitled to scheduled member injury reimbursement for a particular number of weeks, depending upon the body part that might have been damaged, whether it's a foot, whether it's a toe, whether it's a hand, whether it's a thumb or finger, et cetera. And then, there's also permanent disability and disability relating to loss of the-- to the body as a whole, which then can give you, in some cases, lifetime benefits based on your earnings in the place of employment. But to put this into perspective, whatever those benefits might be, both in terms of determining what the benefits that are due for both medical expenses and recoupment of wages until we reach maximum medical improvement, at which time a permanent determination is made-- and in many cases, there's also an award granted for future medical expenses. So, the insurer, on behalf of the workers' comp-- the employer who has workers' compensation coverage or the self-insured employer is on the hook for all of those past, current, and potentially future expenses that are authorized and allowed under the workers' compensations laws. So, if you start from that premise, the injured worker is going to receive full recovery of those benefits in the event that there is an injury. And if there's no third-party negligence, the insurance carrier or the self-insured employer is completely on the hook for all of those payments. Now, if we interject a third-party negligent individual, such as the car accident that I talked about earlier, you now have a new potential element of recovery. That element of a recovery can be broader in terms of allowing for pain and suffering and some things of that nature. But at any rate, whatever the recovery is, if you do not allow subrogation, as some have suggested that the insurer ought to just pay for everything and then sit back and take his lumps or

its lumps, then you have what we call double-recovery by the employee, the very thing that subrogation is designed to not allow to happen. Subrogation is set up so that the individual employee in this case, under workers' compensation, recovers real-time payment of benefits, whether they're lost wages or medical expenses. They're being advanced by the insurer or the self-insured employer, but if there is a situation or a scenario in which a third party is responsible, then they can recoup those expenses and the employee, at the end of the day, has had their expenses paid in full. If the recovery from the third party is greater than the amount that the insurance company or the self-insured employee has invested,--

KELLY: That's your time, Senator.

HALLSTROM: --the employee keeps it. Thank you, Mr. President.

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

HOLDCROFT: Thank you, Mr. President. Just a couple of announcements from the Department of Health and Human Services about some of the good things that they're offering. DHHS offers free colon cancer screening. Nebraska DHS [SIC] is offering a free community fit kit, f-i-t kit as a part of the Nebraska colon screening program aimed at early detection and prevention. The kit is free for Nebraskans age 45 to 74, and easy to use. To request a free kit, please visit the DHHS website, or Google Nebraska DHHS and community fit kit. Also, DHHS offers resources to help Nebraskans quit smoking. Quitting, quitting tobacco is difficult. DHHS is here to support Nebraskans who want to take control of their addiction and improve their health. Nebraskans can call 1-800-QUIT-NOW. That's 1-800-784-8669 to speak with an English-speaking counselor. Free outline services-- free outline services are available "24 by 7" in over 200 languages. A free supply of nicotine replacement therapy can be mailed directly to the home of a qualified caller-- of qualified callers. A web-based coaching option is also available. After enrolling on the Quit Now website, a coach can be reached via the chat link to provide support when needed. Individuals under the age of 18 can text "start my quit" to 36072. That's "start my quit" to 36072 to receive, to receive quit tips or start chatting with a live quit coach over text messaging. Thank you, Mr. President.

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

DUNGAN: Thank you, Mr. President. I think there's a couple of exec sessions going on right now, which is maybe where some folks are who were in the queue. But I rise again today in favor of the indefinitely postpone motion, and still opposed to LB455. I, I wanted to make a couple of points in response to some of the things we've heard thus far. And I understand there was some conversation about whether or not concerns were addressed with the committee amendments. One of the things I think that had been talked about was the idea that somebody could waive this confidentiality and allow it to go out into the public record, and this strikes me as part of a larger theme that we've seen this year, where there are bills that, that do things that I think are objectionable or problematic because they hurt everyday working people, or they, they are fundamentally changing the way our system works, but there's an escape valve; an escape valve where somebody can file a waiver of indigency, or an escape valve where somebody can check a box or fill out a form saying that they do want to waive the, the confidentiality. I think part of the problem I have with that is we are changing who the burden falls on for no good reason. And when you are talking about, every-day hard-working people who are injured on the job, who are already going through this incredibly onerous, difficult system of workers' comp, and you add another hoop to jump through, another box to check, another form to fill out, it just, it strikes me as problematic. Now, you may say it's not that big of a deal. You may say, oh, it's just another thing they have to do, it's not that hard. But when you're going through an incredibly difficult time in your life, and when you are going through an injury when you have to worry about literally your physical health, your mental health, getting back to work, how you're going to make ends meet, adding extra things on top of that, I just don't see the point. And so, I go back to my initial objection to LB455, which is, what, what is the issue that this is trying to address? What is the, the wrong that we are trying to cure with LB455? And if your argument is that it's privacy, I simply just-- again, intelligent minds can disagree-- I don't think there's a privacy problem going on right now. I've seen the forms that have been filled out, I've seen the spreadsheet that is provided with the weekly report of the workers' comp, and it doesn't divulge anything that would be a violation of HIPAA. So, I just don't agree that privacy is a problem. If the issue or the problem you're trying to address are workers seeking or having access to-- I'll stop using the

word "seeking"-- having access to knowledge of lawyers that they could hire or help them through this process, then I just don't think that is an ill that we need to fix, because I do think that people deserve the right or the ability to have that information presented to them in a situation that is otherwise incredibly difficult for them to navigate. So, there's no real problem that I think LB455 seeks to address. I think that it simply is tipping the scales in the favor of, well, business. And I understand there are some in this body who do seek to further the, I guess, the goals of business, and I understand that we have to be a business-friendly state in some circumstances because we want to make sure that we have, you know, places that come here and, and work in Nebraska. But at the end of the day, to echo Senator Fredrickson's comments, we represent our constituents, not businesses. We represent the people of Nebraska. And when my folks in northeast Lincoln get hurt on the job, I want to make sure that they have access to every avenue available to them to ensure that they are going to be taken care of, that they're going to have their issues addressed, and that they're going to be safe. And so, my concern is that if LB455 passes, especially with the amendment, we are upending a system, a system that was really last majorly tweaked in the '90s, which I plan on talking about the next time I'm on the mic, in a way that just doesn't help the people that we are here to help. So again, I appreciate that there are conversations ongoing. It sounds like there are still some back-and-forths happening about what is or what isn't, you know, a part of LB455 that may be acceptable or not acceptable. But colleagues, at the end of the day, I just don't believe that this bill is necessary. And perhaps the unintended or hopefully not intended consequences of the bill are going to ultimately hurt our constituents and people who are just working in Nebraska who have found themselves in these incredibly unfortunate situations.

KELLY: That's your time, Senator.

DUNGAN: Thank you, Mr. President.

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

CONRAD: Thank you, Mr. President. Again, good morning, colleagues. I think it's always so interesting when our comments perhaps trigger our, our colleagues, and Senator Hallstrom's

definitely within his rights to utilize advocacy however he sees fit and to meet the speech he finds objectionable with more speech. But let's just redirect here. There's nothing about spinning a narrative. The committee statement is clear and unequivocal. Those supporting this measure represent big insurance companies and big corporations, and the lawyers that represent their interests. And when you look at, say, for example, something like Nebraskans for Workers' Compensation Equity and Fairness, this is one of those-- and these corporations, these individuals have every right to associate, to organize, and to petition their government for change. But it's one of those organizations that sounds real innocuous. And then, you go look at their board of directors, which I-- maybe it's been a while since they updated their website, because Senator Hallstrom's still on there. You can see the largest business interests and the largest insurance companies. That's who makes up this organization. So, I'm not spinning a narrative, I'm speaking the truth. When you go and you look at who's, who's opposing this, it's people who help injured workers. It's people who represent workers. It's people who've been in the system themselves as injured workers. It's not a narrative, it is black-and-white. Look at the committee statement. So, it's important to note what we're talking about, in terms of the information provided, would generally be available to every entity except for people who help represent injured people to understand whether or not they have a claim or need help navigating the workers' compensation process. And to be clear, if insurance companies paid out quickly and appropriately-- because we all pay our claims, right? If they, if they kept their end of the bargain, we wouldn't even need lawyers in this position. But we know that we do. Have you ever had to fight with your insurance company after you've paid your claims and done-- paid your, your, your payments and done everything right? And then when you need help, they weren't there for you or somebody you know? Has that ever happened in your life? That's what we're talking about in this context. So, injured workers need an opportunity to talk with lawyers to understand whether or not they have a claim or are being treated fairly. And lawyers-- I mean, use common sense here, colleagues. Lawyers who provide free consultations, in almost all instances in this regard, have no financial incentive to take a bad case or a case that's been being handled fairly. Zero. Their communications to the injured employees-- which by the way, if you look at the first report, it's a standard spreadsheet type situation. There's no intimate medical details or HIPAA considerations at play. It's things like name and address and

employer, and the type of injury, and your zip code, those kinds of basic things. So, attorneys send information to people based upon those first reports that's clearly delineated, aligned with Supreme Court precedent, aligned with the Nebraska ethical code, that has to be clearly delineated as a solicitation, that cannot be misleading, that cannot be coercive. And it's up to the individual who's injured to decide how they want to handle that piece of mail that shows up in their mailbox. And you know what? I just simply disagree with my friend Senator Hallstrom. I think that Nebraskans are smart enough to figure out how to process their own mail. If they're interested in receiving a solicitation, they can open it. If they're not, they understand how to use the recycling bin. It's really that straightforward. And there's no narrative. It's black-and-white. The people pushing for this are trying to keep injured workers from having information so that they can be empowered to know and understand their rights, and to navigate a byzantine legal system if they need to. Thank you, Mr. President.

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

HUNT: Thank you, Mr. President. Yeah, I did take an opportunity to look at the-- I've-- I have it up right now-- the committee statement for LB455 from the Business and Labor Committee. And the proponents, besides the, the introducer, Senator Hallstrom, it's just two proponents; two lobbyists, paid. One Ryan McIntosh representing Nebraskans for Workers' Compensation Equity and Fairness, which the introducer sits on the board of, according to their website; the National Federation of Independent Business, Nebraska Chamber of Commerce and Industry, Lincoln Chamber of Commerce, Nebraska Grocery Association. So, those are all employer groups. And then, another paid lobbyist representing Nebraskans for Workers Compensation Equity and Fairness. So again, the same organization which the introducer sits on board of. And then, in terms of opponents, there's the Trial Attorneys Association, which is a lobbying group; there's Nebraska Workers' Compensation Court, which was in opposition, looks like a law firm; and then a, a worker, somebody testifying on behalf of themselves; Nebraska AFL-CIO, which is testifying on behalf on workers; trial attorneys; and then another worker testifying on behalf themselves. So, there were two paid lobbyists in support of the bill, and seven opponents, some of them lobbyists, but actually several of them workers as well. So, yeah, as Senator Conrad said to what Senator Hallstrom sort

of accused her of, I guess, there is no narrative. This is another bill on the wishlist of big insurance companies and corporations that will make their lives easier and improve their bottom line at the expense of workers in Nebraska. I have not heard from injured Nebraskans asking us to prioritize insurer recovery mechanisms. I have not heard from injured Nebraskans saying I want to make sure that my insurance company gets a bigger payout, nor have I heard them saying I want the lawyers to get a bigger payout. They just are trying to work within the broken system that we have in this state. When they get injured on the job, in exchange for providing their labor to help get someone else rich-- if they get injured in the process of doing that, they want to have a fair way to get some compensation for that. And we, as a state, going back over 100 years, have decided that that's OK. I'm against the constant chipping away of workers' rights based on who gets elected in here and how much they think they can get away with. Year over year, these bills that ought to be sitting in committee dying are getting voted out like an assembly line of anti-worker agenda pieces, and I think it's time to stop it. I don't know a bill that, that these lobby groups could introduce that wouldn't sail right through here, honestly, when you look at the breakdown of the body right now. And I hear many of you say in private conversations, well, you know, I was talking to somebody who was saying, you know, when someone gets injured on the job, don't you think that their employer should help compensate for that? Yeah, of course I do. It's like, OK, well that's not what this bill does. But that person's going to be a team player and vote for it anyway, and that's something I heard from somebody else in the body. Ah, I think-- got to be a teammate player. It's really interesting that it's always that same phrase being used. Like, maybe that's what's getting dropped in the group chat, I have no idea, but-- I certainly rise in opposition to this amendment, the committee amendment that is not yet on the board. I am actually in support of Senator Raybould's motion to indefinitely postpone, and I thank her for making that motion because, you know, far be it for me to stand in the way of helping her take time on a bill that probably needs to go the distance so that we can, A, have an accountability vote to get that 33 you're going to need to pass it, but B, actually get on the record what your support is for bills like this instead of just having opponents talk against it. I think that more of you need to be willing to stand up and say why you support taking rights away from workers, why you support making it harder for struggling families to get by, and why you're happier lining the pockets of insurance companies and big corporations instead of

standing up for the people whose labor actually makes this country and this state and these cities that we represent work. Thank you, Mr. President.

KELLY: Thank you, Senator Hunt. Senator Hallstrom would like to recognize guests in the north balcony. They are fourth-graders from Calvert Elementary in Auburn, Nebraska. Please stand and be recognized by the Nebraska Legislature. Senator Guereca, you're recognized to speak.

GUERECA: Thank you, Mr. President. And colleagues, like I said, I, I do rise in opposition to LB455 and in support of the motion to indefinitely postpone. Let's talk a little bit about-- you know, we hear the phrase "the grand bargain," "the grand bargain," "the grand bargain." What does that mean? Where did it come from? So, to be clear, what the grand bargain is-- and we'll go through a little or the history of how this grand bargain was struck-- but what the grand bargain says is that an employee is entitled to receive guaranteed no-fault medical and wage benefits from a work-related injury in exchange from giving up their right to sue an employer for negligence. So, that's the grand bargain. You're receiving not even your full wage, but you're receiving a wage benefit and your medical benefit in exchange for not being able to sue your employer for negligence. Neither side's going to love it, but again, it's that grand bargain, that balance. Legislation like LB455 seeks to tilt that delicate balance, that delicate balance that for a very long time-- and again, we're going to dive into the history of it-- has given that basic guarantee to both workers and employers that, should something go wrong, the worker is going to be OK. They'll able to take care of their family's basic needs, and they'll be able to provide medical care for their family. And on the flip side, that employer isn't-- doesn't have to deal with a very large lawsuit. So, I looked up the history of the grand bargain, and I'll spare you going back to ancient Mesopotamia and Hammurabi's code. But one of the most-- one of the more recent firms of worker compensation actually came in 1884 in Germany under Chancellor Otto von Bismarck who brought forth the first piece of modern workers' compensation insurance. Britain followed in 1897 with the Workmen's Compensation Act, and it made history. For the first time, a worker could get compensation for job injuries without proving that their employer was at fault. Again, the, the British act created a trade-off; workers gave up the right to sue for negligence, and in exchange, they got that guaranteed compensation. It really

was a first modern version of the grand bargain. And American reformers, they took notice of that. In the 1890s, the progressive movement pushed similar measures here in the U.S. President Theodore Roosevelt and groups like the National Civic Federation, they championed this cause. And there was one incident that really sparked that sort of modern workers' compensation movement here in the States. It was-- give me just one second to pull it up. So, a lot of states between 1902 and 1910 passed versions of worker compensations, and they get-- kept getting shot down in federal court. And then in-- on March 24, 1911, the New York Court of Appeals declared that the, the 1909 Compulsory Workers Compensation Act was con-constitutional [SIC]. The day later, the terrible fire ripped through the Triangle Shirtwaist Company in New York City, killing 146 young garment workers, most of who were young women. The managers had locked the exits to prevent workers from taking breaks. The public actually were further outraged when only 23 families of the deceased 146 workers received the \$75 each as a result of the civil lawsuit. That disaster galvanized the country, and led to reforms in both safety, health, and labor laws. And then, New York state ultimately changed its constitution and implemented the first work compensation in 1914. So, that was the impetus that drove the beginning of the grand bargain here in this country. 146 workers dying in a garment fire at a time--

KELLY: That's your time, Senator.

GUERECA: Oh. Thank you.

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

M. CAVANAUGH: I just stood on my tippy toes for the microphone, then realized I can pull the microphone down. Thank you, Mr. President. When I was last speaking, I was figuring out the amendment and the third-party claims, and I, I had understood that that's what was going on, but I didn't, like, really internalize it. Now I have internalized it. Also listening to Senator Guereca's comments about the garment workers, it just feels like not a great idea. So, I'm going to yield my time to somebody who is a little bit better-versed at speaking to these issues. I'll yield my time to Senator Conrad.

KELLY: Senator Conrad, 4 minutes, 4 seconds.

CONRAD: Thank you, Mr. President, and thank you to my friend, Senator Machaela Cavanaugh, for the additional time. So, I want to talk about a couple of things in regards to the viewpoint discrimination plaintiff's attorney blackout as proposed in LB455, which would be a shield to injured workers receiving information that they are fully capable of discerning how to process when they open their mail. And to be clear, this is the current practice, and there hasn't been a rash of injured workers who have shown up to this Legislature complaining and organizing and advocating for an end to this process. Because, again, Nebraskans understand how to process their mail. They understand how to read, that the outside of information presented to them is commercial in nature and is already governed by Supreme Court decision, state statute, and Nebraska - the Nebraska ethical code specifically governing the conduct of lawyers, and providing specific parameters in regards to these guidelines for ethical communications. The other thing that I think is really important to note-- and we can go into it in more detail, but if you actually look at the flip side of it, and you go back and you look at the committee transcripts on these pieces of relate-- related legislation that seek to upset and disrupt the grand bargain and put their thumb on the scale in favor of big business, and in terms-- give special favors to insurance companies-- actually, there were injured Nebraskans who came forward who weren't a part of the unions, who weren't a part of the trial lawyers, who didn't represent the Workers' Compensation Court, which, by the way, also opposed this measure, and talked about how, in fact, they had received communications encouraging them to take action adverse to their actual interest. We actually have a record that shows Nebraskans coming forward, talking about people contacting them, encouraging them not to pursue their rights, or pressuring them. We don't have in the record Nebraskans coming forward saying that they can't handle processing their mail. We don't have it. And what's really interesting about LB455 and its amendments is that this bill has such specific and negative treatment for only one group. Insurance companies and employers and everybody else under the sun has full access to this information, but not lawyers who help injured people. That is viewpoint discrimination, clear and simple. And again, the information provided is basic information. We don't have secret courts, Workers' Comp or otherwise. When you make court filings, there's a public record. And there's public record for a bunch of reasons: implicating protected commercial speech, implicating data and research collection, implicating journalistic

endeavors, a whole host of different things. Why do we want to shield information that can point to--

KELLY: That's your time.

CONRAD: --deeper problems? Thank you, Mr. President.

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

QUICK: Yeah, thank you, Mr. President. I do-- I stand opposed to LB455. I'm going to talk a little bit about my experience with a workplace injury. So, I don't know if any of you other senators have ever had that experience, but for me, you know, I'd, I'd had a lot of knowledge about workmen's comp because of my union work and my leadership role, so I had kind of understood what the process would be for me, although there were some new experiences that I didn't know about as I went through that-- the, the whole process. But, but I know there were other members that worked at the power plant that didn't understand, and, and they were even union, union members. And I know there are many people out there who work in the private sector that really don't understand that the-- that-- what their rights are as an, as an employee. So, my experience was I'd hurt my shoulder. My supervisor actually witnessed my injury. We were trying to unplug a, a, a silo; about two ton of material had come down as I was trying to unplug it with a rod, and I injured my right shoulder and my arm. And then from that point, what happened for me was, is that-- because I just thought well maybe it's just a strain, so I'm just going to report it as a, as a near-miss. My, my supervisor said we'll just do it that way, and then we'll see how, how it goes. And then from that point, then, maybe-- I think it was probably a month later it got to the point where I couldn't even use my arm. So, I decided this must be a little bit more serious than what, than what I thought it was. From that point, I met with the HR person in our company. She-- we, we actually went to a full accident report, filled out all the paperwork. And I'm telling you, there is so much paperwork; I think most employees don't even understand what they're signing most of the time because, you know, my injury, although, you know, it was "painforme"-- painful for me, it-- not-- it wasn't all the time, it's just when I was using my arm. But there are some accidents where people are just, they're, they're in pain while they're trying to fill out those papers. And so, that became an issue for some. So from that point, I had to go, go

see an orthopedic doctor. He did all the exams. And from that point, because of the way workmen's comp worked for me, I had do-- I think it was four weeks of physical therapy, which was extremely painful because I had had to do things with my arm that I couldn't even make it do. And I said-- I just kept telling him, is this supposed to hurt? And they said, well, we, we just have to keep working at it and see if we can make it better. And I said, well, it's not working. So-- but then when I did finally get through that process, then I was able to do an MRI. The first MRI, they couldn't even see what was going on inside with my shoulder, so they had to inject ink into the next MRI that they did, which was, like, I think a week later. Then they injected ink into that process, and then they were able to see some of the damage from my shoulder. From that point, they decided that I would need surgery, and so-- they thought maybe it was just the rotator cuff, but actually, when they started doing the surgery, they discovered that I had torn bicep ligaments too. So they had to cut-- actually do a larger incision, and then-- actually, when I started that process, for most-- for all employees, you have to use five days of your sick leave. You know, most employees don't even have sick leave, so they may have to use PTO or vacation or something to fill that week, first week of workman's comp. So, I had enough, enough time, so I had to use five days of my own sick leave for my injury. If you are gone for six weeks, you do get that back, and so, you know, I don't think most people know that. From that point, you know, I had the surgery, I started physical therapy right away. You're assigned a caseworker through workmen's comp. And one of the big issues with the caseworker, they're always working from that-- the insurance side, so they're trying to push you to go back to work. So, she kept asking me to go back to work, I was on painkillers; my supervisor says, no, you're not coming back to work until you're off the painkillers because we don't want you here for that. But I think it was only a couple weeks after my surgery, they were pushing me to go back work. And I think for most employees, they wouldn't understand, you don't have to go back to work. You can talk to your supervisor, talk to HR, and tell them what's happening with you. So, that was another thing that, that was new for me, was working with that caseworker on that injury. After my-- I don't think I was gone six weeks; I think it might have been four to five weeks. And so--

KELLY: That's your time, Senator.

QUICK: Oh. Thank you, Mr. President.

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

DeBOER: Thank you, Mr. President. I yield my time to Senator Conrad.

KELLY: Senator Conrad, 4 minutes, 55 seconds.

CONRAD: Thank you, Mr. President, and thank you to my friend, Senator DeBoer, for yielding some additional time. So, colleagues, I just wanted to continue the comments that I started on the mic last time, and would draw your attention to the committee transcript when this measure was heard, dated March 10, 2025. And if you look at the testimony of LeAnn Tinsley starting on page 69, she talks about how she came in on behalf of herself to oppose this measure. She notes she's a registered nurse in the state of Nebraska, although she no longer practices as a nurse. And she shared with the committee her perspective as an injured worker who was still in the middle of her case, and she admits she was young and naive, and when she got hurt on the job, she didn't understand her rights. She didn't have access to her wages, she didn't have ready access to medical care. She knew she needed to go to the doctor, and she was working at a hospital here in town, but she was confused. And most people, most people don't have to go through the worker's comp system through the course of their career. But the folks that do maybe go through once, maybe twice in rare instances, so it's not like this is common practice that everybody's just readily aware of how the process works. And so, when Ms. Tinsley was hurt, she got mailings from her employer or their insurance agents or companies, the adjusters. And it literally said things like you're going to get a bunch of different mailings from lawyers; just throw them out, you're not going to need those. And so she did, and she admits she was naive, and she didn't know. And over the next couple of months, her injury got better sometimes, and then, ultimately, worse. And she had serious injury in regards to herniated disks in her spinal cord, and she started having paralyzing effects from her workplace injury, working as a nurse on the front lines in a hospital. She was losing movement, she couldn't manage stairs. And she asked her employer a bunch of questions, and through HR, and to her manager, and to the adjuster, saying, hey, I need to address this; I need more care; I need work through this; how do

I get paid? How do I get through this? And no answers. She did not know her rights, and the only information she received from her employer and the insurance agents were non-answers and advice to not consult with a lawyer. So, Senator Hallstrom's measure would allow that practice to continue, but only apply and stop the practice of people who have expertise in a very complex system providing contact information to injured employees who can decide whether or not they want to call them up and get a free consultation, whether or not they want to seek representation. It's really that simple, and it also just goes to show the entire point of the bill. Injured working Nebraskans aren't asking for this change. In fact, they're coming forward on their own volition, taking time away from work and family to talk about the abusive practices from employers and insurance companies, pressuring them to not even seek legal advice. And we're trying to keep information away from injured workers even more so, who are fully capable of assessing whether or not they want to pursue those consultations. And why? Why are employers and insurance companies terrified that injured workers might have independent legal analysis about whether or not they were treated fairly? Because if they're not trying to pull a fast one, they should have nothing to hide. Thank you, Mr. President.

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

HALLSTROM: Thank you, Mr. Speaker. Just a couple things I guess I'll focus on. Some of the examples that we've had over time and, and have been reflected in the record at previous iterations of this bill. An employer who has a nanny providing services in-house who clips her finger on a rose bush outside the front door. The employer who happened to be an attorney, out of abundance of caution, files a first injury report. This required a little bit of ointment and a band-aid, and the nanny was inundated with 12, 15, 20 solicitations. Certainly no need for representation, no need to be inconvenienced with that type of solicitation. Our very own Galen Hadley, when he was chairman of the Revenue Committee. In the course of a public hearing, committee hearing of the Revenue Committee, got up to leave the committee hearing room, tripped over a television cable and fell. May or may not have been injured to any extent, but he got up, brushed himself off, and walked out of the room and came back and resumed his business. And within a few days, he had had the usual cadre of 15 to 20 or more solicitations. I think that probably, in that case, Senator Hadley is well aware, as we've

suggested, it's not too hard to find an attorney without having to be solicited for the same. The other issue and point I'd like to make is it, it, it is not about someone not being represented; it's simply about not being solicited. If somebody finds out that I'm going to file an insurance claim or I'm going to check into the hospital, or I am going to take out a bank loan, all of those things that involve significant paperwork-- and I think as Senator Conrad may have suggested-- or, Senator Quick. Excuse me. Senator Quick suggested that, gosh, I did a lot of that paperwork, I didn't understand what I was signing. Well, you going to put my name on a list and let attorneys solicit me and suggest that if I need some assistance, they're there to lend a hand and help me out with my hospital intake or my insurance claim, or going in to take out a bank loan? I hardly think not. Other issue-- and people question the whys and the wherefores. Senator Fredrickson, I'll respond in part to your question that you posed. When you, when you look at the background regarding this bill-- one year, when this bill was up a number of years ago, a state senator named Jeanne Combs, who happened to be with Farmland Foods out of Crete, was a nurse by profession, HR person-- she was on the Business and Labor Committee. Senator Combs wasn't typically disposed to support business-related issues, but on this one, she was rather insightful, because given her hands-on experience, she knew that there were many cases in which the employer and the employee were working things out correctly and that there was no need for representation. But nonetheless, some people, in the course of being solicited-- and I know there are those, I will not dispute, that do a consultation and don't necessarily undertake representation. But there's others out there that don't. So, people get representation when they don't need it, and that was why she was supportive of the legislation, because she had seen firsthand what can happen, and there is an example of why the bill is needed in part. I hope to get on the mic again. We've been talking, as Senator Dungan has noted, with those that are opposed to the bill, to see if we can put together an amendment that might work out some of the kinks and some of the concerns with the bill. So, we'll continue in good faith with those negotiations and hopefully be able to get to resolution before we spend eight hours on LB455. Thank you.

KELLY: Thank you, Senator Hallstrom. Senator McKinney would like to recognize some guests in the north balcony from Alpha Phi Alpha Fraternity, Inc. and Beta Sigma Theta Sorority, Inc., all from Omaha and Lincoln. Please stand and be recognized by your Nebraska Legislature. Senator Fredrickson would like to

recognize a group of fourth-graders and Georgia Dietz from Mary Our Queen in Omaha. Please stand and be recognized by your Nebraska Legislature. Senator John Cavanaugh, you're recognized to speak.

J. CAVANAUGH: Thank you, Mr. President. Good morning, colleagues. Again, I rise in support of the motion to indefinitely postpone, and opposed to LB455. Welcome to the folks from the fraternity and sorority, and from the kids from Mary Our Queen. I would tell you that we are currently in the Lenten season, which means Mary Our Queen has its fish fry on Fridays. They have a fabulous mashed potato ball situation that's fried. It's very good. And when you go to the Mary Our Queen fish fry, you get to wait indoors in their hallway as you're waiting to get to the gym for the fish, and you get see the art on the walls of these kids-- you guys going to have some art on walls this Friday? Oh good. Well, it's always fun when to-- when you're waiting in the hall and-- to examine the work of the-- not only fourth-graders, but all the grades at Mary Our Queen. So, there are many great fish fries; Mary Our Queen is one of them. So, thanks for being here, everybody. So, I appreciate-- I was listening to Senator Hallstrom's conversation about extreme examples of people who do not need a lawyer getting solicited by a lawyer. And, you know, there's a lot of great adages out of law school that's, you know, what is it, "a lawyer who represents himself has a fool for a client" is a good one, which is a way of saying you want somebody else outside of yourself to help you and represent you and shepherd you through the process. No matter how great a lawyer you are, you don't have the distance or perspective to represent yourself. And so that's a good, good, appropriate-- you know, here is that folks do need some kind of impartial person to zealously advocate for them. But another one is, you, know, "bad facts make bad law." And so, if you are going to make a determination about how the entire workers' compensation system should work based off of one person who got solicited more times than was necessary for them to get the assistance that they needed, that's making bad law based off of one bad fact pattern. There is, you know, a long list, this list that we're all talking about, of folks and injuries that people have had over the last several months. And it has, you know, the employer and the type of injury, and so this is the thing people are talking about. So, it has which part of the body is injured, what is the nature of that injury? Lacerations, vision loss as a result of chemicals is one example on here. We have contusions, we have inflammation, and, you know, I think that they come in all sorts of different-- here's

one, puncture on the finger, which is maybe what Senator Hallstrom was just talking about. And the fact that somebody has a puncture in their finger gets solicited the same as somebody who maybe lost a finger is, is maybe more of a question for those folks who are doing that solicitation that they need to use a little bit more judgment before they're sending out somebody who's not probably going to need a lot of representation. But I'd rather have that person get 12 solicitations than the person who really needs it, like this person who's lost their eyesight as a result of a chemical interaction-- I'd rather make sure that person gets represented and gets their rights asserted, gets their, their, their care, gets their bills covered and everything. I'd rather have that be the scenario that we are thinking about, is making sure that the people who really do need the help are getting it, and the people who don't need the help can make their own determination and judgment. And that's what we're talking about here, is making-- we're, we're making it harder for the countless people on this list who really do need representation and help to get help, because there are two anecdotal stories that were just recited here that maybe didn't need a lawyer's representation or didn't need a solicitation, as Senator Hallstrom said about Senator Hadley. Senator Hadley could find a lawyer on his own. Good for Senator Hadley. What about everybody else? What about these other people? What about this person who is probably, if they have an eye injury as a result of a chemical, they have vision loss as a result of a chemical injury, maybe is having trouble just even navigating their living room, let alone the worker's compensation system. And so, that's who we're talking about, is the people who have-- are experiencing some sort of trauma, who don't have the wherewithal to navigate the system, to go out and ask a friend-- maybe they don't have a friend who knows a lawyer-- and find, solicit a lawyer. We need people-- we need to make sure people have access to the system.

KELLY: That's your time, Senator.

J. CAVANAUGH: Thank you, Mr. President.

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

DUNGAN: Thank you, Mr. President. Colleagues, I rise again in favor of the motion to indefinitely postpone, and opposed to LB455. I, I mentioned that I would talk about this a little bit

more on the mic, but I wanted to give a little bit more of a historical perspective, as I understand it, as to how we got to where we are today, not broadly about workers' compensation in the country, but in Nebraska specifically. Granted, I was not around in the Legislature in the 1990s, but I did a deeper dive into the transcript from the floor of the Legislature back in the '90s earlier this session on another bill, which I'll get to more in a moment, and I thought it was really informative about some of the agreements and the processes that were followed in order to get to where we currently are today with workers' compensation. So, back in '90s, there was a blue ribbon commission that was put together by then-Governor Ben Nelson in an effort to address or at least analyze why our workers' compensation premiums were so high. And the goal was to bring together employees and employers, both the business community and the labor community, to have a broader conversation about whether or not there was a way that we could mutually agree to bring down our workers' compensation premiums through a concerted effort, as I understand it, not necessarily to put the thumb on the scale on one side or the other, but to try to mutually agree about whether or not we could reduce the cost of medical care, which, if you go back and look at the transcripts, it's very clear that that was the intention of that legislation. Now, I've gone through most of the floor debate, which I'm not going to bore everybody with me reciting here today. But rest assured, there was contention, and there was obviously objections that some individuals had because they felt as though that compromise or that agreement didn't adequately address the needs of workers or employees. But there's two things that I think are noteworthy about my review of this transcript. One is that it was the product of a long, concerted effort with all of the players at the table. And a major upending of our workers' compensation system, a, a major modification of the way things worked and how managed care operated and all of these things, was the byproduct of multiple meetings and months-long, if not years-long, efforts where everybody had their input. Part of my concern about LB455 is it is, obviously, presenting one side of the story. And I disagree with the intention behind LB455, but it is not the byproduct of sort of a long, worked-out, agreed-upon framework. Now, again, Senator Hallstrom and I will both say the same thing, that there's continuing negotiations and conversations happening, which I appreciate and I think is part of the way this should work. But those are obviously happening now and over the last couple of days, and I think that that is different than the other changes that happened previously, where there was this long process with everybody at the table-- labor,

business, attorneys on both sides of the issue-- to address those concerns. And what we have here is slightly different. In addition to that, what I find also interesting is that there are certain things that were agreed to in LB757 back in 1993-1994 that this Legislature has walked back and eliminated as though it's not a big deal. And one of those-- and I apologize for Senator Moser catching some strays here as I talk about his bill that we've already debated on the floor-- but one of these is the elimination of workplace safety committees. And what I find particularly interesting is if you go back and look at this, they're outlining in the opening of LB757 on April 19, 1993 the different sections of the bill, and they say the eleventh section would require employers to establish safety committees in working through the Commissioner of Labor. Page 50 through 51 of the Bill. You go forward, and they say on the transcript "Some sections to the bill are something that no one can disagree with. For example, the safety section," who will be-- "who will be opposed to providing for additional safety for the workers in the workplace, or establishing safety committees. This is something that you can look at and say, why haven't we done this in the past?" So, I bring that up, colleagues, to highlight the fact that LB455 is yet another effort that this legislation we have seen-- this Legislature, we've seen, to walk back workplace safety and workplace security, things that were agreed to decades ago in an effort to try to address these concerns, which at the time were seen as common sense. And so, the elimination of the workplace safety committees, acting as though it was some sort of Nebraska version of a DOGE effort to get rid of some unused part of the statute, really does go back on the spirit of this legislation, which was intended to protect workers. And LB455, I think, is yet another walk-back of that workplace safety conversation, and therefore, I would encourage your green vote on the motion to indefinitely postpone. Thank you, Mr. President.

KELLY: Thank you, Senator Dungan. The Clerk, for an item and a message.

CLERK: Thank you, Mr. President. Announcement. The Judiciary Committee will have an exec session at 11:30 under the south balcony. Judiciary Committee, exec session under the south balcony. Additionally, communication from the governor. Engrossed LB717e, LB718 and LB719 were received in my office on February 20, 2026 and signed on February 25, 2026. These bills were delivered to the Secretary of State on February 25, 2026.

Signed sincerely, Jim Pillen, governor. Additionally, committee reports from the Education Committee concerning gubernatorial appointments to the Board of Educational Lands and Funds, as well as the Technical Advisory Committee for Statewide Assessment, the Coordinating Commission for Postsecondary Education. Your Committee on General Affairs chaired by Senator Holdcroft reports LB1004 to General File with committee amendments. Your Committee on Health and Human Services chaired by Senator Hardin reports LB912 and LB1012 to General File, LB912 having committee amendments. Amendments to be printed from Senator Fredrickson to LB717; Senator Ballard, amendment to be printed to LB824. That's all I have at this time, Mr. President.

KELLY: Thank you, Mr. Clerk. Returning to the queue, Senator Conrad, and "yis" is-- this is your third time on the motion.

CONRAD: Very good. Thank you, Mr. President. Again, good morning, colleagues. I agree that we've had some initial conversations that were thoughtful to try and forge consensus between proponents and opponents of this measure, which, which is part of our process and which I appreciate, and sometimes can be helpful to sorting out complex issues outside of the constraints of a brief floor speech. And those discussions will absolutely continue, as they should, and, and always have been a part of the process. But I just-- I want to be crystal clear in regards to my goal in those negotiations, my perspective, and I can't speak for others. My goal and my perspective in those negotiations is not to mitigate the harm of Senator Hallstrom's measures, which disrupts the status quo. My goal in those negotiations is to ensure a net win for workers, period. Period. And we have to be really thoughtful about what the goal is. Senator Hallstrom's measure is not needed. There is not an outcry across Nebraska for these changes to the workers' comp system. These are special benefits tipped in favor of big businesses and insurance companies at the expense of injured workers. So, if there is a way to combine proactive, pro-worker measures that myself or Senator Dungan or other measure-- other members have pending before the body, great. That can and should be part of the discussion. If the only goal is to mitigate the harm of Senator Hallstrom's measures, that's not interesting to me. So, I just want to be clear about that. And let's talk about why it's important that people know their rights. I know it's fun in this context for people to dunk on trial lawyers or criminal defense attorneys or what-have-you, but I also think it's very interesting and very telling when members who make

those kinds of statements have a family member or a colleague or somebody close to them that all of a sudden needs the services of those trial lawyers or workers' comp lawyers or criminals defense attorneys, they avail themselves of those services, as they should, so that those who are close to them can understand their rights, can navigate complex legal issues. When it comes to workers' comp, why it's important for workers to know and understand their rights, it's really quite simple: so that the injured worker knows that they can hire their own lawyer or get a free consultation; so that the injured worker knows that if they have a relationship with a family doctor, they can get independent analysis and consultation from that medical provider they already have a relationship with; so that the injured worker knows what their actual rights are in regards to workers' comp and not. And the Workers' Comp Court can't provide legal advice to the injured worker about these issues, and it's important that the injured worker is not solely getting information from somebody whose interests are adverse to them, the employer and the employer's insurance. And it's such a simple proposition, colleagues. If you get hurt at work and it's not your fault, should your employer pay for it, or should your insurance, or should Medicaid, or should Medicare? The whole purpose of the grand bargain-- which, by the way, is not a perk to employees-- is a massive benefit to both sides, including the employers and including the insurance companies. It streamlines a process to help get people back to work quicker. But it is complex, and it needs to have balance. And Senator Raybould and Senator Hallstrom, and any other business owner in this body knows that their workers' comp premiums and rates are not going down. They're going up year over year for a variety of different purposes outside of the context of this bill, and they're not going down if you pass this bill either. Thank you, Mr. President.

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

HUNT: Thank you, Mr. President. In my reading of this amendment-- I'm talking about the committee amendment here-- I'm open-- I'm certainly open to being corrected here, because, of course, I am not an attorney, and I'm also not an expert in workers' compensation. But reading through this amendment and comparing it to the status quo with what we have right now, it seems like it changes how settlements occur by requiring agreement from insurers or court approval before they're valid. And that sounds

really procedural, and it sounds like maybe it makes sense, but delays like this, whenever you delay the approval of a claim or getting the process started to receive compensation for that claim, these delays always favor the party with the most resources. In this case, insurance companies and employers. So, imagine a worker who has spent years navigating litigation and treatment and finally reaching a settlement that allows them to move forward, and they have medical bills mounting, the family wants closure. But under this framework, with this bill, that resolution may still depend on whether an insurer agrees, or whether additional litigation becomes necessary. And I think that we should be really cautious about creating additional points of friction, additional veto points, additional delays in a system where an injured person is already the least powerful person in the situation. Another part of this bill imposes a rigid formula for distributing the settlement proceeds. One-third goes automatically to the worker; reimbursement to the employer or the insurer comes next, and only afterward does any remaining balance return to the injured person. And courts ought to-- already exist to weigh fairness. Judges consider circumstances that statutes can't anticipate, that we don't anticipate as we go through these debates in here: catastrophic injuries, dependent families, long-term care needs. So, by imposing a one-size-fits-all distribution structure, we're substituting legislative assumptions for judicial judgment. And real lives are complicated, recovery is complicated, and I'm not convinced that the formulas written here today in this bill will produce equitable outcomes years from now, when there may be entirely different cases. I'm also concerned about the expanded access to injury reports and confidential information of workers who are making claims. These injuries involve medical histories, diagnoses; they, they have things like addresses and identifying information, and this amendment expands the range of entities that might access those reports, including insurers, administrators, attorneys, researchers, and other entities under various circumstances. And even when these safeguards exist, every expansion of access to people's data increases risk. We live in a world where data breaches and identity theft happens more and more. We've had bills dealing with that already this year. And injured workers should not have to wonder who is reviewing their personal information simply because they were hurt while they were earning a paycheck. There is no scenario where I will support a bill that takes rights away from workers who are injured on the job, period. There's no walking anything back, there's no negotiation or debate, and that, for me, is a bright line. We have, we have done enough in this session to

deteriorate the rights of workers in our state. And the Legislature is just increasingly becoming a factory for more felonies, for more punitive measures, for fewer rights for workers, for fewer rights for parents, for less privacy for consumers. And I think that we need to pump the brakes and stop and ask yourselves, the 33 votes that we have here to pass anything that you want under the sun, ask yourself if it's worth it, if it's worth the political capital that it costs. I think that we had to talk about a broader question about our priorities. Workplace safety conversations are happening nationally right now, and I do not see any provisions here that prevent injuries, that make it easier for workers. I don't see any investments in safety training or enforcement. In fact, those are things that we've just rolled back this year. I don't see measures that reduce workplace hazards before someone gets hurt. Instead, much of what we're discussing involves reimbursement structures, administrative authority, settlement controls that all benefit institutions managing the claims--

KELLY: That's your time, Senator.

HUNT: --rather than the workers who are living through them. Thank you, Mr. President.

KELLY: Thank you, Senator Hunt. Mr. Clerk, for an announcement.

CLERK: Thank you, Mr. President. The Banking Committee will have an executive session under the north balcony now. Banking Committee, under the north balcony, exec session now. That's all I have at this time.

KELLY: Thank you, Mr. Clerk. Senator Guereca, you're recognized to speak, and this is your third time on the motion.

GUERECA: Thank you, Mr. President. Folks, no surprise here, I'm still in opposition to LB455 and in support of MO76 to indefinitely postpone this bill. I will not go back into the history of, of the grand bargain. Maybe later on in the discussion. But looking back on my own life, I remember early on in my career, I, I took a job in an industrial setting that first summer out, out of high school. And I remember hurting my shoulder. You know, being-- gosh, I think I was still 17 at the time. It was an-- you know, it hurt, it was, it was bothersome. But I had no concept of what worker compensation was. I had no concept of the rights that I had as a worker, of what avenues I

had to seek extra care, because these are not things that we teach in school, colleagues. So, to make the assumption that every single Nebraskan knows exactly what legal remedies are available to them-- got to push back on that. Now, the proponents of this bill will say, well, there's Google; you got commercials, billboards and such. But if you don't know that you have the right to call the number on that screen, to call that number on the billboard, you are at a disadvantage. You may not know that you have that right. By receiving a letter that is clearly labeled that we'll provide this initial consultation that usually is no-cost, it eases that, that discomfort, that apprehension that someone who's recently hurt-- and, like I said, sometimes when, when they get hurt, there's a million things going through their head. How am I going to-- you know, my soccer season's coming up, I got to buy new cleats. My kid broke their arm, you know, I got to-- I got that co-pay to make. Cost of living's gone up. God knows that groceries are expensive. I have a childcare payment to make that's already hard enough. So, our constituents, our citizens, are already dealing with a staggering affordability crisis. And at one of their most vulnerable moments, when they're hurt, when they're panicked, when they're scared, this grand bargain that was struck-- well, now that the, the-- that balance gets tipped, they don't know what avenues that they have. They might choose to not pursue a worker compensation claim, to use their private insurance. They might not know that they could see their own family doctor to get an opinion. So, piling on. And that's what legislation like this does, colleagues: piling on, making it harder for our constituents to get benefits that are guaranteed to them by this grand bargain. I love the concept of the grand bargain, sounds great. By chipping away at those-- their ability to get these benefits, that, that, to me, it feels wrong. Because again, when I knocked doors all across my district, I wasn't voted on-- I wasn't voted by workers' compensation insurance. I was voted by hard-working Nebraskans that show up to work, cut home-- come home, take their kids to sports, go to church on Sunday, and just want a decent life, folks. I think that's what we should focus on: making life a little bit easier, not a little bit harder, for the great residents of the best state in the Union. Thank you, Mr. President.

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

McKINNEY: Thank you, Mr. President. I rise in opposition to LB455, but I just wanted to discuss two Greek organizations. The first is Delta Sigma Theta Sorority. Delta Sigma Theta Sorority was incorporated-- founded in-- on, on January 13, 1913 by 22 trailblazing collegiate women at Howard University to promote academic excellence and provide assistance to those in need. The founders of Delta Sigma Theta envisioned an organization committed to sisterhood, scholarship, service, and addressing the social issues of the time, wasting no time engaging in service and activism by being the only black sorority to participate in the Women's Suffrage March on March 3, 1913, and refusing to move back the march. Also, I want to discuss Alpha Phi Alpha Fraternity, Inc. It is the first intercollegiate Greek letter fraternity established for African-American men. It was founded on December 4, 1906 at Cornell University in Ithaca, New York. Its purpose of-- the purpose of the fraternity was to establish-- to provide a supportive group for black men at a time when racial discrimination was pervasive in American society. Its goals included promoting academic excellence, leadership, and community service. Both are here today in the balcony. I might have missed if they were announced on the-- on-- by the Clerk. But I just wanted to make sure to get up to discuss both, because I had a short time with them earlier this morning just talking about things that go on in this Legislature, them asking questions about how to engage with us as senators, and just general just discussion about what we're dealing with in this place, and how can they be a help to what we're doing as senators. Which is always great, because I think the more people especially people from the public engaging with us in the process, the better, and the, and the, and the more things improve, not only in this place, but in society. So, I just want to thank both Delta Sigma Theta Sorority and Alpha Phi Alpha Fraternity, Inc. for coming down and engaging with this body. It's-- I think it's annual, because I feel like I've met with them a few times now since I've been in office. So, thank you again for being here, and thank you for the work that you're doing in our communities. I yield my time.

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

QUICK: Thank you, Mr. President. I wanted to kind of finish up what I'd been talking about earlier during my-- with my workplace injury and what-- some of the issues that, that I faced. You know, I'd mentioned the caseworker kind of pushing me

to go back to, to, to work; really what even my supervisor, and felt like I shouldn't be back at work yet. One of the issues when they push-- when they ask you to go back to work, so there's light duty that you can do. And I know from time to time, we'd had that; even with, with my employer at that time, we would have someone go back and do light, light-duty work. But I know that they-- like, when I went back, what they had me do was do some inventory in the warehouse. What happened to another employee, he was on light duty and doing some of the same things. He was actually-- they had him walk across to get something, I think he might even had a shoulder injury at that time. He actually tripped over something, fell, and re-injured his shoulder. And I'm telling you that would have-- must have been very painful for him, and to go through that whole process again, I don't know what kind of damage it did to him. But those are the type of things that, when you go back on light duty, that can actually happen unless they're going to put you in an office setting, keep you pretty much out of harm's way. I think would be really beneficial for the employer, if you're going to have light duty, as well as for the employee. I can tell you that there's probably employers out there, when I worked in the private sector-- I didn't even know where work-- what workmen's, workmen's compensation was. You know, that was early in my career. You know, if you got hurt at work, you didn't even know that you could see a doctor, you know? I'm not even sure my employer probably understood all the rules. And that would have been back in the late '70s, early '80s, when I worked for private companies, and so, the-- in the private sector. So, I think, you know, really, most employees don't understand what happens to them when they get hurt at work. Over my time, I've had people call me when I served-- especially that first four years I served. I'd had someone call me one time. He had been hurt at work. He hurt his back. His employer said, you know what, we're not going to file a claim; I'm just going to pay for your health care costs out of my own pocket. You know, we won't-- you know, I don't want any reports done. After a period of time, that employee wasn't getting any better, and actually he was-- he-- it was to the point where he couldn't, he couldn't go to work anymore. So, his employer terminated his position. Now those type of things shouldn't happen, and so when he was terminated, he had no-- well, and I don't think he knew of any attorneys to get a hold of at that time, so he had no way-- since it hadn't been reported, he didn't even know he could contact an attorney. So, he's calling me as a, as a legislator, and I'm telling him you probably need to, need to go get an attorney and see if, if it's past that point of where you could

still do something about it, get that help that you need. So, I think those are some of the situations that happen out. You know, there are employers out there that do a great job at making sure that their employees know, you know-- get-- fill out the paperwork, fill out their, their injury report, make sure they file for workman's compensation and go through the process. And then, that other part of that process, like I said, is dealing with the caseworker, you know, pushing you back to work, and then working with that employer to make sure that they're not, they're not going to put you in a dangerous situation, you know, put you out-- right back out on the floor when you're supposed to be on light duty. So, that can happen too, as well. I also had someone who had, you know, called me about a workplace injury where they'd had difficulty with a language barrier. And so, that became a whole 'nother issue that we had to work with our-- you know, within our community, to try to get him a translator so he could actually work with the employer and work with the Workman's Comp Court to make sure that he-- they were addressing his needs and his concerns. And so, you know, I'm still very opposed to LB455 strictly from the standpoint that worker protections are so much-- so important. You know, I'd mentioned before how I'd worked on safety committees and how we need to really reduce workplace accidents. That's the way you really address these issues, is through safety committees and getting employees to buy in to being safe in the workplace. You know, sometimes I know young-- when I was young in my career, I thought I was invincible. I thought could do anything. But over that lifetime, I've had back injuries, I've missed work because of, of, of back injuries; they'd send me to physical therapy, I'd get that done.

KELLY: That's your time, Senator.

QUICK: OK. Thank you, Mr. President.

KELLY: Thank you, Senator. And Senator Conrad would like to recognize some guests in the north balcony from Cause Collective here for Lobby Day. Please stand and be recognized by the Nebraska Legislature. Senator Hallstrom, you're recognized to speak.

HALLSTROM: Thank you, Mr. President. I may have about the last word of the day here. I, I do appreciate the nature of the debate this morning. Spoiler alert: Senator Conrad and I disagree on an issue, but we've done so in an agreeable fashion

thus far, and I appreciate that as well. A couple things that I'd like to address, maybe set the stage for what hopefully will occur between now and the next time that this bill is on the agenda, which I presume will be tomorrow morning. Some of the provisions that we've been talking about with opponents of the bill, one is to change the permanent nature of the confidentiality of first injury reports to a time certain, 60 days. Refer to it or think of it as a cooling-off period. We have an opportunity for the employer and the employee to ensure that the claim is to be treated properly and in a reasonable and prompt fashion, and if that's the case, there should be no need to be solicited and have representation that may not be warranted. We're also looking at coupling with that, which may actually be somewhat of an improvement over the current system, with a workers' compensation notice that basically says if your claim's being denied, you should know that you have a right to seek counsel and so forth. So, I think we're putting it up front and personal if we can get that amendment agreed to and put together. We're also borrowing some provisions from other workers' compensation bills that have been introduced by Senator Dungan and Senator Conrad; one has to do with the requirement of interpreters for those who do not speak the language of the employer, and we've got that provision taken from Senator Conrad's bill. We also have a provision that if you do not notify the employee of their right to choose the family physician that's been treating them, with an interpreter if they do not speak the language, that they would be entitled to select a physician outside of their own family physician. And then, we have some provisions from Senator Dungan's bill that have to do with the current system that is established for determining when the payment of benefits start. Our current law says if you are injured and you, you remain off-the-job for 7 days, your benefits start from day 3; if they continue through day 42 or 6 weeks, it relates back to the time that you incurred the injury. So, we are changing on the back end. We're not changing the 7-day requirement up front, but we are changing or proposing to change by way of the amendment the 6-week waiting period for benefits to relate back to the date of injury to three weeks. I think those are all positive changes. They move the needle on both sides of the equation. I think it's a significant concession from those supporters of the bill to look at something other than a permanent confidentiality, the cooling-off period that I referred to. And hopefully, we can continue to work on that, and that is something that the body can embrace. The other thing, I just want to correct the record. I thought I heard Senator Conrad, in talking about the committee statement

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and who was opposed to the bill-- she was not in error if she suggested that the Workers Compensation Court was opposed to bill as introduced, but I did indicate in my opening that the technical amendments contained within a-- the amendment, the committee amendment, which is not yet on the board, took care of the Workers' Compensation Court's concerns with the bill. And with that, I look forward to resuming our discussions tomorrow. Thank you.

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

CLERK: Mr. President, some announcements. Your Committee on Agriculture chaired by Senator DeKay reports LB815 to General File with committee amendments. Your Committee on Judiciary chaired by Senator Bosn reports LB784 to General File with committee amendments. New LR: LR350 and 351 from Senator Ballard; those will both be laid over. And a priority motion: Senator Moser would move to adjourn the body until Thursday, February 26 at 9:00 a.m.

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