

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate February 19, 2021

**HILGERS:** Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the thirtieth day of the One Hundred Seventh Legislature, First Session. Our chaplain for today is Senator Kolterman. Please rise.

**KOLTERMAN:** Good morning, colleagues. Please pray with me. Dear Lord, in this time of Lent, we are asked to reflect and prepare for Easter. In doing so, we try to replicate the sacrifice of Jesus in his retreat into the desert for 40 days. This should be a time of repentance and a time to acknowledge our sins and commit to some change. We ask, Lord, that you give us strength and guidance to do just that, but most importantly, we ask that you open our hearts to love one another as you have loved us. In doing so, we will discover the challenges of our worldly existence and put others' needs before ours. As we break for this long weekend, help us to find time for rest and reflect-- reflection and bring us all back safe and ready to take on the challenges of guiding this state in a manner pleasing to you. We ask this in your name. Amen.

**HILGERS:** Thank you, Senator Kolterman. Senator Wayne, you're recognized for the pledge.

**WAYNE:** 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.

**HILGERS:** Thank you, Senator Wayne. I call to order the thirtieth day of the One Hundred Seventh Legislature, First Session. Senators, please record your presence. Roll call.

**HUGHES:** Mr. Clerk, please record.

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

**HUGHES:** Thank you, Mr. Clerk. Are there any corrections to the Journal?

**ASSISTANT CLERK:** No corrections this morning.

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

**ASSISTANT CLERK:** There are, Mr. President. Your Committee on Health and Human Services reports LB251, LB252 to General File, as well as LB14 to General File with committee amendments attached; in addition, LB143, the committee amendment is attached; and LB400, also with

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committee amendments. A series of amendments to be printed: Senator Stinner to LB141, Senator Kolterman to LB145, Senator Kolterman to LB582, Senator Williams to LB66, Senator Brandt to LB543. A notice of committee hearing from the Health and Human Services Committee. Your Committee on Enrollment and Review reports LB21, LB22, LB23, LB66, and LB77 all to Select File. A series of reports from various state agencies have been filed electronically and are available through the Legislature's website; and finally, a report on the registered lobbyists for the current week. In addition to that, I have notice of committee hearings from the Business and Labor Committee. That's all I have at this time, Mr. President.

**HUGHES:** Thank you, Mr. Clerk. Senator Kolterman would like to recognize Dr. Patrick Hotovy of York, who is serving as the family physician of the day on behalf of the Nebraska Academy of Family Physicians. Dr. Hotovy, if you would please rise to be welcomed by your Nebraska Legislature. Speaker Hilgers.

**HILGERS:** Mr.-- thank you, Mr. President. Good morning, colleagues. The update for next week, we're going to continue hearings, all-day hearings next week and these little, short 15, 20-minute windows where we'll be working on Select File next week to the-- and we'll get whatever we can get done that we've cleared from-- cleared from General File earlier in the week. So that's what we'll be doing next week and then the week following, we'll have some more morning floor debate, so that's all I've got. Enjoy the long weekend. Thank you, Mr. President.

**HUGHES:** Thank you, Speaker Hilgers. Mr. Clerk, we'll now proceed to the first item on the agenda.

**ASSISTANT CLERK:** Mr. President, LB106A, it's a bill for an act relating to appropriations; to appropriate funds to carry out the provisions of LB106. The bill was introduced by Senator Friesen, placed directly on General File, last considered yesterday, Mr. President.

**HUGHES:** Thank you. Senator Friesen, would you like to give us a brief refresher on LB106A?

**FRIESEN:** Thank you, Mr. President. Yes, I can be very brief. This is the same bill we've discussed for the last two days. It's just an A bill following LB106, charging an extra-- raising the fees on the acquisition of license records by different companies. And so this

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just helps to fund a program to replace our-- our DMV's driver's license system. Thank you, Mr. President.

**HUGHES:** Thank you, Senator Friesen. Senator Cavanaugh, you're recognized.

**M. CAVANAUGH:** Good morning, colleagues. You said Machaela Cavanaugh, right?

**HUGHES:** Yes, Senator Machaela Cavanaugh.

**M. CAVANAUGH:** OK, just-- just wanted to make sure I wasn't stealing somebody else's time. Good morning, colleagues. I wanted to continue the conversation that I started yesterday about agency fiscal notes and I want to make it clear that I'm talking about agency fiscal notes and not the Legislature's fiscal notes. Our fiscal analysts are working so hard and diligently to give us accurate fiscal notes and they have to work double-time because the departments are making up ridiculous, outlandish fiscal notes that put more stress on our department of fiscal analysts. They're asking for dozens upon dozens of extra employees to be hired, supervisors to be hired for the extra employees, buildings to be built or leased so that they can house the 700 new employees they're going to have, million-dollar-- multimillion-dollar computer systems-- not this one. This is-- this is a computer system that we actually need, not like ones that they give to us in HHS. They're refusing to enact laws that we've passed. They're wasting money left and right and then testifying in opposition to bills that have fiscal notes. At what point do we take our power back from this administration? At what point do we say enough is enough? We had an audit of-- I don't even know what-- \$20 billion, was it, \$22 billion-- \$21 billion of mismanaged funds. When do we tell the people of Nebraska that we see them, that we hear them, that enough is enough, and these fiscal notes should not be tolerated? Government should be completely transparent all of the time and this administration is as murky as it gets. They have a \$90 million slush fund in HHS. They can renegotiate multimillion, \$100 million contracts without any authorization from us. They can just come up with the money. I don't know how you come up with the money when we're the bank. How-- how does that work? Maybe I'll have to sit down with our fiscal analysts some more and figure that one out because I thought that we did the budget. I thought that we authorized the funds. I thought that that was what we were here to do. I thought we were here to-- to create policy and to fund policy, but apparently we're just here to hang out, drink coffee, go to Billy's across the street for lunch, not much else, I guess. Our jobs are easy. I didn't realize it.

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I didn't realize my job was so easy. Why do I lose so much sleep over it then? These fiscal notes are unconscionable. How much time do I have?

**HUGHES:** 1:20.

**M. CAVANAUGH:** Thank you. So I had a bill, a maternal health bill, because Nebraska's maternal health outcomes are abysmal, especially for women of color.

**HUGHES:** One minute.

**M. CAVANAUGH:** Thank you. And the administration came in opposed, of course, because why would we want to save the lives of mothers and babies? That just seems not to line up with our values as a state. And it's because of money. It's always because of money. So I have great news, everyone. On February 10, Georgetown University Health Policy Institute Center for Children and Families had an article about COVID-19 relief reconciliation bill that we as a state can take up, if this goes through, Medicaid expansion to provide longer postpartum coverage for new mothers, one of the most important things we can do to improve outcomes in maternal health. So we should move that bill because even with their ridiculous fiscal note, it'll go away if they actually were to submit a waiver, which is a whole nother--

**HUGHES:** Time, Senator.

**M. CAVANAUGH:** --issue that we can talk about now.

**HUGHES:** Senator Cavanaugh, Machaela Cavanaugh, you're recognized.

**M. CAVANAUGH:** Thank you, Chairman-- I was gonna say Chairman-- President Hughes. Thank you. So we can apply for waivers, lots of waivers, not just this waiver. We can apply for lots of waivers and we can get federal funds or we can continue to pay our federal taxes as individuals, not draw down federal funds, completely mismanage our government, spend more of our taxpayers' dollars on fraud and who knows what else the \$21 billion was spent on. We can do that instead. We can continue to argue about property tax relief disingenuously because if we really cared about being fiscally responsible, we would be drawing down federal funds at the maximum that we can because we pay federal taxes and those dollars should be coming back to our state to support programs in our state that support people in our state. So if we really care about property tax relief, let's start drawing down our federal funds. Let's demand that this administration draw down federal funds that are due to this state, not drag their feet to

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implement Medicaid expansion when it was passed by a vote of the people; not this body, a vote of the people passed Medicaid expansion. Let's do what's right for once, yes, for once, because we very, very rarely do what's right. Let's do the courageous thing, and it shouldn't really be that courageous, to demand that our government do what it's supposed to do. What a wild idea, just a wild, wild idea. So this bill, LB106A, does have a fiscal note, but it's a good bill. I voted for this bill out of committee. I think that it is great to update our computer system for the DMV. They're going to charge, through LexisNexis to-- to businesses, all good things. This is a fiscally responsible bill and this is one where the agency came to the committee not in opposition, but actually did what government is supposed to do and work with the other branch of government to enact good policy for the state. I do have to commend the Department of Transportation. They are one of my favorite departments. They are so much easier to work with than any other department. They are not murky. They are transparent. They come before our committee. They answer our questions. They work with the committee members, all committee members. So I'm grateful to our Department of Transportation and they really are our department of infrastructure as well. But these fiscal notes on other bills-- I haven't looked at the fiscal note for today, but I'm sure my bill has an enormous one. It always does, millions and millions of dollars for who knows what. My bill yesterday for developmental disabilities waiver, something that we should have been doing a long time ago, and it's going to be expensive and it should be expensive.

**HUGHES:** One minute.

**M. CAVANAUGH:** We're talking about children with developmental disabilities. It should be expensive and we should feel a moral obligation to pay for it, to pay for their care. That is the role of government. If that's not the role of government, then what is? To not take care of the most vulnerable citizens? If that's not our role, what is our role? I realize it's Friday, everybody's ready to go home for the weekend. I'm ready to go home for the weekend, ready to not be here and be with my kids. I'd like to think that I could stop thinking about other people's kids for a couple of days, but I can't.

**HUGHES:** Time, Senator.

**M. CAVANAUGH:** Thank you.

**HUGHES:** Mr. Clerk.

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**ASSISTANT CLERK:** Mr. President, I do have a few items. New resolution, LR48 by Senator Bostelman relates to the circumstances surrounding the power outages. In addition to that, a communication from the Speaker referring the resolution to an appropriate standing committee and a report from the Reference Committee that LR48 be referred to Natural Resources. Name adds: Senator Ben Hansen to LB188, Senator John Cavanaugh to LB298. And finally, a priority motion, Senator Erdman would move to adjourn until Tuesday, February 23, 2021, at 9:00 a.m.

**HUGHES:** Colleagues, you've all heard the motion. All those in favor say aye. Opposed, nay. We are adjourned.