

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate March 25, 2022

**HUGHES:** Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the forty-eighth day of the One Hundred Seventh Legislature, Second Session. Our chaplain for today is Senator Geist. Please rise.

**GEIST:** Good morning. Let's pray together. I lift up my eyes to the mountains. Where does my help come from? My help comes from the Lord, the maker of heaven and Earth. He will not let your foot slip. He won't-- he watches over you. He who watches over you will not slumber. Indeed, he who watches over Israel will neither slumber nor sleep. The Lord watches over you. The Lord is your shade at your right hand. The sun will not harm you by day, nor the moon by night. The Lord will keep you from all harm. He will watch over your life. The Lord will watch over your coming and going, both now and forevermore. Thank you, Lord, for watching over us. We pray for our brothers and sisters in the Ukraine. We pray for your watch over them. Those in our country who need your help, we pray for them. Help us to keep things in perspective. In Jesus' name, amen.

**HUGHES:** Thank you, Senator Geist. I recognize Senator Gragert for the Pledge of Allegiance.

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

**HUGHES:** Thank you. I call to order the forty-eighth day of the One Hundred Seventh Legislature, Second Session. Senators, please record your presence. Roll call. Mr. Clerk, please record.

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

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

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

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

**ASSISTANT CLERK:** I do, Mr. President. An Attorney General Opinion (Re LB543) for Senator Slama or, excuse me, addressed to Senator Slama. Additionally, agency reports electronically filed with the Legislature can be found on the Nebraska Legislature's website. And additionally,

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lobby reports have been filed with the Clerk's Office according to statute. That's all I have at this time, Mr. President.

**HUGHES:** Thank you, Mr. Clerk. Speaker Hilgers, for an announcement.

**HILGERS:** Thank you, Mr. President. Good morning, colleagues. I want to give you an update as we head into next week. First, somewhat of a scheduling update. So the-- the-- the-- the practices or the, I guess, the time constraints that we put in for this week in terms of the starting day, the starting time and the time for lunch will continue into next week. So we will start on Monday at 9 o'clock. We also only continue to do an hour and at the end of the week we'll try to go till about 3 o'clock like we will today without a lunch break. That will continue. In addition, for our evening sessions, you may have noted last night we didn't have a break. That will also continue. Whenever we have an evening session, we won't have a formal break or recess during that time or stand at ease during that time, so be prepared for that. As we go into next week, I do want to make one slight modification and give you a little bit of the reasoning. So I-- I've articulated on the floor many times before, and I do believe that we don't really do our best work after 8 or 9 or 10 o'clock, especially if we do that day after day after day. I think it degrades the type of work that we're doing. At the same time, I'm also aware that we have a lot of work yet to get done, and we only have 12 remaining days to accomplish that. Some of the challenges early-- earlier this week when we thought maybe we should go longer than my stated time of 8 o'clock, the challenge was unsettled or upset expectations. So in particular staff working here who have to stay a couple of hours after we are done, it's very difficult to make those kind of nimble decisions and really disrupt their scheduling and the work that they have to do. So as I'm trying to balance this for the next two weeks, here's what I want to inform the body. So what I'm asking you is to be prepared schedule-wise to be able to go up to 10 o'clock or even later, given the day on any given night during the week, except for the last day of the week. My intent and hope is that we will go most of those days to about 8 o'clock. But I don't want to be in a position at 4 or 5 o'clock and say next Monday or next Tuesday and say, boy, we really need to be able to go to 11:00 or 11:30 and not have the ability because I haven't given people notice on that. Now I'm working with Laurie in my office. We think there's some concepts and some things that we could do to provide some certainty and some notice on how we structure those days. I may have something to announce later today, but no later than Monday morning. So I just want to have everyone know the next two weeks to be prepared to go later. My hope is we don't. But I also don't want to be in a position where no one said I didn't--

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I didn't tell them to be ready. In terms of scheduling bills for next week, on Monday morning, I intend to schedule LB919, which is the-- Senator Aguilar's bill from Revenue that includes the tax-cutting components from the Revenue Committee. After that, I do intend to do Select File on the ARPA bill. I'll talk about that in a second. On Tuesday, which is day 50, we are on track to do Final Reading of our-- our other budget bill. So Tuesday will be Final Reading of the budget bills and I anticipate Wednesday will be Final Reading of ARPA. That's what I anticipate currently. On ARPA, I'm going to have the same types of rules that I had last time. I'm asking you to get your amendments filed by 10 o'clock Monday morning, 10 o'clock Monday morning. The same criteria will be in place. If you want to take-- put money in, you've got to take money out. And the only additional criteria I would ask is if you filed an amendment on General File that was unsuccessful and you didn't make a material change-- in other words, you're still asking for roughly the same amount for the same project, and you're taking out from roughly the same sources-- that will go to the bottom of the list. The body's already spoken on that once, and so I don't want to have to go through that a second time unless something materially has changed. Outside of that, my goal will be to get through as many priority bills on Select File as well as General. We have a lot building up on Select, so we're going to try to clear through that as much as possible. After the budget and any tax bills are complete, hopefully by the end of next week, no later than then, I'll have a really good clarity on how we're going to finish the rest of the session. I still think there's a lot of time for us to get through a number of priority bills and I hope to get through, as always, as many as I possibly can. The only other thing I want to note scheduling-wise, we do have the pull motion today on LB933. I want to make clear if that motion is successful, that bill will not come up next week. LB933 will not be scheduled next week if the motion is successful. I've had a few questions about that. With that, if you have any questions about scheduling or otherwise, please let me know. Otherwise, have a great weekend. Thank you, Mr. President.

**HUGHES:** Thank you, Speaker Hilgers. Colleagues, Senator Geist would like to recognize Dr. George Voigtlander of Lincoln, who is serving as our family physician of the day today on behalf of the Nebraska Academy of Family Physicians. Dr. Voigtlander, if you would please rise. Thank you, Doctor. We will now proceed to the first item on the agenda. Mr. Clerk, LB825.

**ASSISTANT CLERK:** Mr. President, Select File, LB825. There are no E&R amendments. Senator Wayne would-- has indicated that he will withdraw

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AM1647, AM1648 and-- as well as AM1649. Mr. President, Senator Briese would move to amend LB825 with AM2514.

**HUGHES:** Senator Briese, you're welcome to open on your amendment.

**BRIESE:** Thank you, Mr. President. Good morning, colleagues. I rise to introduce AM2514 to LB825. AM2514 is identical to one of the amendments that we were unsuccessful in getting to on LB939 a few days ago. So what's in it? It contains the LB723 fix to the LB1107 cliff. It contains Senator Linehan's LB938, LB939, and it provides some additional property tax relief pursuant to the LB1107 formula. AM2514 really is a culmination of a lot of work on behalf of a lot of people, and it's a combination of approaches that will provide tax relief to all Nebraskans. We have one of the highest marginal income tax rates in the area. We have some of the highest property taxes in the country, and this bill addresses both. Sections 1 and 3 represent the amended version of LB939 that we did advance to Select File. And I'll later yield some time to Senator Linehan to open on those portions, describe those portions. But those provisions provide meaningful income tax relief for a wide swath of Nebraskans. And we need to remember that our marginal income tax rates are the front door to our state. And as we try to attract residents, try to attract businesses, try to attract others, those marginal rates are extremely important. It's time we drive down those rates and send the message that we are-- we want you here and we're open for business, and that's what this amendment will do. But here I'm going to focus primarily on the property tax provisions of AM2514. First, it includes the seven-- LB723 fix to the LB1107 cliff. And in LB723, the provisions of LB723 found in Sections 4, 5, and 6 of the amendment essentially prevent a \$200 million property tax increase on Nebraskans in 2024. As you remember in LB1107, we created a refundable income tax credit based on school property taxes paid and under the provisions under current law that the amount of that credit totals \$548 million for 2022. It's probably going to grow a little bit. It probably would grow a little bit for 2023, but in 2024, under current law, it's going to drop down to \$375 million. And, folks, that's a \$200 million property tax increase on everyday Nebraskans, your constituents, my constituents. We can't allow that to happen. And the provisions of LB723, which fixes that, are contained here. Without it, property taxes are going to go up \$200 million, give or take, in year 2024. The provisions in the amendment represent the agreement that Senator Stinner and I had on LB723 that the amount of the credit would total \$548 million for 2022; would total \$560.7 million for 2023; and then would grow by the allowable growth rate. And we've got to remember that's a very fair mechanism. Everybody's getting the same percentage of relief for

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school district property taxes paid. And it's not weighted to any one group. It's not weighted to agriculture. It's not weighted here, not weighted there. It's for everybody. Everybody gets the same percentage, goes to your constituents, goes to mine. And I would note in an earlier iteration of this amendment, in that, we remove the cap on the allowable growth rate. This amendment here puts that 5 percent cap back in place, and that's an effort to ensure that this thing doesn't cause some strain on our budget going forward. And Senator Stinner pointed that out, and I thank him for pointing that concern out, and we responded to that and put that cap back in place. But I also want to go to Section 7. That represents some additional property tax relief over and above the initial provisions of LB1107. It's based on community college taxes paid. It's the same percent of relief for those taxes for everyone, a very fair method of distribution. Starts out at \$50 million in year 2022, rises to \$100 million in 2023, 125, 150 and by year 2026, \$195 million. After that, it will grow at the allowable growth rate. We've got to remember that. Growth rate, again, is capped at 5 percent. And we need to recognize that this amendment phases in the provisions of LB938, LB939 over five years, spreads it out. That allows the inclusion of the additional property tax relief. And combined, it has no real fiscal impact over the next three years compared to the current version of LB938 and LB723. So the additional property tax relief, we spread things out to accommodate for that. And this is a very fiscally sound method of providing tax relief to everyday Nebraskans. These are your constituents. They're my constituents. And this is important to them. I would urge your support, but at this time, I'd like to yield the rest of my time to Senator Linehan. Thank you, Mr. President.

**HUGHES:** Senator Linehan, 4:45.

**LINEHAN:** Thank you, Mr. President, and thank you, Senator Briese. I would like to thank Senator Briese, Senator Lindstrom, and all the Revenue Committee that we have. They have-- I have a great committee. It's diverse. Some of them are more senior members, some of them are younger members, represents ag, represents business, and we have worked really hard this year. And Senator Lindstrom's LB825 and Senator Briese's AM2514 represent a great deal of that work. So Senator Briese spoke to the property tax provision, which I think you're all fairly aware of because we had LB723 on the floor. We made a couple of adjustments to that in negotiations between-- so in Revenue, it's always for the most part, everybody wants to cut taxes, but it gets complicated as to whose. And it also depends on what the status is financially. So I'm hoping Senator Stinner is here and can explain the financial status, help walk through that. So on the income

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tax side, what we're doing and you will recall this, we're going from 6-- the high, highest rate right now is 6.84 and it is the highest rate in the Midwest. As you've heard, and-- but this is critically important to understand, when two states on our borders have no income taxes and every other state is significantly lower than us. And even when we get to 5.84 in this bill, which takes us five years to get there, we'll still be too high, in my opinion. But it is a good start. It also takes business tax down to try and get to parity, which the committee has been working on for, well, actually working on it for three years. So I will be here awhile this morning. I understand that and people have questions. And Senator Briese, Senator Friesen, everyone on the committee will be able to address those questions. So I'm hopeful that we can get through this this morning. And if you have any questions, we've got our number guy right here. If I mess up on my numbers, Senator Clements will straighten me out. And again, I would appreciate your support for Senator Lindstrom and Senator Briese's amendment. Thank you, Mr. President.

**HUGHES:** Thank you, Senator Briese and Senator Linehan. Senator Linehan, you're next in the queue.

**LINEHAN:** Is Senator Stinner-- there he is. Good morning. Senator Stinner, would-- can I yield you some time to kind of explain why this will-- all the tax packages fit and the financial status [INAUDIBLE]?

**HUGHES:** Senator Stinner, 4:45.

**STINNER:** I guess I'm a little bit out of the loop. I didn't know that this was going to go on to Lindstrom's bill, but as I tried to explain to the group that got together for the briefing-- I got to catch my breath from walking up the stairs-- but as I explained, as you look at the green sheets-- and I think I was tasked with coming up with a number, a number that numerically would-- would validate what we're trying to do on the tax side. And in that validation, I made two caveats. One was that we had to keep a higher than normal reserve, which I defined as about a 300 to \$400 million reserve extra over and above the 16 percent. That takes you about \$1.3 billion to be carried over as a buffer, as a protection because I can't forecast the future and neither can anybody else. I also asked Fiscal to do a zero growth factor as opposed to the negative growth factor on your green sheet. That yields you about \$964 million. This is about a \$900 million tax package as you look at those years. Big portion of that has to do with the fact that you're going to step up from the 370, 375 at the end up to the 560--something. And I can't remember exactly what the number is. It seems like it was 561. Those are fixed numbers in the bill. I would

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hope they stay. But the other factor that I wanted to make sure that we had in was the 5 percent lid on property tax growth. When you do a 20-year analysis of that, there is 11 years where you're over the 5 percent; and that would triple in the next 20 years. When you look at revenue, that only doubles in the next 18 years, given a growth factor. So that kind of-- that kind of needs to have a little-- little more refining as you look forward as future Legislatures. So static model was the 4.5 that we used. We actually had two or three, two years of historic growth. One is the highest historic growth. The second one or third highest is the second year, and that's the 10 percent. So it really kind of skewed our model. If we actually went back to IHS and Moody's, it would be a half to 3.5 percent growth. I decided not to use that, even though it's a more authoritative source than-- than our stagnant model and certainly a more authoritative source than me. But at zero, I felt like it was conservative enough on the downside. So you have two safeguards. You have the buffer of the extra reserve that needs to stay in place. And I hope people-- I know there's some folks that want to grab some of those Cash Reserves, but this is the balancing act that we have to do in the Legislature and the 7 percent cap on or 5 percent cap on the real estate side. So that's the calculation. That's what I put it in. There-- there has been some talk of circuit breakers as it relates to shortfalls in revenue. I actually have looked at some of that and looked at the stress test. We do not have circuit breakers in right now. I mean, that's-- that would be something brand new. We do have the 5 percent and I'm just going to reflect back. On LB1107, when we put that in, we actually had--

**HUGHES:** One minute.

**STINNER:** --a depleted reserve down to about, I think, \$412 million at that time. We wanted to build that reserve so we had a caveat that half the dollars would have to go in over and above the 3.5 percent. Three and a half percent was a-- was a threshold that you had to go through. It was an acknowledgment that we had to fund the state of Nebraska at 3.5 percent. We've turned in 3 percent budgets. I think this budget actually is about 3.2 because of inflation and salary increases, both at the state level and providers so we crept up over top of that 3 percent. But 3.5 is-- was-- was a threshold that we needed to pierce before we started to put money into property tax. Obviously, we had some spikes. That was helpful to-- to add to the property tax, and that's where we're at today, \$548 million. We also, during last session, added to--

**HUGHES:** Time. Senator.

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**STINNER:** Thank you.

**HUGHES:** Thank you, Senator Linehan and Senator Stinner. Senator Clements, you're recognized.

**CLEMENTS:** Thank you, Mr. President. I stand in support of AM2514. I just spoke with Senator Lindstrom. Senator Briese didn't mention it, but Social Security tax reduction is still in here. I've told you before about my client who moved to Arizona because there, they don't have \$50,000 of Social Security tax, and I've had a lot of thank-yous from people who have heard about the Social Security income tax reduction. And I think that's very important for Nebraska to compete with other states and keep people here. The income tax, I had a call from a manufacturing company who's nationwide trying to hire people from out of state to come into their Nebraska plant. And the manager said they ask what the income tax rate is and then they don't come. He said, I'm really glad to see that you're proposing to reduce the income tax. Property tax, we already have \$548 million and this is going to talk about a \$560 million. It doesn't-- that doesn't cost 560, it costs \$12 million just to increase it. And we already have a \$442 million excess budget to the floor and-- and so that is affordable. And I'm hoping Senator Linehan-- Senator Linehan, would you yield to a question?

**HUGHES:** Senator Linehan, will you yield?

**CLEMENTS:** Well, first, I'll start with Senator Briese. Would he yield to a question?

**HUGHES:** Senator Briese, will you yield?

**BRIESE:** Yes.

**CLEMENTS:** On the community colleges, do you know what the amount of tax community colleges collect? Have you been told that?

**BRIESE:** Well, I've heard differing numbers on that. The numbers I have is 187.5 or something like that.

**CLEMENTS:** OK, thank you.

**BRIESE:** I'm not sure that-- I'm not sure that's right, though.

**CLEMENTS:** All right. Well, we'll have to investigate that. That will affect the percentage of credit. I'll yield the rest of my time to Senator Linehan.



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**HUGHES:** Senator Linehan, 2:45.

**LINEHAN:** Thank you, Senator Clements. And I want to apologize to Senator Stinner. I did not give him a heads up and to be honest, I've never known Senator Stinner not to be here first thing in the morning. So I was-- so I am very sorry because usually when I walk on the floor, he's back there. So I hope-- this package is-- again, it's the Social Security tax cuts, it's the property tax LB723 agreement, and it's the income tax agreement. As Senator Stinner has explained, it fits into-- actually, we used the chart. It fits into the chart of what we can afford to do. Getting our top rate down is critically important to our growth, and we all know that our top rate is too high. Well, I shouldn't say all. There are some that disagree. I understand that. But most of us, three years ago now-- and this was-- Senator Kolterman worked for two years tirelessly to get LB1107 passed, which included the incentive package. Because if we didn't get the incentive package passed, we knew we were going to have difficulty recruiting and keeping our large employers that generate so much revenue in this state in state. So I-- I've always thought that it would be better to work toward a lower tax rate so we wouldn't have to depend on incentive packages. Doesn't mean that we wouldn't have them. Texas doesn't have any income tax and they have an incentive package. I'm not saying we can walk away from them completely, but we shouldn't depend on them. The fair way to do taxes--

**HUGHES:** One minute.

**LINEHAN:** --is to have everybody pay at a lower rate, not pick and choose. So this effort, again, the Revenue Committee has worked on this for, well, worked on it for three years, at least to get us to this point where we have an agreement between those who are more concerned about property taxes and those who know or, well, everybody we've worked with is concerned about all taxes. But it's-- again, the difficulty is always which ones and how much? So this package represents a huge amount of work by the Revenue Committee and a huge amount of work by Senator Stinner and his committee and others in this body who have been trying to help--

**HUGHES:** Time, Senator.

**LINEHAN:** Thank you.

**HUGHES:** Thank you, Senator Linehan, Senator Briese, and Senator Clements. Senator Lindstrom, you're recognized.

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**LINDSTROM:** Thank you, Mr. President. I rise in support of AM2514. Some folks had asked me if it's a friendly amendment and, yes, it's a friendly amendment. This provision is also included in LB919. When we talk about time, we don't have a lot of time to get the things that we need to get done in the time that we have. And so this to me is-- is a vehicle that I know this-- we're going to talk on this for quite a while, probably four hours as opposed to eight hours. And since I'm in support of all the underlying amendments and obviously LB825, I am in support of this. We've been talking about these issues for years. I have spent six years on the Revenue Committee. I have brought Social Security bill every single year I've been down here. This is my eighth year. And within that bill, we are going to end the tax on Social Security income in 2025, which affects 325,000 Nebraskans. When you look at the underlying bills with the income tax reduction of the 1 percent, the corporate tax and the parity, the property tax relief, these are things that we must do. It isn't that we needed it. We must do these things. We are in a competitive situation, not only regionally but nationally. People are making movements all across the state, all across the country on being competitive and making sure that that's-- their tax code is competitive. I know some people on the floor might say, well, it doesn't work. Well, then why does every other state do it? If you're talking about keeping and retaining folks here in the state of Nebraska, we have to have an income tax structure that allows that. And especially if you're looking at folks in Colorado and other places that have the opportunity to come here, they're not looking at Nebraska, especially with Wyoming and South Dakota being closeby. And if we're trying to target those 18- to 35-year-olds, we have to put more money in the pockets of individuals. We talk about inflation. The only way to combat that at the state level is to put more money in the pockets of individuals to offset what the pressures are coming from the global economy and national economy. This is one step forward and this is not the end all, be all. This is just one step forward to make sure that we're striving to be competitive. We got a lot more work to do on tax reform, but this is a huge step forward and the biggest step that I've seen in the last eight years. And certainly, if you look at just the amount of dollars that we're talking about here, this is the biggest thing we've done in decades, if not ever. So this is not a-- to me, it's not a discussion. This is a necessary thing that we need to do or else we are going to continue to-- to lose. We are going to continue to lose population. We're not going to be competitive. And so I encourage you. I know it's-- it's some-- some folks might not be satisfied with everything. I don't think any of us has ever been satisfied with 100 percent of what's been on the-- on the board. But if you can come to an agreement

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on 80 percent, I think it's a good bill. And I think this bill addresses a lot of the concerns, a lot of the issues that we're facing as a state and therefore, I do support the underlying amendment. And I encourage you to vote green and support LB825. Thank you, Mr. President.

**HUGHES:** Thank you, Senator Lindstrom. Senator Arch, you are recognized.

**ARCH:** Thank you, Mr. President. First of all, let me state unequivocally, I rise in support of AM2514 and LB825, and I'd like to thank the Revenue Committee, Senator Linehan, Senator Stinner and the Appropriations Committee. These are-- this has been a huge amount of work this year. We-- we all understand that within the Legislature. We understand the hours of hearings and the hours of discussion and Exec Sessions and-- and discussions over the weekend and on recess days. And it has gone on and on all session regarding the dollars, making sure that we are doing what's right for the state of Nebraska and for our constituents as well. So speaking of constituents, I know that in my district if there is an issue that is brought to me that is-- that is pretty much on everyone's list, it is taxes. And it isn't just property taxes; it is any kind of tax. It is-- it is-- it is those things that are hidden. It is those things that are obvious. It is taxes. And so we have an opportunity here today to address-- to address that issue. I think that everybody recognizes that there is a clear strategy that provides an opportunity for the state and that is to hold spending and run it at 3 percent or less, right in that range, and allow revenue to grow. And that strategy, long term now, not necessarily year to year, but that strategy over the long term gives opportunity for excess dollars. Then the question becomes now what do you do with it, right? And so we have certainly been spending dollars and ARPA being one of those, but then our General Fund budget as well. Do you spend those dollars or do you return those to the citizens, the taxpayers, the ones who are providing those extra dollars, that revenue growth? And I think we-- again, we have an opportunity here to return those dollars to the citizens. One of the frustrations that we have that we voice often when it comes to property taxes is we're watching the appreciation of the valuations going up in our district, whether it's farmland, whether it's housing, whatever it may be, commercial property, the-- the-- the-- the tide is floating the boats and we are seeing, we are seeing that appreciation going up. And with that then comes additional revenue for local taxing authorities. And we express our frustration on a regular basis here on the floor, need to lower the levy. We need to lower taxes. We need-- the local jurisdiction. And people say to us, well, we need to lower taxes and

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we say, well, we don't-- the state doesn't collect property taxes. We don't collect property taxes. That's local jurisdiction, which is-- which is true. But then we say, well, but it's still going up. And we all experienced that this past year, past years where we see our own property taxes going up on our homes and the things that we own and we express frustration: need to lower the levy, need to lower the taxes. And I've expressed that to local jurisdictions in my-- in my district. And the response has been appropriate. Recognition, yes, that is a possibility. And then they turn and they say, so what are you doing at the state level? You turn and you say to the local jurisdictions, well, you need to lower your levy. Well, what are you doing at the state level?

**HUGHES:** One minute.

**ARCH:** Are you lowering taxes? Are you doing anything about that? Or are you just pointing to the local jurisdictions and saying you need to lower your taxes, you need to lower your levies? We're in it together, and this is an opportunity. What if-- and, of course, this is a question. What if-- what if in the out-years here we-- we-- we have a turn and suddenly we need those dollars? What if? What if? And of course, that has prevented other legislatures in the past from lowering taxes. This one is going to take some courage. We know that we've-- we are going to have a fund, an excess cash fund, the rainy day fund that will-- that will shelter us in some of those downturns. But this is going to take some courage. So with that, I would encourage you to-- to vote yes on AM2514 and LB825. Thank you.

**HUGHES:** Thank you, Senator Arch. Senator Brandt, you are recognized.

**BRANDT:** Thank you, Mr. President. Thank you, Senator Linehan and the Revenue Committee. This is about go big or go home. This is the bill we've been looking for. This helps all Nebraskans. I like this. This is one tax package with something in it for everybody. This protects our property taxpayers by putting a floor of \$548 million under existing funding. It starts additional refundable income tax credits by using what is paid on community colleges immediately. It helps those that are paying taxes on Social Security by reducing and eventually eliminating after five years the total tax on Social Security. It helps those that pay income tax and corporate income tax. It gives them a reduction. This is a grand compromise. We have the resources. The time is now. I would encourage everyone to vote green on AM2514 and LB825. I would yield the rest of my time to Senator Friesen.

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**HUGHES:** Senator Friesen, 3:44.

**FRIESEN:** Thank you, Mr. President, and thank you, Senator Brandt. Again, I think Senator Briese has laid it out really well and Senator Linehan on our work in the Revenue Committee on coming up with a compromise on addressing the income tax issue and property tax issue that we have worked on for years. Will this be the final answer? No, maybe not, but this is a huge step forward, I think, for all taxpayers. And you can see this year how much revenue we are bringing in. And I've said it over and over, it's time to give some back to the taxpayers. When we looked at these combinations, I've always supported the property tax issue needed to be fixed first. We have addressed that in the past to some extent, but now we're talking that it's time for some income tax cuts. And in order to keep that balance that we had achieved up until now, this is the compromise. I fully support AM2514 and I look forward to having the debate on whether or not we should give the revenue or just not take the revenue from the citizens of the state. We're not giving it back. We're just not taking it. And I think it's time that we address that situation. This makes us a little more competitive with states around us. This is a-- addresses the-- the bracket that is the highest that-- of neighboring states. And it also helps out in the property tax relief category. And so I know that when we looked at LB1107 a couple of years ago, it started out fairly small, 6 percent. Over that two years, we have gotten it up to 25 percent. And now, by adding what we pay in taxes to community colleges, we will bring everything that is property tax related to education onto the table as far as a refundable tax credit that you pay to all of the education, the General Fund dollars. So by-- by doing the community colleges too, I've always felt that for those in outstate Nebraska and the Sandhills, they've always said that the--

**HUGHES:** One minute.

**FRIESEN:** --the tax they pay for community colleges was excessive for the number of students they had for the size of their land base. And so this gives the opportunity that they, too, can get some relief on that community college levy that's out there. And so it doesn't-- that part alone doesn't add any revenue to what we're doing to LB1107. But by putting more money-- and you can see in what we're doing by adding more dollars to LB1107 money-- we will be starting to pay part of that back in that refundable tax credit. So to me, Nebraskans have been waiting this-- for this a long time. We have said over and over we're a high tax state. Let's start to address that issue by adopting AM2514, and let's finish it off when we do LB825.

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**HUGHES:** Time, Senator.

**FRIESEN:** Thank you, Mr. President.

**HUGHES:** But you are-- you are next in the queue. You may continue.

**FRIESEN:** So when we look at-- I'm going to kind of stay focused on the property tax portion. Again, we are number 48 in the nation in funding of our K-12 schools. And again, I'm hoping that down the road, people can use this revenue to help in addressing the TEEOSA formula and fixing how we fund K-12 education. This is part of that process. And if we don't address this by letting that fund increase again by whatever valuations increase in the state, we would start to fall behind. But the way this bill is set up and the way it addresses the valuations in the state, it looks at the total valuations of the state. That includes the commercial real estate, personal real property. All of those valuations, if they increase at 3 percent, then we'll increase the LB1107 fund 3 percent. If they increase 6 percent, we have capped this at 5 percent. So the most we will grow this, if valuations increase in the state, is 5 percent. We have included the cap. Earlier in a version we had, there was-- the cap was taken off. This is part of my compromise. I said we can put the cap back on. We'll see once down the road if it has an impact or not, because we could have a situation, and I think it's going to come soon, where land prices are going to start shooting up again and the residential property is maybe holding stable or going down at some point. And if that's the case, we're probably never going to exceed that 5 percent cap that we see in this bill. So I know in the past, we have seen some big spikes in valuations. I don't see that happening again. But in case it does, we have capped this. There shouldn't be any concern that we're going to hurt some future budget because of these huge increases. With that, I will yield the rest of my time to Senator Briese.

**HUGHES:** Senator Briese, you're yielded 2:30.

**BRIESE:** Thank you, Mr. President, and thank you, Senator Friesen, for that. Senator McCollister approached me asking about the numbers on this. And Senator Linehan is going to pass out a sheet that talks about the numbers for the next three years. And I think from those numbers, you're going to see that this is a sustainable plan. It's a responsible plan. And I'm going to defer to Senator-- Chairman Stinner on a lot of this, but I think this thing is entirely sustainable. Revenue growth has averaged, over the last 30, 40 years, 5 percent per year and we're getting back to that position here soon. That type of

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growth, coupled with reasonable spending increases, will allow this continue-- to continue I think very easily. And when we look at the General Fund financial status that we've been handed out, we see, even with the impact of these proposed tax bills, a positive number above the minimum reserve and that's with a Cash Reserve of over \$1.3 billion. And that's a very healthy Cash Reserve. And I think to arrive at those numbers, they use zero percent growth. Senator Stinner, I believe, has indicated he's entirely comfortable with zero percent growth. But I think at zero percent, he's being overly cautious. And why do I say that? You look at page 17 in the budget book, there it's noted that the Department of Revenue and LFO have prepared-- prepared also unofficial estimate, excuse me, estimates of--

**HUGHES:** One minute.

**BRIESE:** --thank you-- of the out-years as far as revenue growth using HIS Economics and Moody's. And the average of those estimates puts the two-year average for '23-24 and '24-25 at 1.5 percent, far in excess of the zero. And the high-end estimate is considerably higher. So I'd suggest to you there's plenty of cushion built into these numbers. And again, as we go out from there, there's likely-- we're going to likely reach our 5 percent historical average and there are safeguards here. The Legislature is a safeguard. This body can choose to someday delay or alter implementation of this if they see fit to do so. It's phased in slowly. And again, there is a 5 percent cap on the allowable growth rate of the property tax portion there. And I think this is a reasonable and responsible, fiscally responsible means of providing substantial property tax relief to everyday Nebraskans. Thank you, Mr. President.

**HUGHES:** Thank you, Senator Briese. Senator DeBoer, you are recognized.

**DeBOER:** Thank you, Mr. President. I'd like to divide the question into four parts.

**HUGHES:** Senator DeBoer, Senator Briese, would you come forward, please? Colleagues, as Chair, I rule the bill is divisible. There will be four pieces. Mr. Clerk.

**CLERK:** Mr. President, pursuant to your order and the discussion by the members, the first-- please understand, members, we have to redraft this amendment. So-- but for purposes of your discussion now and referring to Senator Briese's AM2514, the debate will focus on the first component, which will consist of Sections 1 and 2 of the original AM2514, Sections 1 and 2 of AM2514.

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**HUGHES:** We're open for debate. Continuing in the queue, Senator Dorn, you are recognized.

**DORN:** Thank you, Mr. Chairman, there. I know Wendy and I would be-- Senator DeBoer and I would be on the same mike or, Senator Briese, I guess, would you yield to a question?

**HUGHES:** Senator Briese, you're yielded 4:30. I apologize, Senator Briese, will you yield to a question?

**BRIESE:** Yes. Yes.

**DORN:** Could you-- could you explain a little better what just took place up there up front? Because I'm not sure I understand it. The way I took this is that we're just-- your amendment, we're just taking one section of that now and having the discussion and then the vote on that. Could you explain that more?

**BRIESE:** Yes. We're going to start by addressing the individual income tax piece. I heard a reference to a couple sections up there. I'd have to look to be certain if my response here reflects that section that was referenced up there. But it is my understanding we're going to be talking about the individual income tax piece first. And then after that, we will move on to other pieces of this amendment. It's going to be four pieces.

**DORN:** OK, one more question then I guess. Do we vote on that individual income tax piece first? And what if this goes four hours and the others don't come up then?

**BRIESE:** Yes. It's my understanding that we're going to have to get to all of these in four hours to actually get anything divided here. Otherwise, it's my understanding this will go back to the original amendment, which is the package deal, which was the intent of this-- which was the intent of this matter in the first place. And I'll have to say one thing. This is a package deal. If somebody would be successful in getting any portion of this pulled out, I believe that it would tank the whole package. And so if you want any port-- if you like any portion of this, if you want any portion of this to go through, I think you better support the whole package.

**DORN:** And I'll, I'll yield my time to Senator Briese there. I think we need some more discussion on this and what just went on so that we all understand this. Thank you.

**HILGERS:** Senator Briese, 2:37.



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**BRIESE:** Thank you, Mr. President, and thank you, Senator Dorn. And you know, in this body we talk all the time about growing our state, encouraging folks to live here, raise their families here, encourage-- encouraging businesses to stay here, encouraging businesses to come here. There's a lot of different ways that we encourage folks to be here. We can talk about housing, we can talk about education, we can talk about amenities, we can talk about broadband, we can talk about education, and we can talk about taxes. When young families are considering where to-- where to locate, where to raise their-- where to raise their families, where they want to work, where they want to live, they look at a host of items and they look at taxes. When businesses look to where they want to locate, they look at the tax structure. And here in Nebraska, we currently have a marginal tax rate higher than all of our neighbors. As one testifier at the Revenue Committee said, the top brackets are the front door from-- of Nebraska and our front door needs to be spruced up a little. Our high marginal rates are not conducive to growing our state. They discourage folks and businesses from locating here. And if we're going to grow Nebraska, we need a competitive tax structure. And this bill represents a step in that direction. Thank you, Mr. President.

**HUGHES:** Thank you, Senator Briese. Senator Flood, you are recognized.

**FLOOD:** Thank you, Mr. President. Oh, my. I love the smell of tax cuts in the morning. I am in support of LB825. I'm in support of all of the amendments, and I want to echo what Senator Briese said moments ago. And that is this is a package deal. What we see in front of us is a compromise that was put together by a lot of different interests. I want to compliment Senator Linehan as the Chair of the Revenue Committee. I want to compliment Senator Friesen, who's a colleague of mine on the Revenue Committee. There were ag interests. There were business interests. There were, you know, the Governor making a strong case for reducing the tax burden on Nebraskans. Folks, this isn't enough when you look at what Iowa is doing. We're going from 6.84 percent to 5.84 percent. That's progress. But the other thing that this does, and I have to give the Legislature under my predecessor's time, Speaker Jim Scheer, who led the way on LB1107, that bill has made a real difference for farmers and ranchers and property taxpayers in the state. I just talked to a Farm Bureau member from Pierce County yesterday that said when they apply that 25 percent tax credit to what they pay to their K-12 school, it's significant. It basically goes to 35 percent now. The entire cost of what they pay in property taxes, what we pay in property taxes is a refundable credit now for the entire levy that applies to community colleges. So that takes us essentially, and Senator Briese can correct me if I'm wrong, to 35

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percent. We have chased this dream of property tax cuts for so many years. When I left the Legislature last time, we hadn't started to really notice the meteoric, the historic rise in property values. But when I came back in 2020, it is the number one issue in the state. It is what everybody wants to talk about, and we are doing something about it. Thirty-five percent back, that is significant, meaningful. It is the reason why farmers and ranchers are excited about progress and chasing progress, as Senator Briese knows-- one of his biggest concerns, and I sit next to him on the Revenue Committee, is that you can make all sorts of changes and the taxpayer doesn't feel it. It's a combination of things. It's the-- where the levy is set, it's the valuation of the real estate. This is meaningful. Voting for this keeps a campaign promise that I would have to think for a great majority of us is the number one thing we hear when we're at the doorstep. And as a member of the Revenue Committee, I can tell you there are a thousand and one ways to cut taxes. There are a thousand and two ways that people don't want any changes, depending on who they are, what they-- who they represent, where they come from. The fact that we have a proposal that not only addresses property taxes, but individual income tax rates sets the stage for what I think is a renaissance in Nebraska tax policy. And as we continue to see higher revenues, it only makes sense to give the money back to the taxpayer. Senator Briese, may I ask you a question? Mr. President?

**HUGHES:** One minute. Senator Briese, will you yield?

**BRIESE:** Yes.

**FLOOD:** Senator Briese, the question has been divided by the Legislature. I just want to make sure everybody understands. To accomplish the goal here, we need a yes vote on every floor amendment. Is that right?

**BRIESE:** Yes.

**FLOOD:** And how many of them are there?

**BRIESE:** Should be four of them.

**FLOOD:** And this, this specific FA150, what does it specifically do?

**BRIESE:** I'll have to look at the amendment, but it should divide out the individual income tax portion of this bill. I believe that's reflected in Senator Linehan's LB939, but it's stretched out over five years instead of three years to ensure we're doing this in a more sustainable and fiscally responsible manner.

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**FLOOD:** And everything has to be tied together, right, every one of these floor amendments?

**BRIESE:** Yes.

**FLOOD:** OK. So, members, yes, the question has been divided. There are four different divisions that we'll be going through today. It's my hope that we can make good time of it and accomplish--

**HUGHES:** Time, Senator.

**FLOOD:** Thank you, Mr. President.

**HUGHES:** Thank you, Senators Flood and Briese. Colleagues, Senator Slama would like to introduce 60 fourth-grade members from Syracuse Middle School, plus teachers and sponsors. They are seated in the north balcony. If they would please rise to be welcomed by your Nebraska Legislature. Thank you for coming today. Returning to debate, Senator Sanders, you're recognized.

**SANDERS:** Thank you, Mr. President. I'll yield my time to Senator Flood.

**HUGHES:** Senator Flood, 4:55.

**FLOOD:** Thank you, Senator Sanders, and thank you, members of the Legislature. I think that, you know-- and I don't think I have the ability to-- to ask Senator Linehan any questions, Mr. President, since I'm-- yes. May I ask Senator Linehan some questions?

**HUGHES:** Senator Linehan, will you yield?

**LINEHAN:** Thank you.

**FLOOD:** Senator Linehan, as Chair of the Revenue Committee, we have talked 15 ways to Sunday about different ways to approach Nebraska's overwhelming tax burden on Nebraskans. Some people in here and in the state may argue that cutting this tax rate from 6.84 percent to 5.84 percent only affects the rich. That's not true in Nebraska.

**LINEHAN:** That is not true.

**FLOOD:** What-- who-- give me an example of who this would affect and what are the brackets?

**LINEHAN:** Well, the brackets, so they're in the amendment. So anything-- if you're single, anything over \$27,000 is in the top rate.

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If you are married filing jointly, anything over \$54,000 is in the top rate. If you are a head of the household, anything over \$40,000; married and filing separate, anything over \$27,000. So now some will argue that there are standard deductions, so you have to add that on here. But even if you add that on here, you're talking about-- you are talking about middle class. You are talking about two teachers who both work and they end up in the highest tax rate. You're talking about a-- all the people in the trades that we don't have enough of and we need them working overtime. Because if you want a plumber to come to your house, about the only time they can do it is when they're done working on all the new houses in the neighborhood or building something. So you can't get a plumber unless they're working overtime. So if you have a plumber working overtime and he's married to a schoolteacher, they're rich, according to some, even though they're working 60 hours a week and another 50 hours a week to hold their household together. And I think it's-- I have young people. I-- you hear me talk about it all the time. [INAUDIBLE] talk about my children too much. Young couple, my daughter-in-law, who is in the-- here yesterday, her husband is-- as I said, my son is in Texas. He's at the border. Currently, he is getting regular military pay. I can promise you that Alexis Linehan goes to the grocery store, she has to look at prices. They are not rich, but they are in the top bracket.

**FLOOD:** There are CNAs in my district that are fresh out of high school that are being paid anywhere from \$20 to \$30 an hour. They would qualify as a single person with an income, adjusted gross income over \$27,000.

**LINEHAN:** After their-- after their standard deduction, yes.

**FLOOD:** Ladies and gentlemen, this-- this bill represents the work of a lot of people, not just the Revenue Committee, but interaction with members of the Appropriations Committee, with folks in the ag groups, with businesses, and more than anything, taxpayers across the state. And when you go door to door or you show up at the Rotary Club, maybe you're at a high school football game, what do people want to talk to you about? They want to talk to you about taxes. They want to talk to you about the tax burden on Nebraskans. And this bill, LB825, started with Social Security issues. And now obviously, we have the complete smorgasbord, shall we say, of income and property tax credit opportunities for this state to seize upon and to move Nebraska in the right direction.

**HUGHES:** One minute.

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**FLOOD:** You got to remember, I live roughly 60 miles south of the South Dakota border. I can't tell you how many people are crossing the border, buying houses, and taking with them their wealth and their ability to pay taxes. To a state that has zero, what we're doing today in comparison is modest. It's 6.84 percent to 5.84 percent. This isn't the end of the world. This is an opportunity to go in the right direction, understanding that states like Wyoming and South Dakota are miles ahead of us. And I think Senator Lou Ann Linehan will tell you Iowa is working to get under 4 percent, 3.99 percent. So this is a conversation worth having. Thank you, Mr. President.

**HUGHES:** Thank you, Senator Flood. Senator Machaela Cavanaugh, you are recognized.

**M. CAVANAUGH:** Thank you, Mr. President. Colleagues, I am opposed to the amendments to AM825 [SIC]. I'm disappointed that this is happening because this is really for seniors and had moved forward with the intention of that with a lot of support in this body. These tax bills are a poison pill and it's only going to hurt seniors. If a bill isn't good, doesn't have the legs to stand on, it oftentimes won't get out of committee. If it gets out of committee and it still doesn't have the legs to stand on, it won't have 33 votes. We're looking at bills being amended into here that did not have the votes to stand on their own. And we're going to take it out on seniors on a fixed income. Not me. I won't do that. I will not punish seniors on a fixed income because senators in this body can't do the work to get their bills passed cleanly. I have never passed a bill without working my tail off to get the people in this body to support it on its own merits. I've never had to cajole or bribe anybody. And that's basically what this is. People are being bribed by these amendments and then being held hostage by Social Security. This is disrespectful to the taxpayers of Nebraska. And I look at this tax relief proposal and it doesn't even tell you how much it's going to cost us in the following year, which is in the amendment, and lowers the tax rate even more. And we don't know how much that's going to cost. And already it's going to cost \$894 million-- million in '24-25. This is irresponsible. And if you all want to be irresponsible, I'm-- I am not going to have your back on that. I care too much about seniors on a fixed income. And when I'm talking to people in my community, Senator Flood, they are not talking to me about tax liability. They are talking to me about child welfare, education, food, housing because they're real human beings. They're not corporate robots. And real human beings care about those things. And the people that are arguing for this to happen are the same people who voted against \$120 million in federal rental assistance. But sure, let's give you over \$800 million. That makes complete sense, complete

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sense. So people home in Nebraska, I hope you know and I hope you recognize that the Republicans in this body do not care about you and your life and your stability. They just care about corporate welfare, not seniors, not people who are homeless or housing insecure, not people who don't have access to food, corporate welfare. This Legislature has become completely about corporate welfare. I yield the remainder of my time to the Chair.

**HUGHES:** Thank you, Senator Cavanaugh. Senator Matt Hansen, you are recognized.

**M. HANSEN:** Thank you, Mr. President. So this has been presented as a package deal and kind of told we'll have to take it or leave it. And I'm at the point where I very clearly will have to leave it. And I say this as somebody who is cosponsoring the underlying bill. And I want to follow up. This bill is taking a bill that I support, combining it with a bill I oppose strongly, a bill I'm neutral on, a bill that doesn't exist and has kind of just been made up in thin air, and a bill that I would probably support if it stood on its own, being the individual income tax. So that's where we're getting at. And the key thing that we're getting at here, and I think it's been alluded to and has been alluded to in the division, including the order that Senator Briese picked the division is this corporate income tax cut is so egregious and so out of bounds and has so little support in this body, they have to stack it on top of three much more popular bills in order to get it passed and will threaten to kill more popular bills if they don't get it. That's where we're getting at. Social Security tax could have flown through. LB723 was flying through, but now they're both tied to this corporate income tax. And if we don't give this corporate income tax, they're going to die. That is what we're hearing and that is what we're hearing on this floor today. I am disappointed that it has come to this. I'm actually going to-- would like to vote on the floor amendments, so I'm not planning on punching my light any more this morning. I would hope that we get a chance to vote up and down and we see how people actually stand on these bills. I want people to stand up and say, yes, I think this corporate giveaway is a good call and I'm willing to stick my name on it and vote for it independently because I think we all know that does not have anywhere close to 23 votes. I'd be surprised if it had 25 votes. Thank you, Mr. President.

**HUGHES:** Thank you, Senator Hansen. Senator Geist, you are recognized.

**GEIST:** Thank you, Mr. President. It's always interesting to me how this debate turns to being something that's for wealthy people, that's for business, for corporations. That's what fuels our economy, folks.

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That's who hires people. That's where jobs come from. The more businesses we have in our state, the more jobs we have; the more middle class, lower class, upper class, everyone has a job. This is important. Helping business do business better is important. I'll yield the remaining amount of my time to Senator Linehan.

**HUGHES:** Senator Linehan, 4:08.

**LINEHAN:** Thank you, Mr. President. I know there's some angst here this morning. OK. But let's remember how we got here. We brought LB919 to the floor with an amendment that we had widespread agreement with, the same package, and we were blocked from getting to the amendment. We couldn't get there. We didn't take the eight hours. Nobody would let us get to the amendment. So now people are, like, surprised. We have been talking about this all session. We have spent several days on a budget that we were blocked from amending. If I knew there was going to be angst about getting taxes done, we had a whole different conversation this last week. We have worked all session to figure out what's the right amount to spend and what's the right amount in tax cuts. We are spending \$1.7 billion. And we're going to-- we're going to complain about taking our highest tax cut in the Midwest down to still the highest tax cut in the Midwest. It's 1 percent. Really? We're going to say it's OK that we have-- we're taxing young couples who are both working, who are paying a thousand dollars more a month in daycare expenses who can't afford to get their money together for a down payment-- housing prices are spiraling, interest rates are headed back up and we're talking about not doing a 1 percent cut over five years. And I'm just going to-- I'll be-- when I'm back up again, I'm going to talk about the first year we got here. There's a lot of kind of, like, not quite accurate information about the first year we got here. First of all, the first year we got here, they spent too much money the year before. They did not have enough in their Cash Reserve, wasn't even close to enough in the Cash Reserve. And we didn't-- we actually didn't cut. We cut increases, but our spending wasn't even flat. It went up 0.5 percent. Now that's not much. I realize it was a tough year, but we didn't, like, slash and burn, and we had no revenues to work with. We have \$1.3 billion sitting in the Cash Reserve, and that's good. Fine. But it isn't our money. It belongs to the taxpayers and we're going to sit here and spend \$1.6 billion or \$1.7 billion and we're not done yet. And we're going to tell people they can't have their money back?

**HUGHES:** One minute.

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**LINEHAN:** I'm dumbfounded that there's confusion about this. We-- I don't-- I don't know how you go home and you talk to your constituents and say, oh, we gave this and we did that and we're doing this, but, oh yeah, sorry, no tax cuts. Really? Thank you, Mr. President.

**HUGHES:** Thank you, Senator Linehan. Senator Murman, you are recognized.

**MURMAN:** Thank you, Mr. President. Good morning. I favor lower taxes across the board, and that's a large part of what this tax package that was all in one piece does. We have an unprecedented opportunity, as Senator Linehan just mentioned, to return at least a small part of the taxes that we collect back to the citizens. We've managed to lower taxes or are on the path to lower taxes in the last couple of years for veterans' retirement, Social Security retirement, inheritance taxes, income taxes, and now property taxes also. Of course, property taxes are the tax that is most out of line with the rest of the country. That is why I have made LB723 from Senator Briese that is included in the amendment my personal priority for this session. I come from a largely rural district, but I'm not speaking only for agriculture, although the property tax relief in LB723 goes 71 percent to residential and commercial and 29 percent to agriculture. With the cost of availability of inputs in agriculture becoming a huge problem-- the cost and the availability of inputs in agriculture becoming a huge problem, we must look at protecting the property tax relief that we have managed to achieve in the recent years. It's not easy being a farmer, being involved in agriculture. But when we have that extra burden of property tax in this state that is so much higher than the rest of the country, it makes it even much more difficult. And we're holding back the biggest industry in the state, holding it back from expanding and doing the most good for the state that it could do without this unreasonable burden. And with the addition of the community college property tax credit in the amendment, we're able to keep community colleges funded, fully funded, just as we have done with K-12 and education, and start another credit fund for community colleges and keep both K-12 and community colleges fully funded while we're giving a credit back to the property taxpayers that are so unfairly taxed and-- and at the same time, not getting that opposition from education from-- we're not taking anything from them. We're just keeping them funded and returning what we can back to the property taxpayers. As Senator Friesen suggested, the increase in K-12 education credit fund and now with the addition of the community college credit fund, these funds can be used, possibly in the future, to solve the TEEOSA problem that we've been having that is not keeping education fully funded and at the same time, being fair to taxpayers.



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In summary, I think we need to show courage like Senator Arch suggested, and return some of the taxes back to taxpayers that rightfully belong to them and don't belong to us anyway. We need to move this--

**HUGHES:** One minute.

**MURMAN:** --whole comprehensive tax relief package for-- forward. I'm not sure exactly what dividing the question does here, but we all can agree that all the amendments must go forward and the whole tax relief pack-- or the whole tax relief package falls apart. Otherwise, the work of the Revenue Committee, the Appropriations Committee, and a large majority of this Legislature falls apart. Thank you, Mr. President.

**HUGHES:** Thank you, Senator Murman. Senator Slama, you are recognized.

**SLAMA:** Thank you, Mr. President. I rise today in very strong support of Senator Briese's amendment and LB825 overall. I think this is a historic opportunity for Nebraska to provide some comprehensive tax relief. Regardless of whether you want to see Social Security taxes cut, income taxes cut, or your property taxes cut, this is a once-in-a-lifetime opportunity to do all three of those things in one bill. I think it's fiscally responsible, and I think it's very-- we're talking about big concepts in this session. And I think this is one of the biggest concepts we'll have the chance to debate that will have a generational impact on our state for years to come. And with that, I'd like to yield the remainder of my time to Senator Lindstrom.

**HUGHES:** Senator Lindstrom, 4:10.

**LINDSTROM:** Thank you, Mr. President, and thank you, Senator Slama. I would like to remind my colleagues that the reason that we're even able to have the discussion on LB825 and the amendment that has been divided is because Nebraskans have worked hard. If Nebraskans weren't working hard, we wouldn't have the revenues coming into the state of Nebraska above the forecasting levels to be even-- to be able to have this conversation right now. I think when we all walked doors, ran for office, I don't know how many times I talked to the 10,000-- with the 10,000 doors I went to, taxation and overtaxation came up. Almost every time I went to a door when we talked about a topic, it was taxation. To me, this is the least we can do to put money more-- put more money back in the pockets of Nebraskans. Again, we weathered the last two years with one of the lowest, if not the lowest, unemployment rate in the country at 1.6 percent. People worked hard through the

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pandemic. We had the revenues coming in above forecasting, a huge amount of money that we've never had in the state of Nebraska, and this is the least we can do to give the money back to the people of Nebraska. This is just the start. This-- this is just the tip of the iceberg on what we need to do. I mentioned it when I talked about it earlier-- and Senator Linehan just talked about it-- 5.84 percent doesn't even necessarily get us in the game. It just gets us closer to the game. When you have everyone around us doing the right things and making sure that they're-- they're competitive, we're still-- we're still so far off. And so I get that we-- we will have these discussions, but we just spent millions and millions of dollars in appropriations to individuals. This seems like, to me, a no brainer when we talk about-- I won't use the word reward because it is their-- it is their money. This-- this is Nebra-- this-- this is the people of Nebraska's money. We're returning the money to them to put it in their pockets to spend on gas, to spend on healthcare, and all the other things as inflation rises. This is the least we can do. So when we talk about the rules and not be able to get to the bill, we're-- this-- this to me-- and we're saving eight hours not coming up on LB919 next week. So I just want people to keep in perspective what we're talking about here, a huge amount of money. But this-- this to me is just the right thing to do. It's the right thing to do. It's what we all talked about when we campaigned, each and every one of us. I got to imagine you had that conversation at eight of the ten doors that you went to. So I encourage your green vote on the underlying amendment. I encourage your green vote on LB825, and let's do the right thing for all Nebraskans. Thank you.

**HUGHES:** Thank you, Senator Lindstrom. Senator Lowe, you are recognized.

**LOWE:** Thank you, Mr. President. Senator Lindstrom is right. When we are out campaigning, the number one issue with everybody that we come in contact with is taxes. What are you going to do for me on my taxes? What are you going to do? Still, when I'm not out campaigning and I'm just walking around town back home or in the other communities I represent, what are you going to do for our taxes? They're too high. You look at the young people now, you look at the people in the stores and they're struggling to pay the new high prices that we're coming into. You look at the gas pumps and the price that is skyrocketing at the gas pump and they say, what are you going to do for me? These aren't special interest groups. These are your constituents. And I'm just sorry, I am so sorry to our constituents that this is all we can do for them, this little bit because our people of Nebraska are struggling. And we here at the Capitol, we're sitting on \$1.5 billion.

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And we don't want to give them some of it back, some of them-- some of it to keep it in their pockets? This needs to be twice as much. We need to let the people of Nebraska keep the money in their pockets before they send it down to us. One way is by controlling what we spend. We're in this situation now because we have been able to control what we spend because of the administration and because of this body. With that, I'd like to yield the rest of my time to Senator Moser if he would like it.

**HUGHES:** Senator Moser, 2:45.

**MOSER:** Thank you, Senator Lowe. I appreciate the time. Well, I'm entering into my 16th year in government and the philosophy of government as I've understood it is that you look at what needs you have and you set your tax rates to raise enough revenue to pay for those needs. And I think that has been done so far. But now we're to the point where those tax rates are bringing in more money than we-- than we need for current expenses. And so we've taken some of that increased revenue and we just spent \$500 million, what's going to come out of the rainy day fund to address some things that we, frankly, we let slip here and there. And we still have a big, big balance and so I think we need to adjust rates because that's basically how we set the rates is to cover our needs. And we've-- we've got rates that are generating revenue far above what-- what we've spent in the past. So I think we need to adjust those rates to be fair to our constituents. When I went out campaigning, I talked about, you know, all the things that were important to me. But spontaneous comments from constituents that I talked to were that taxes were too high. That was the number one thing that they talked about. And if you have your own business or you have an independent--

**HUGHES:** One minute.

**MOSER:** --you pay your own taxes and you write that check for \$10,000 or \$5,000 to the state, that's what makes people upset. And so this is an opportunity for us to adjust our tax rates to get our revenues in line with our expenses and to let our citizens keep more of their money. Thank you.

**HUGHES:** Thank you, Senator Moser and Senator Lowe. Senator Bostelman, you're recognized.

**BOSTELMAN:** Thank you, Mr. President. Good morning, Nebraska. I do support Senator Briese and-- and the package he's brought together, all of it on tax relief. I think that is important for Nebraska. It's

one of those things that we hear constantly as we go across-- within my district and across the state, something we need to take up and something we need to do. I want to read something from you, which I think touches on a couple of the areas that we're talking about today on property taxes-- and actually I think it does corner on some income tax as well-- from a constituent or from a person that we all received last year. And I want to read this because I think this hits right to the point, and I'll read this. Says I wanted to share my story so you can think about it as you discuss property taxes in Nebraska. In 2014, my family decided to build a new house that could accommodate my mother-in-law and my growing family. My mother-in-law had recently been diagnosed with cancer, and it took a hit on her finances. She had lived with her mother, and she had recently passed away in 2011, the day-- the day that my son was born. Along with these personal trials, our property taxes kept rising on both of our homes to the point that we were both struggling with bills. It made sense to build a house that we could afford and that would accommodate us all. So we worked with Legacy Homes, formerly Hartland Homes, or Heartstone Homes, Heartstone Homes, since they built the cheapest homes in the area. We designed a home with a place for both of our families. We chose all of the base options, including laminate countertops, vinyl flooring with bathrooms, the cheapest carpet, and one sink in the master bedroom. We were able to get the price down to around \$260,000, which fit our budget after we sold our houses. My mother-in-law put the money down on the houses and we moved in together. She was able to pay her medical bills and we were both-- and we were both able to get caught up and create a budget that worked for both of us. We are a one-income family, so we did not have a lot of extra money, but we were able to make it work. Without the stress of trying to pay bills, we were able to schedule my wife's hip surgery. She was born with hip dysplasia and had to stop working years ago. The pain was getting to the point that she had to have the surgery. Having a little extra money in our budget made that decision easier, and we started talking to doctors. Then COVID hit. I am an essential worker and have been work-- have been going to work every day to support my company and my family. My company had to lay off one of my employees so that my-- so that put extra weight on my shoulders. But I am a responsible adult and I have a strong work ethic. I did what I can for my family. Before we moved into the house, I worked two jobs about four years to make ends meet. I am sure you can imagine how difficult it is to work from 6:30 a.m. to 4:00 p.m. and then to have to go to another job and work until 8:00 p.m. Add on a full shift on Sundays, and those were the difficult years, especially when we had kids. But you know what? I did what I had to do to make a better life for my family. So when we moved into

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the house, this house, we were fully comfortable and didn't have to work two jobs. I didn't have to stress over money. Some months we were even-- we even had extra money at the end of the month that I was able to save for retirement. Things were looking up. In 2020, our finances took a hit with my fam-- with my wife's surgery and COVID. Other bills had gone up, but we were getting by. I was looking forward to the time the surgery bills and physical therapy bills were over.

**HUGHES:** One minute.

**BOSTELMAN:** We are almost paid up for those, so I was thinking 2022 would be a great year. Then I got the property tax assessment. Our house value went up over \$100,000 a year. We have made no improvements. Our floors are warped due to two-- two rescue dogs that we have that had such traumatic lives that potty training was impossible. Our deck started warping. We have electrical issues and other minor things that we live with. It's still a nice house and we don't have any danger to my family, but if we were to sell, we would have a lot of work to do. I protested since that amounts to around \$400 a month extra, especially when you include the recent home insurance increases due to the value of the home, \$400 a month that we do not have. I protested on the grounds our house was built by the builders and other houses in the area were customs homes. Unlike our other homes, we do not have quartz or granite countertops or a fireplace--

**HUGHES:** Time, Senator.

**BOSTELMAN:** --on the main level.

**HUGHES:** Time, Senator.

**BOSTELMAN:** Thank you, Mr. President.

**HUGHES:** Thank you, Senator Bostelman. Senator Briese, you are recognized.

**BRIESE:** Thank you, Mr. President. Good morning again, colleagues. You know, last time we talked about this, and I think earlier today, you know, the notion of corporate tax relief, even though we're not talking about that on FA150 yet, that's not going to be up first anyway. Some have typically criticized the idea of corporate tax relief. Well, we have to remember we have the second-highest marginal corporate tax rate in the neighborhood. And that's part of the corporation's cost structure, corporations, businesses that do business here. And what does reducing the rate do? It can benefit

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consumers. How does it benefit consumers? It can benefit consumers in a lower cost of doing business that can be passed on to consumers through the form of lower prices. Those savings can also encourage more businesses, companies to do business in Nebraska. And that competition can drive down costs for consumers. Reducing the rate can also benefit Nebraska shareholders, and the cost savings can benefit the employees of these companies as well through higher wages and benefits. And it can improve our tax rankings and that-- and those rankings are important to businesses trying to decide whether to move here or where they're going to locate. So do not trivialize the importance of corporate tax relief. You know, in the last-- yesterday and the week before, we came together to pass the budget bills and we passed those bills overwhelmingly. And there's a lot of things in those budget bills that not everybody's happy about and a lot of things that I wasn't very excited about. But I sat here quietly, silently for multiple days, and I accepted the work of the Appropriations Committee and I voted to advance those bills. I spoke one time relative to the SPACECOM dollars. Senator McDonnell, Senator Sanders explained some of those things to me and-- and I was good with it. But-- but I sat there and I've got a laundry list of concerns about the appropriation bills. But I sat there silently and voted green on those. And here today, we have a package deal as well that seemed like everybody has a gripe about. Some don't like the corporate tax reduction. Some don't like income tax reductions in general. Some folks think ag's or ag's not getting enough property tax relief. Some people think there's too much property tax relief in here. But this really represents a package deal on property taxes. It's not perfect, but it's a compromise. It's a compromise that produces an amount of property tax relief fairly equal to the amount of income tax relief. And the amendment that we're talking about today, AM2514, really is the train that's going to leave the station. We all have to decide whether we're going to be on it. And I would submit to you that we should be on that because supporting that amendment, this bill, puts us on the side of Nebraska taxpayers. Again, it's not perfect, but it's what we have. And I would encourage you to the vote-- to vote on the side of Nebraska taxpayers. And again, I sat silently on those appropriations bills. Some things there troubled me greatly. I've got a list of them, but I sat quietly and voted green. And I would hope that we-- the body got behind those appropriation bills at the end of the day. I would hope that we would see our way clear to do the same thing here. Thank you, Mr. President.

**HUGHES:** Thank you, Senator Briese. Senator Jacobson, you are recognized.

**JACOBSON:** Thank you, Mr. President. I'd like to first again thank the Revenue Committee for all the work that they've done on this-- on this bill and the amendment. I want to follow up on Senator Briese's comments with regard to this package. You know, I've sat here through the time frame I've been here and watched us and listened to us debate millions and millions and millions of dollars in spending. And I don't remember too many people getting concerned about, can we sustain that? Can we-- can-- will this work longer term? I realize the ARPA money is one-time spend and we've tried to focus in these budget transfers and the budget bills that they be limited to one-time spends or investments. And yet some of them will, in fact, probably lead to ongoing needs to keep them funded because we understand that when we start doing one-time things, even when it's money going to programs, that those programs seem to want to continue. And nobody seems to be talking a lot about how we're going to cap the spending. We tend to always want to cap how we give money back to the taxpayer. I'm one of those people who believes that, as I believe Senator Lowe had expressed, this should not be about giving money back to the taxpayer. It should be not taking the money from the taxpayer to begin with. I subscribe to the idea that when I get paid or I earn money, it's mine and I should be contributing to the state and the federal government to the extent that we have programs that we need to fund for the benefit of all. I get very concerned when we get involved in spending that really becomes welfare programs beyond, particularly for those who could work for themselves. I'm compassionate. I believe strongly in helping those who can't help themselves, but I'm also one who believes there should always be a work component for those who are receiving benefits who can work. And so I understand some of the spending. I understand some of the social programs. But I think it's been said before in this body, there's a lot of money that has been rolling in and it's time to make sure that the taxpayer gets their due. When I heard a statement on the floor the other day, we should quit wasting money on tax breaks, I thought it's time to say something. And I was waiting for this debate to come to reiterate to people that this is not our money. This is the money of the people who live in this state who are being taxed in this state. I would also tell you, if you want a corporation to move here, corporations don't make decisions where they move their companies, people do. These are people that we're taxing. Tax rates do matter. Being the highest in the neighborhood is a problem. We need to fix that. I also own farmland. I'm very involved in agriculture, have been all my life. And I can tell you, I'm very concerned about what's happening to rising land prices. It's all great today. Commodity prices have gone up, land prices have gone up. I will guarantee you there will be a lag effect

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where property taxes are going to rise with those land values. When those commodity prices fall and they will, they will, and when they do, we're going to be saddled with very high property taxes. I think that the bill as it's been crafted with all of the amendments makes sense. I would urge everyone to stick to the-- to the-- to the script here on AM2514, pass AM2514 in its entirety. And let's also give our retirees a break in LB825 and quit taxing Social Security. With that, I'm going to yield the rest of my time to Senator Erdman.

**HUGHES:** Senator Erdman, 1:18.

**ERDMAN:** Thank you, Senator Jacobson. I appreciate your comments. So I should have put my light on so that I could have spent five minutes talking about this. But let me tell you what I perceive to be the problem here is we have three forms of taxation for the state of Nebraska. We have sales tax, income tax, and property tax. And when you have three forms of taxes and they compete with each other and you don't think they compete with each other, they always try to send somebody here to eliminate a sales tax or whatever, how they do that. And Senator Jacobson is exactly right. It's your money. And the current system we have is the local units of government and the state tell you how much of your money to give to them. That is a problem. There is only one way to solve this problem: to put the taxpayer first and change the focus from those who collect and spend the taxes to those who pay the taxes. And that is having one flat consumption tax based on those things you consume. If we have a consumption tax in the state of Nebraska and we eliminate sales, income, and property tax, half or maybe 60 percent of the conversations we've had this session would not happen. We would not even be talking about it because--

**HUGHES:** Time, Senator.

**ERDMAN:** Thank you.

**HUGHES:** Mr. Clerk.

**CLERK:** Well, Mr. President, just for the members' information, the FA150 now we, as-- as I hope you know, we divided the amendment into four pieces. The board will now reflect AM2588, which is the first piece that you have been discussing. So that is the-- the personal income tax piece. So just reference AM2588, which is the piece that you're discussing now. Thank you, Mr. President.

**HUGHES:** Thank you, Mr. Clerk. Returning to debate, Senator Albrecht, you are recognized.



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**ALBRECHT:** Thank you, President. Colleagues, I rise in support of LB825 and AM2588. You know, we've done a lot of work in the last two years that I've sat on the Revenue Committee, and I applaud each and every one and the leadership that we've had from Senator Linehan. Senator Briese has worked his whole six years that I've been up here with him on these-- these packages as well. Senator Lindstrom has led the charge on the Social Security. We've had many, many committee hearings that-- that come to us just as Appropriations did this past year, having to figure out how they're going to spend all this money that we're going to have to talk about here next week. But I'll tell you, we're losing a lot of people. Senator Friesen, you know, he has always protected the ag community on that particular committee. Myself and Senator Briese are the-- the farmers as well as Senator Linehan. She still has farm ground. And I think it's important that Nebraskans know that the people who are leaving this body have-- have had a very strong say in what's going on, on these bills. Whether we-- whether we have it in a package on Monday or we just put it all in one and get it over with so we can continue to keep moving through the process here, I think it's so important to know that in Nebraska we are the most conservative state. I think we are looked upon throughout the nation as being-- you know, we have the least number of people in our state compared to those surrounding us. They all have a lot more money to work with. But what we do with the funds that we have, I mean, we have a lot to be proud of on this floor and how we work to take care of Nebraskans. But this has been asked for, for a number of years. Whether we are competing with our surrounding states or not, we need to do what's right for our taxpayers. For the people who work hard every day in the state of Nebraska to earn the money that they do, we owe that to them, whether it's through property tax relief, income tax relief, corporate tax relief. We have to take care of those who are taking care of us. And I think this is an excellent way to do it. Again, I stand very proud to be on the Revenue Committee and be able to work through all of these things. You know, we had a little hiccup at the beginning of the session when we had the schools come in and ask us to-- to totally change up what our plan is. And we've been working through this for so long that when somebody else comes in and just wants to say, well, put that aside, and let's just look at my-- my ideas-- I mean, we have to put our faith in the committee structure. I'm sure that they all understand how imperative it is that-- you know, Appropriations listened to all of these people come to them and put their bill together and they want to stand firm and-- and with no exceptions, you know, on what they've put together and they've done it for a reason. But when you work as hard as-- as the-- as this particular committee has on the income tax, corporate tax, and

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Social Security and even taking care of our veterans, there's so many things that we have to be proud of in this body. I'm going to miss everybody that's-- that's done a good job for us. We're going to lose a lot of people off Revenue, and it's just-- it's something that we've all worked together on. Let's all stand proud to support the AM2588 and the-- and the amendments to come. I think it would behoove us to push the green light on LB825 and AM2588 and those that follow. Thank you.

**HUGHES:** Thank you, Senator Albrecht. Senator Vargas, you are recognized.

**VARGAS:** Question.

**HUGHES:** The question has been called, Do I see five hands? The Chair does not recognize the question. There are multiple people in the queue who have not had the opportunity to speak yet. We will continue with debate. Senator Vargas, you are recognized.

**VARGAS:** Thank you very much. You know, sometimes when we get up here, I feel like I'm repeating what other people are saying, and that might be the case here as well. You know, look, I don't think anybody's debating whether or not people have done work on independent bills. I think that's one of the lovely things about the Legislature in general is that each of us are working on our bills and trying to figure out a way to get them through. The question always comes to where the biggest consensus lies. The underlying bill, which many people in this body supported and had a lot of consensus, is very different from each of these amendments that we're taking up. And many of these amendments, which do have some people that are supportive of either property taxes or corporate income tax or income tax cuts in some way shape or form, it depends on who is on board. I do want the public to understand what we're doing is putting all of that on a bigger bill. That is what we're debating on whether or not. Now we're debating them separately because of the question. But that's really what we're fundamentally debating. I have more concern, not with whether or not this has been worked on or had consensus in Revenue Committee, just like where we had consensus in Appropriations Committee, but we were still-- questions is whether or not this is the best thing right now moving forward, every single piece that we're individually evaluating, whether or not it's something that-- I don't like using the word "whether or not we can afford," but whether or not there is a storm to be weathered when there are economic downturns, that there is enough revenue that will not harm the basic aspects of our budget. I know I talk about it a lot, but it was not a pretty picture to be cutting

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from our budget when we first got in the Legislature. It was a billion dollars we cut. Wasn't great when we had to cut from things that people really relied on and we tried to not harm as many people. And I know that's really what we're debating here. It's not all or none, which was the original proposition, all or none, because some of us, myself included, support independent parts of these plans. And we've been on the mike saying that. I think that's the important evaluation that it's not a one size fits all of either you care about cutting taxes or you don't. It's you care-- some people got more on board with this because they care about certain taxes more than others and that's OK. And some people care much less about other taxes than others. That's OK too. I also think it's OK that there's some people that are looking at the numbers, and I appreciate looking at some of the out-year numbers and say, I don't know if I want that to be less revenue loss for the state. I think some people are looking at right now whether or not we can afford some of the tax cuts we have right now and I think there are some that we can afford. I've been on the mike saying that. The bigger question that I do want each of us to ask ourselves is as we're taking each of these independent tax reform pack-- not packages, but each vote, which is the ones we believe in the most and which ones that we can also afford and which ones are also going to set us up for success when we do have an economic downturn? And to make sure that we don't have to make drastic decisions when that happens. It is a constant conversation that we have in Appropriations. It's why we have not spent a lot. I sometimes look at my Appropriations members because we made sure we weren't spending more than two per five-- 2.5 percent growth on average over our time. We did that because we wanted to make sure that, one, we weren't growing and spending too much, but we were also doing it to make sure that we have a healthier Cash Reserve. And at the end of the day, that's because we hope nothing ever happens. And I think that's why we're having--

**HUGHES:** One minute.

**VARGAS:** --a great conversation about some tax reform because we can afford some of it. The decision is going to be which of which do we do? And I hope we each independently make that decision and not say that it is a one-size package fits all, as I know that part of the negotiations with some people care a lot more about some taxes more than others. I was also speaking from somebody that look-- looking at, you know, even what I said last time on the mike. There are a population of people that aren't getting a tax cut from this, at least from the income tax side. And, colleagues, I hope, I hope we take that piece into account because that's the part that I'm concerned with.

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I've been very, very firm on not spending too much within our normal budget, worked within the committee to make sure that we're not doing that, curb spending, focus on making sure that we're helping salaries and people and not creating too many new programs. And we've done that very responsibly.

**HUGHES:** Time, Senator.

**VARGAS:** Thank you.

**HUGHES:** Thank you, Senator Vargas. Senator Clements, you are recognized.

**CLEMENTS:** Thank you, Mr. President. I rise again to support the package. I was looking again at the green sheet that we still show \$453 million above our budget needs through 2023, with \$1.3 billion of Cash Reserves. And the Cash Reserves are after we've taken \$513 million of increased Cash Reserve spending in this budget. We still have \$1.3 billion. And I would say that we are not being stingy with the people's money, but the money that we have extra is the people's money and should be given back. And as far as taking care of the people who are in need, if you look in the Appendix B in the budget book, Health and Human Services this year will have \$1.7 billion; in 2023, \$1.85 billion; and a \$150 million increase in the next year. Education: \$1.3 billion this year; \$1.336 billion the next year. University: \$632 million, going up to \$646 million. And so children are being taken care of. The disabled and the poor, the \$1.8 billion we are funding and I believe the needs are taken care of and that this is a responsible way to return the excess dollars that we have. Senator Briese, would you like the rest of my time? Well, wait a minute. Senator Linehan is here. I'll yield the rest of my time to Senator Linehan.

**HUGHES:** Senator Linehan, three minutes.

**LINEHAN:** Thank you, Mr. President, and thank you, Senator Clements. So I just want [RECORDER MALFUNCTION]. Is Senator Vargas available for a couple of questions?

**HUGHES:** Senator Vargas, will you yield?

**VARGAS:** Yes.

**LINEHAN:** OK, I, I think I heard most of what you said, Senator Vargas, when you were up just a couple of minutes ago, but did you say that you were concerned that there were three bills in this package?

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**VARGAS:** I was concerned that-- or at least what I stated is what-- we're dividing the question. There are different concepts within this. There is a property tax concept. There's a corporate income tax.

**LINEHAN:** Yes, I know, I know what's in the package, but is that what you said?

**VARGAS:** Yes, that there are different concepts within this package, yes.

**LINEHAN:** OK, so Senator Vargas, you're on the Appropriations Committee, right?

**VARGAS:** Um-hum.

**LINEHAN:** How many bills are in the-- under the big budget bill that we just, in the last couple of days, got passed? How many individual bills were in that package?

**VARGAS:** There are a lot of individual bills in the package.

**LINEHAN:** More than three?

**VARGAS:** Yes.

**LINEHAN:** More than ten?

**VARGAS:** Yes.

**LINEHAN:** More than 20?

**VARGAS:** Yes and we took every single one up and we had a conversation on the mike like we're doing right now.

**LINEHAN:** Right, I know, I know. But I'm just--

**VARGAS:** Yes.

**LINEHAN:** --but the committee did it, right?

**VARGAS:** Correct, yes.

**LINEHAN:** Yes. OK. And then the other thing you said-- that's-- I-- if you don't agree with what I'm about to say, then you can punch in and-- so thank you, Senator Vargas. I said first-- when I got up this morning, the very first thing I said is we keep saying we cut \$1 billion when we got here. We did not. We were \$1 billion short-- and

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I've got the pages copying a thing and I will hand it out-- because the revenue forecasts were wrong. When we first got here, we were doing what-- I think we were dealing with what the Tax Rate Review Committee said, which I sit on, and it looked very, very dire. Then we got to February and the Tax-- Forecasting Board met and it got better and it got even a little better in April. Now--

**HUGHES:** One minute.

**LINEHAN:** --it was hard. It was-- never got good. It wasn't-- we still had to shake all-- and Senator Stinner did an amazing job. He was in here at three o'clock in the morning, working till 10:00 at night. His first year as Chairman, he dug through all the cushions on all the couches and every cash fund and we made it through it. And as I said earlier this morning, we actually spent 0.5 percent more than we did the year before. Now, we did have to claw back increases in spending. It was-- I'm not saying it wasn't a miserable time. It was miserable. I'm not sure it wasn't less miserable than this, to be honest, but we didn't cut \$1 billion and we did not have a healthy reserve. We have \$1.3 billion in the Cash Reserve.

**HUGHES:** Time, time, Senator.

**LINEHAN:** Thank you, Mr.--

**HUGHES:** Thank you, Senator Linehan. Senator McCollister, you're recognized.

**McCOLLISTER:** Thank you, Mr. President. Good morning, colleagues. I would like to first acknowledge Nebraska has high tax rates, both property tax and income tax, and we need to work to fix that. We need to make Nebraska more of a competitive state among the states here in the Midwest and I also acknowledge that Iowa has recently reduced their taxes. So in terms of LB825, I support LB825. I supported it on General File and I support it now on Select File. Now, the additional tax package that we were offered this morning, I'm less certain about it. When I talked to the Nebraska Examiner yesterday or the day before, I said I wish the tax package-- the combined amount was closer to \$600 million, rather than the \$895 million that we see on the sheet. I also wish that there was a circuit breaker involved. That would make me more comfortable supporting a higher amount. So with those in mind, those are my current position on, on LB825 and the combined package and I'm anxious to see how it comes out. I would yield the balance of my time to Senator Stinner.

**STINNER:** Thank you.

**HUGHES:** Senator Stinner, 3:36.

**STINNER:** Thank you, Senator McCollister. I thought I, I owed this to the Legislature to go through my computations and why I've insisted on a 5 percent cap, why I've insisted on extra reserves, etcetera. But the exhibit number one, if you will stay with me, was a 20-year lookback and lookbacks are always valuable for kind of an acid test on what you're doing. So if you looked at total revenue went from \$2.3 million-- 2.365 to 5.355 over that 20 years. That's 2.6 times-- that's how-- that's what the growth factor was. It doubled plus almost a quarter. When I take the 5 percent cap, which is in line number 2, you can see it's at 2.3 so they kind of run on the same-- they're not going to encroach on, on anything in this spending. That's why I wanted to have the 5 percent cap. If-- without the cap, you would see a \$314 million erosion of other spending opportunities or other tax cut opportunities. I want to make that abundantly clear. So then I do another acid test, rule of 78-- or 72, excuse me, 5 percent nominal growth. Revenue doubles every 14.4 years and at a tax rate base adjusted, it's every 16 years. When I looked at what it actually did, that was about at 2.3 times so it's pretty close, but you got to watch it. And I know I was an architect of this LB1107, but it can get away from you. I think it's something that all the Legislatures-- future Legislatures need to understand. This probably isn't the best way of doing property tax and I think, I think Senator Friesen talked about it. I think Senator Linehan has talked about it. In fact, I know Senator Linehan doesn't like it so it's something to work on. It's in the package. There is a guardrail for it. The other insistence was, as you look at exhibit number two-- and I actually-- this was the first cut on the General Fund status. You can see in the outyear, there's six-- at \$64 million excess if we use zero as a growth factor. Now, if you even went back to your budget book and looked, the Legislative Fiscal Office average was a half a percent and--

**HUGHES:** One minute.

**STINNER:** --3.5 percent and that's from Moody's and IHS. So I'm below that. I'm also above what Fiscal does in their modeling. So we're kind of in the middle of there. I think it's pretty conservative. But even to be more conservative, I said we need about a \$300, \$400 million excess reserve. What that does is if we get a 10 percent downdraft or about \$550 million, you've got that to move over and supplement the income. The other analysis I look at is minimum reserves, OK? Minimum reserve, in my estimation, should be 5 percent. It isn't in law-- it's

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not in law, but that's what I was using back when we were cutting. Didn't want to go below 5 percent. That's 275 versus a million-- \$1.3 billion. You got about a billion dollars of extra room if you had to, in an emergency, go to the, to the Rainy Day Fund to get this.

**HUGHES:** Time, Senator.

**STINNER:** So-- thank you.

**HUGHES:** Thank you, Senator McCollister and Senator Stinner. Senator Friesen, you are recognized.

**FRIESEN:** Thank you, Mr. President. Let's, let's go back a couple of years ago or even probably last year. I think I stood on the floor and worked with Senator John Cavanaugh to slow down the corporate and some of the Social Security tax cuts that we were making. At the time when we didn't know what was going to happen with our revenue, I thought it was prudent to slow it down. We did that to some extent. Now what I'm saying, this is what compromise looks like. We have worked on this together. Does it have everything I want in it? No. Does it have anything that-- everything that John Cavanaugh would-- Senator Cavanaugh would want in this? No. But again, I think there's been a lot of compromise in this bill. I wasn't a big fan of the corporate tax cut. If it would have been up to me, that would have looked different. This is compromise. What I wanted was to continue to work on the property tax issue and that was put in here. I think we've accomplished something there. But again, this is, this is what compromise looks like. We have tweaked different things over the years. We've shown that we have revenue growth that is big enough to do this. I think it's sustainable. I continue to look at-- if inflation would come on, I, I realize our incomes are going to be going up. Wages are going up. Unemployment is historic-low record. People are working. I think our income tax revenues will continue to go up and it's time to leave some of this money in constituents' pockets. I'm not saying the income tax cut, we just don't have to take it in the first place. And so far, with the property tax relief, we're forced to do it through LB1107, which I don't think is the ideal method. And I'm hoping somebody down the road can fix that, but that's not what we have to do today. This is compromise. We can argue about where we're going to end up in four or five years or ten years, but we can't continually take as much money as we've been taking because I don't see that we can hold down our spending in a responsible manner because we've shown that this year. If you give us money, we'll spend it. We will never have enough. And I think our citizens are telling us we're a high-tax state, whether it's property taxes or income taxes.



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In my district, it's property taxes come to the forefront, front and center. Never one-- had anyone asked me for an income tax cut. This is compromise. That's why I'm going to support this. I think it's time to move this forward. I have no issues with this whatsoever. I have compromised. I have agreed with Senator Stinner, put a cap on the valuation growth. We have compromised. With that, I'll yield the rest of my time to Senator Stinner.

**HUGHES:** Senator Stinner, 1:08.

**STINNER:** Thank you, Senator Friesen. I just want to take everybody-- we're dealing with forecasts so there's always when you're forecast-- you know, I just want to refer to page 17. And there's a comment about forecasts. While these forecasts work well for one to three-year forecasts, when you extend further, they have a tendency to flatten out three-year trends into fourth and the fifth year. So your trajectory in the forecast generally-- since we're looking at five years, I think we ought to take a look at and understand that forecasting out there, you're not real sure. So that's also why you carry a heavier reserve. That's why you also have caps as it relates to real estate tax as well and do some other computations as it relates to minimum reserve. Inflation has come up also as a subject area. I think if you take a look at what we have, have forecasted, we have forecasted spending growth in appropriation of 4.3 and 3.4 or an average of 3.8.

**HUGHES:** Time, Senator.

**STINNER:** Thank you.

**HUGHES:** Thank you, Senators Friesen and Stinner. Senator Brandt, you are recognized.

**BRANDT:** Thank you, Mr. President. I stand in strong support of LB825 and all of the underlying amendments. To echo what Senator Friesen said earlier, good legislation is about compromise and this legislation is a classic compromise. The sky is not falling. When it does, the Legislature and the Governor will adjust revenues and spending like it has for the past 150 years. We are trying to balance things. Right now, we have a surplus of revenue and the logical thing would be to give it back to the taxpayers that sent it here. This is not just about ag land. Seventy-one percent of all property taxes paid go to homeowners and businesses in this state. Only 29 percent goes to ag land. So whenever it's portrayed as about farmers, it is not. It goes back to the hardworking homeowners in Omaha, Lincoln, Grand

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Island, Plymouth, Nebraska. That's who's going to get relief out of this bill. This is a big deal in rural Nebraska because of the way that schools are financed with the TEEOSA formula in the state. Currently, I believe there's about 159 schools that are self-financed with local property tax. And here again, that's a homeowner in the small town, that small-town business, or that ag landowner. Would Senator Briese yield to some questions?

**HUGHES:** Senator Briese, will you yield?

**BRIESE:** Yes.

**BRANDT:** Senator Briese, you represent the 41st District, is that right?

**BRIESE:** Yes.

**BRANDT:** What is the biggest city in your district?

**BRIESE:** Oh, I believe it is Ord.

**BRANDT:** Ord. How many people live in Ord?

**BRIESE:** 2,400 to 2,600.

**BRANDT:** And yet you represent 40,000 people, just like everybody else in here?

**BRIESE:** Yes, roughly.

**BRANDT:** So-- and my district is very similar. Crete is, Crete is my biggest city at about 7,000, 8,000 people. If you were to convey to our urban friends here on the property tax issue, what would be probably the main point you would like to get across?

**BRIESE:** Well, relative, relative to this bill, it is-- it treats every taxpayer very similarly in terms of percentage. Same percentage of relief for every taxpayer. So it's not weighted towards rural Nebraska, not weighted towards ag. It's the same percentage of relief.

**BRANDT:** All right. Senator Linehan passed out a worksheet and unfortunately, the bill goes out for five years, but the worksheet I've got on it goes out three years. And we are going to increase the refundable income tax credit back to the property taxpayers across the state, very similar to what is happening now on your rebate on the K-12, and we are going to do that by adding community colleges to that

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refund. Can you tell me, Senator Briese, if you would read years one through five, because you have a list that, that lists that, what additional property tax relief would be coming to Nebraska taxpayers?

**BRIESE:** Yes. For tax year 2022, it'll be \$50 million; tax year '23, it'll be \$100 million; '24, it will be 125; '25 would be 150; '26 would be 195 and then after that, it would increase by the allowable growth rate and again, with a substantial portion of that going to our friends in urban Nebraska.

**BRANDT:** So--

**HUGHES:** One minute.

**BRANDT:** --when you say it goes up by the allowable growth rate between the fifth and sixth year if-- and I know our valuations have gone up significantly on homes and ag land in the state. So if, if that number is 5 percent, we will increase the rebate by 5 percent. Is that how it works?

**BRIESE:** Yes, that \$195 million would be increased by that percentage for the following year, whatever that percentage is, the positive percentage, capped at 5 percent like you say.

**BRANDT:** Can you, can you tell me where that percentage comes from? Is that CP-- CPI? I mean what--

**BRIESE:** I mean, that percentage, the allowable growth rate is a percentage increase in all-- in the value of all real property statewide from year to year.

**BRANDT:** So Department of Revenue would generate that number?

**BRIESE:** I believe so. Historically-- and Senator Stinner talked about that. Historically, it's around low 5s, 5.2--

**HUGHES:** Time, Senators.

**BRIESE:** --to 5.3.

**BRANDT:** All right, thank you.

**HUGHES:** Thank you, Senators Brandt and Briese. Colleagues, Senator Lathrop would like to welcome 60 students from the fourth grade in Walt Disney Elementary in Omaha, plus several teachers and sponsors. They're seated in the north balcony. If they would please rise to be

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welcomed by your Nebraska Legislature. Thank you for coming. Returning to debate. Senator Blood, you are recognized.

**BLOOD:** Thank you, Mr. President. Fellow senators, friends all, I am still deciding on the amendments. I most definitely 100 percent support LB825 and I think it is long past due. But with that said, I'm still waiting to hear something compelling. I, I always listen to data and the first thing I do is fact check. You guys know this. I always fact check the data. So first, we keep getting compared to surrounding states and I feel like we're doing apples to oranges because Nebraska, we have 1.9 million approximately people. Iowa has just over 3 million people. Colorado has, like, 5.7 million people and really good tourism, which we don't really have, unfortunately, in Nebraska. And so I know that the amount that they're generating and the services they have to provide are not necessarily mirroring what we have to do in Nebraska so that's my first red flag. And then I started thinking about what does the future of Nebraska look like? Well, I know that 34 percent of our population are seniors. That means age 50 and over. So how old are they going to be the next ten years? Well, obviously they're definitely going to be senior citizens by then. So what does that mean for us when it comes to what we generate revenues wise-- revenue wise? That means they're going to earn less, they're going to spend less during retirement, and that's going to reduce our revenue. And are we planning accordingly when we think about that? It seems like every time we, we do policy, we think about the here and the now. And if we were a business and we had written a feasibility assessment, we'd be looking at what was going to go on the next decade and the decade after that. So I have concerns about the amount of revenue that's going to be generated in the future because I don't see any trends saying that the demographic, age wise, is really going to change that much in Nebraska. So I, I find that concerning, especially when I hear Senator Stinner say that really, this is too big even with a cap. And, and our cost is going to triple in 20 years, but our revenue isn't going to be able to keep up with that. And Senator Brandt talks about, well, we'll just do like we always do and, and if we have a problem in the future, we'll come back and fix it. Well, yeah, Nebraska has definitely done that in the past, but that's a knee-jerk reaction. Oh, we have an issue. We got to find the money. We're freshman senators. We're \$1 billion in the hole. Let's figure out how we can make our cuts. That's, that's not how you do good government. Do I think people deserve a break in taxes? I absolutely do, especially for people in my income bracket. But, but here's what I know: the past ten years, the past ten years have been the longest economic expansion on record since the end of the Great Recession,

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which we all know was 2009. And during this expansion, the nine states with the highest top income tax rates have seen virtually identical and some greater economic growth than those without income taxes. So at the very beginning of this discussion, we were told differently. So again, I go back to peer-reviewed data and I'm not seeing in the data what I'm hearing on the floor. And here's my last concern-- and again, property taxes are too high. We need solutions. I've brought forward circuit breaker bills this year that didn't go anywhere, but I believe in circuit breaker bills because if we don't have the funds or they don't need the break anymore, then they don't get the break anymore. I think that that's fair, but that's just how my brain works and not everybody believes in circuit breaker bills like I do.

**HUGHES:** One minute.

**BLOOD:** But here's what I know: when I came on, recession nationally, massive federal stimulus, ag economy recession in the state, we had a \$1 billion shortfall. Now, what's going on right now? Pandemic shortfall, massive stimulus. We are looking at an ag economy that's going to be squeezed because the international crisis and the drought. I just-- it's deja vu for me and I need to hear something compelling because these are my fears. I see an exact mirror of what got us in the hole six years ago going on now. So I'm going to keep listening. There's a lot of smart people on this floor. Maybe they have really good answers with really good data, but until that time, I completely support LB825, but I'm still listening on the amendments. Thank you, Mr. President.

**HUGHES:** Thank you, Senator Blood. Senator Moser, you're recognized.

**MOSER:** Thank you, Mr. President. I'd like to go back to what we were talk-- what I was talking about earlier and talk about it just a little bit more is the-- typically when you're budgeting for government, you figure out what your needs are, what you predict them to be, and then you set tax rates based on what you think would generate the revenue that you need to operate on and then you make adjustments from there. So if you don't have enough revenue, then you either have to cut the budget or raise your tax rates. And then if you have a surplus, well, like, we have now, then you look at your tax rates or you look at catching up on some things that you possibly didn't spend enough money on earlier. So in this budget, we're increasing provider rates. We're spending \$500 million from the reserve on various projects. So we are catching up on some things to fund things at a fairer level if you want to look at it that way. But there's still a very robust budget surplus and so I think we need to

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look at tax rates and adjust those to get them to where people can keep more of their money. They don't have to pay as much tax. And, and we still preserve the Rainy Day Fund. We still keep enough money in there to protect us if we have a downturn. And in the future, if things go negative, then we can look at the budget again or we can look at rates again. But right now, I think this is the perfect time to adjust rates. This is the thing I hear about the most from constituents in my district. I've got the same number of citizens in my district as any other senator here and I have to represent what my citizens ask me to do or what they think are important and taxes are what comes to their mind first when we talk about state government. And I understand that some senators have passions about other things and that's their passion to represent and I, I don't dispute that, that those are important, but I'm just saying that the constituents that live in my district are number one concerned about taxes and tax rates and, and spending. Those are the things that come up. I would yield the rest of my time to Senator Briese if I have some remainder.

**ARCH:** Senator Briese, 2:00.

**BRIESE:** Thank you, Mr. President. Thank you, Senator Moser, for that. And I appreciate Senator--Chairman Stinner's comments on the safeguards that we have built into this, you know, the 5 percent cap. He explained that well that, you know, that is a safeguard and the growth factor that he used, the zero percent versus the average of Moody's and IHS, which I believe is 1.5 percent, that is a safeguard. And he-- I think he spoke of the, you know, the fact we're \$1 billion-plus over what he would consider the minimum reserve. That also is a safeguard. So I appreciate his comments there. And I want to follow up on Senator Brandt's comments earlier about the distribution of these dollars and the LB1107 dollars, the \$548 million we're talking about now, Douglas County school taxpayers get roughly \$127 million of that. Where I come from, Boone County taxpayers, I think, get about \$4 million. And so this, this is a package, like I said earlier, that benefits everybody and--

**ARCH:** One minute.

**BRIESE:** --and the urban areas-- thank you, Mr. President-- and the urban areas get a huge chunk of the tax relief here. As far as the community college taxes, roughly the four counties of Metro Community College, which would predominantly be the taxpayers of Douglas and Sarpy County, are going to get about \$26 million on average of these dollars the first three years. And the 25 counties in Central Community College where I'm at, they'd get about 65 percent of that.

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You know, so you can run these numbers any way you want it, but the point is a lot of these property tax relief dollars are going to your constituents, your constituents, my constituents, but a lot of them are going to urban areas and urban senators need to take note of that and recognize the importance of that tax relief to their taxpayers. Thank you, Mr. President.

**ARCH:** Thank you, Senator. Senator Linehan, you are recognized.

**LINEHAN:** Thank you, Mr. President. I'm going to yield my time to Senator Stinner.

**ARCH:** Senator Stinner, 4:50.

**STINNER:** Thank you. I'd like to kind of go back through a-- the methodology comparisons that, that actually are on page 16, 17, if you want to follow in the Appropriations Committee budget proposal. And really what Fiscal Office has done since I think it's 19 or-- yeah, I think it's 1990, they've been using a capped formula capped at-- now at 4.5 percent. The nominal growth in the state of Nebraska is about 5.1. I think he discusses some of that differential between rate base adjust and nominal growth, but that's, that's historically what has happened. So if you're dealing with a capped formula, I call that a static formula for, for lack of better terms. It's because if you get a 12 or 13 percent increase in revenue coupled with a ten, due to artificial stimulation, which is what we actually have, it distorts those out-years and the out-years are really kind of a function of what the forecast covers, what actual happened, what forecast covers, and the out-years are a function of that. So that's how we got to the negative in your-- on your green sheets, which is our fiscal status. Now also, we have another computation that we could have used and that is the average by the Fiscal Office and IHS. Now, you've got to remember the Fiscal Office as well as the revenue have PhDs doing this computation. So they have a model that-- they get the information from Moody's, they get the information from IHS, and they put it in the model and this is the average and it's a half a percent increase in the out-years, plus 3.5 percent. So-- but I will warn you, when you get out past three years, the trends are-- as I read before, the trends can be a little tricky because actually it flattens out. It-- the trends actually do flatten out, but if we were to use that, we'd have been over \$1 billion and I thought that was, that was excessive in this situation, certainly with the uncertainties that we have in front of us as it relates certainly to inflation. And that gets me back to up-- to where I was at. I said, OK, we'll use zero growth. It's somewhere between where Legislative Fiscal Office, the smart

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people were, and the static formula so we used zero and that computation actually came out to \$964 million in the out-years. And we're used in the out-years as the computation base because this legislation builds on itself and starts to crowd out dollars. So I think we're being safe with the extra reserve that we're carrying. Certainly that will protect you for a 10 percent downdraft, 10 percent times, say, \$6 billion is \$600 million. You take \$600 million out of the Cash Reserves, specifically out of the Cash Reserve, and it supports and you'll still have a pretty adequate reserve. Adequate reserve is 10 percent. Fully funded reserve is 16 percent and I believe that's in statute. I think that was one of my bills, actually. So that, that's a little bit of it, but I also want to take you to the, to the green sheets and take a look at do we contemplate inflation in here? Now, we took a big step up in our salaries. We went 30 percent on 24 hours. We did half the way there with our provider rate. So we actually have made an adjustment and it's reflected in our numbers now. Now where do we go with salary increases? Do they--

**ARCH:** One minute.

**STINNER:** --start to normalize at 2 to 3 percent? Three percent probably is my number, but we've used extra dollars and have reflected a 4.3 percent increase in appropriations, increase in spending. I doubt that you're going to be there. You certainly could flatten that a little bit. Maybe three and a half is the right number and then 3.4 for an average of 3.8. Hopefully, as the Fed starts to increase rates, inflation will go down. Hopefully, when supply chains start to firm up, we start to see some of this start to work through the system as it relates to inflation. So I think we've protected and have demonstrated that we've taken a pretty aggressive approach on the expense side. We've taken an aggressive approach on, on trying to provide an excess reserve and we've capped the growth of property tax, which continues to go on with a 5 percent cap. So I think we've done--

**ARCH:** Time, Senator.

**STINNER:** -- about everything we can do. I know there's circuit breaker talk out--

**ARCH:** Time, Senator.

**STINNER:** Thank you.

**ARCH:** Thank you, Senator Linehan, Senator Stinner. Senator Slama, you are recognized.



**SLAMA:** Thank you, Mr. President, and good morning again, colleagues. I appreciate Senator Stinner's thoughtful comments on this package and I still stand in support of Senator Briese's amendment and the overall bill. And I think it's important to note we've got a long line of people in the queue waiting to speak. I think everybody can see that this is going to go to cloture. When we take that vote on cloture, keep track because if you're a, if you're a no or a not voting on cloture, that means you're against a whole package. Like, we can get up and we can talk and we can say we like different parts of the bill and that's understandable, but if you're present not voting or a no on cloture here, you're a, you're a no on Social Security tax relief and a no on income tax relief, a no on property tax relief. And that's, that's important to note, especially for the folks watching at home. And I represent District 1 in southeast Nebraska and this package means something special to me because my district borders three different states: Iowa, Kansas and Missouri. And we have a large number of people who choose to live in Iowa, Missouri, and Kansas and work in Nebraska to take their, their money, their houses, raise their kids in a state other than Nebraska because of our tax situation. And if you talk to folks in my district, especially those who work in Nebraska and live across the border, they'll tell you unanimously it's because of taxes. It's a split between income taxes and property taxes. But at the end of the day, it is far cheaper and far more cost effective for families to work and live right across the border in Iowa, Missouri, and Kansas than it is Nebraska and it's because we're not even close when it comes to property taxes. We're not even close when it comes to income taxes. And we've got Iowa-- like, Iowa was the only one that was even close to us with income taxes and they just cut, as Senator Linehan noted, their top rate down to 3.9 percent. We're sitting at 6.84. If you don't think we're going to have more people going across the border to work, live, and raise their families in Iowa after that, you're kidding yourself. And especially for retirees too, we'll have folks retire from Cooper Nuclear Station and move out of state, move to a state like Florida or Texas, where there's not only no income tax, they're also not taxed on their Social Security, which I, I believe is double taxation in the first place. That shouldn't exist and I'm grateful that we've passed legislation to eventually get rid of that. I think Senator Lindstrom's thoughtful LB825 phases that are far more quickly and will keep a lot more retirees in the state of Nebraska. But as a representative of District 1 in southeast Nebraska, where we're, we're ground zero for the battle on taxes, this package is critically important. And if you represent a district that borders another state, I don't care if you're in Omaha or on the other side of the state in Scottsbluff or Chadron. Folks can

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go across the border and pay far fewer taxes and it makes financial sense for them to do so. So it's on us. As we're looking at projected excess revenues, that means we're collecting too much in taxes, folks. To give that money back to Nebraska taxpayers, Senator Briese, Senator Linehan, and Senator Lindstrom have taken the lead to have this visionary project--

**ARCH:** One minute.

**SLAMA:** --thank you, Mr. President-- that could have a generational impact on the state of Nebraska. So when you're watching at home and you're looking at that board on cloture, that is a vote on Social Security tax relief, that is a vote on income tax relief, and that is a vote on property tax relief. And whether your representative votes red, green, or isn't here, that will tell you all you need to know. Thank you, Mr. President.

**ARCH:** Thank you, Senator. Senator Dorn, you are recognized.

**DORN:** Thank you, Mr. President. Good morning, colleagues. Want to thank everybody. I enjoy this discussion very much. I enjoy the discussion on generally when we have a bill brought up and we have a discussion on the bill and we don't get, I call it sidetracked this morning. This has been very good discussion. I want to thank the Revenue Committee for putting the package together, Senator Briese and Senator Linehan and them working on that. But I also want to thank Chairman Stinner and, and, and some of the Fiscal Office for the numbers that we're getting put out here and that we've gotten put out over the last couple of weeks as we work through the budget and we work through the ARPA funding and everything so that we can have a better understanding of kind of where we sit today. One of the things that we often do in Appropriations and I, I am very thankful that we do that is we look at, I call it the future and we look at-- have much discussion on where, where will we sit out here in a couple of years or in three years or five years? And then again, we see some of these charts and everything and the numbers where it shows where we're at or where we're going to be at. Part of the things we need to do as our Appropriations Committee and also as a Revenue Committee in this body is we do need to have that long-term vision of where we are or where we might go. And to do that, Chairman Stinner is very good at, I call it, he had the charts out here. We go and we look back at past years. We look at the past 20 years. That can predict things out there until you have like what we've had the last couple of years. We've had somewhat of a unusual, I call it, growth. We've had somewhat of an unusual situation whereby some outside factors have had some influence

and how then-- you have to look at how then will those outside factors, the federal funding and those types of things and now maybe the inflation and those types of things, how that will also be affecting your financial situation in future years? Appropriations, there was a lot of discussion in the budget about how we came up with things and ARPA, how we came up with things. I think one of the benefits we're going to see from ARPA that, yes, we're putting \$1 billion out there in our economy. There was a couple of times when people came in and testified-- we'd seen the fiscal note. Well, this is going to generate maybe that much income. I think a lot of the ARPA budget, what is being proposed, is very, very good investment for the long term of this state. It will give us a benefit that we wouldn't have had without it. And so something like that, you just can't factor in some of these numbers and say, oh, we're going to get a 2 percent or 5 percent or 7 percent return on that type of investment. That's an investment that this state will have for a long time and that it will help our fiscal situation so that we remain solid. Did you-- oh, I thought you said time. No? Thank you. One of the other things I wanted to talk about was Senator Arch this morning, when he talked earlier, he talked about the state of Nebraska and what we do compared to how we always compare ourselves to local government, school districts, and such. We sit here are a lot of times and talk about the fact that they are spending extra money. They are increasing their property taxes. This is one opportunity with LB825 and LB2588 [SIC] that we have an opportunity as a state of Nebraska to do something that we always are accusing other entities of doing and that is--

**ARCH:** One minute.

**DORN:** --returning those taxes to the people of the state of Nebraska. We have an opportunity to stand up and do something-- what we think and we believe other government agencies should do somewhat by controlling spending, by returning the revenue to those people. This is an opportunity that we don't have presented to ourselves very often, but it's something that long term for the state of Nebraska, will put us in a lot better, I call it, taxing situation when you-- especially you compare ourselves to other surrounding states. Thank you.

**ARCH:** Thank you, Senator. Senator Lowe, you are recognized.

**LOWE:** Thank you, Mr. President. As I said before, as I'm out knocking doors or I'm just in the grocery store now, people are always asking me, what are you going to do about my taxes? What are you going to do about my taxes? We can stand here and do nothing is what's-- at least

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17 people on this floor want to do is to do nothing about your taxes. We need to do something for the people of Nebraska. We have cash in our Cash Reserve. We can afford to do this. This is a good way to bring people to Nebraska is by showing some incentive to lowering their taxes if they come here. I talked to a young man just yesterday from down in Missouri and he's contemplating on leaving Missouri for Kansas or Wyoming because of his taxes when he retires. He's a Nebraskan that is not living here. He was in the military for years and his wife still continues to work for the government. But he is looking for a place to go when he retires because of his taxes and he's not even considering coming home because of our taxes. We need to lower our taxes and LB825 is a great start. It's not everything we want, but it is a compromise and it is a compromise that at least 17 people don't want to see pass. Now, a lot of these 17 that don't want your taxes to be reduced are going to be up for election either this year or in the coming years ahead. I want you to take note on how they vote on this, whether it is a read vote or a present, not voting. It is important that we elect people that want to reduce your taxes because we are at a time now when our costs are going up. Our gas prices are going up. And right now, the people that we are looking about reducing their taxes, by doing this, would be almost one month's child support that you could keep in your pocket. That is meaningful to people. That is meaningful to young couples. They are on the line every month on whether or not they can afford things and if we can give them one month-- that's all this is, is just one month of reprieve-- we have done something. It's not much. Like I said before, I'd like to see twice as much, but we're just in the start. We're going to continue to work. I want Nebraska a place where our teachers can retire to. I want Nebraska where our military can retire to. I want Nebraska where our farmers can afford to retire to once they leave the farm. Nebraska is the good life and we need to keep people here. We need to bring people in. We are at the lowest employment that the state--

**ARCH:** One minute.

**LOWE:** --thank you-- that the state has ever been in. Buffalo County is the lowest point of unemployment in Nebraska, which is the lowest unemployment in the country. We need people to move to Nebraska and by keeping high taxes, we're not going to accomplish that. We need to replenish those young souls that want to travel around the country for a short time after they leave either high school or college. We need to entice them to coming home and staying home. I support LB825. Thank you, Mr. President.

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**ARCH:** Thank you, Senator. Senator Erdman, you are recognized.

**ERDMAN:** Thank you, Mr. President. So I listened to the conversation today and there's a lot of things that are said that are very much convince me that the consumption tax is the only way that we can resolve these issues. I appreciate what Senator Linehan and Briese and Friesen and several others do and have done to try to lower our tax burden. I understand that effort is amazingly hard. I understand that. I've been trying to lower property tax and other taxes for six years so I get that. Senator Lowe made a comment, he says when he goes to the grocery store, he knocks on doors, people ask, what are you doing about lowering my taxes? Well, Senator Lowe, it's not a surprise to you that I get that same question and my answer is the consumption tax, one flat tax that puts them in charge of how much money they give to the government. Because, you see, under our current system, someone tells you how much of your money to give to the local units of government and to the state, someone tells you that. You pay your property tax in the big counties on April 1 and August 1. In the small counties, it's May 1 and September 1. You have no choice. You have no choice. You pay the income tax that they tell you you owe. It is your money. Senator Jacobson commented, it's your money. I had a conversation with Senator Bostar. I said, Senator Bostar, when you get paid, in your pay stub, it shows that they have subtracted the taxes. That is your money. They took it, right? So let's say you save after they've taken out the taxes from your money, your money, and you earn interest income off of that money that you invested and then they charge you taxes on the income that you made. It's your money. That's the problem. The focus is wrong and we have spent hours upon hours talking about how to fix our tax system and Senator Stinner says here's where you're going to be in three years, this is what's going to happen. There is an answer to all of this. There's an answer. So some of you will say, well, the guy that introduced it is kind of strange, OK, he's got these far-out ideas. So I've heard on the microphone several times people say we're going to build a lake by Ashland. You have to think big, OK? Well, tell me if fixing our tax system once and for all isn't thinking big, you tell me what it is. But you're going to be more concerned about change than you are about the taxpayer. It is their money. This is not the state's money. What happens now-- here's what happens: local units of government, they go shopping and they buy whatever they need and then they send you the bill. I believe it should be the other way around. I believe you go shopping and then you send in the money you want to contribute to the local unit of government and then they spend that. But until we get a system, that is fair--

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**ARCH:** One minute.

**ERDMAN:** --and by fair, I mean those who pay the taxes decide how much to pay, we will never, we will never have a fair tax system. And Senator Dorn said it's about time that we turn-- we return the money to the people. Senator Kolterman, return the money to the people. I got a question. Whose money was it? It was the people's money. It wasn't our money to give back to them. Why not let them keep it? Why not let them decide how much they should pay? But I doubt that we'll have the intestinal fortitude to make a change that fixes our tax system for generations to come. We'll see. We'll see. I hope the consumption tax comes up soon so we can have that discussion. But all of these discussions we've had the last couple of days goes away. Thank you.

**ARCH:** Thank you, Senator. Senator Bostelman, you are recognized.

**BOSTELMAN:** Thank you, Mr. President. I'm going to continue on with what I was reading before. I'll take up-- then I got, then I got my property tax assessment. Our house value went up over \$100,000 a year. We have made no improvements. Our floors are warping due to two rescue dogs we have that had such traumatic lives that potty training is impossible. Our deck started warping. We have electrical issues and other minor things that we live with. It's still a nice house and we don't have any danger to my family, but if we were to sell the-- to sell, we would have a lot of work to do. I protested since the-- that amounts to around \$400 a month extra, especially when you include the recent home insurance increase due to the value of the home, \$400 a month that we do not have. I protested on the grounds that our house was built by a certain company and other houses in the area were custom builders. Unlike other homes, we do not have quartz or granite countertops or a fireplace on the main level or in the bedroom. We do not have real tile or any of those luxury upgrades. So when I realized our house was the highest valuation in the neighborhood, I felt I had a good argument. However, they denied my protest. So I have to figure out how to come up with an extra \$400 a month. So, so far, my options are stopping my 401k and my wife give blood and plasma. Even by doing that, we're going to break even. I do not think a \$400 a month increase is fair and-- or reasonable. How many of you can honestly tell me you could afford a \$400 a month increase in your taxes and not have it affect you negatively? I have \$3,500 in savings that I can use next year to maybe get by, but who knows if that will happen after-- what will happen after that? And if I stop my 401k, what am I going to live on when I get older? The stress of this situation has caused me to have high blood pressure and my ten-year-old son, including

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noticing our stress levels, is now in therapy, another bill that we'll not be able to afford next year. Now, not that any of you people care, but I wanted to share my story with you so when you discuss property taxes, you know the difficult situations you are putting Nebraska families in. I'm a hard-working person that has done everything right. I have never been in trouble, never broken the law. I treat everyone with respect and honesty and my state has decided to make my living a living hell. Each and every one of you should-- you-- each and every one of you share in that responsibility. Each of you should feel ashamed at the way you have affected the citizens of Nebraska. I have talked to many others like me and they are struggling due to property taxes and none of you want to do anything about it. Not only is that not fair to, to my and those-- to myself and those like me, it is criminal. If I didn't have a job I, I loved and my son didn't love his school, I would move out of this state that I once loved. But with COVID and the unreasonable housing prices right now, where would I go? You have to-- you have put me in a very difficult situation. Thank you for reading my story and please let me know if you have any advice or can point me to anyone who can help my family. Well, the help is before you today. You have a choice. What Senator Briese has brought, an amendment, is that choice that will help this family, that will help many other families--

**ARCH:** One minute.

**BOSTELMAN:** --in our state. This isn't a farm family. This isn't a family that's talking about agriculture. This is about a young family who's taking care of a mother, who's living in town, who's trying to make ends meet. So would income tax reduction help him? Darn right, it would. Would property tax relief help him? Darn right, it would. What we're doing today is going to be life changing, I think, for certain families in the state. And if you're willing to take that step with me, which I think you are, then we need to vote on Senator Briese's amendment and pass the bill. That's the right thing to do for Nebraska. That's the thing that people in the state of Nebraska are begging us to do.

**ARCH:** Time, Senator.

**BOSTELMAN:** Thank you.

**ARCH:** Thank you, Senator. Senator Briese, you are recognized and this is your last opportunity before your close. Oh, I'm sorry. Excuse me, just a second. Mr. Clerk for items.

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**CLERK:** Just very quickly. Enrollment and Review reports LB1011, LB1012, LB1013 and LB1241 correctly engrossed. Confirmation hearing notice by Health and Human Services Committee. New resolutions: LR362, Senator McDonnell; LR363, Senator Bostelman; study resolutions. Amendments to be printed to LB825 and a conflict of interest statement to be on file. That's all that I have. Thank you, Mr. President.

**ARCH:** Thank you, Mr. Clerk. Senator Briese, you are recognized.

**BRIESE:** Thank you, Mr. President. AM2588 is referring to the individual rate and as for the individual income tax rate, again, like we've said at least a couple of times here, our marginal rate is higher than all of our neighbors, except I believe one, and it begins at a ridiculously low level, you know, roughly \$30,000 for singles and double that for married. And from a State Chamber document that was handed out I think last time we discussed LB939, we saw that our income tax burden is higher than it any-- than in any of our neighboring states at the \$75,000 level. The State Chamber and the business community tell us time and again that we have a workforce crisis in Nebraska. And as the chamber has repeatedly said, our high individual income tax rates are an impediment to solving our workforce crisis. And so what-- again, what does LB939-- or excuse me, what does this amendment do relative to our individual rate? It puts more dollars back into the hands of hardworking Nebraskans and the vast majority of those we're talking about here are everyday, middle-class Nebraskans. And Senator Linehan handed out a sheet-- again, I think it was last time-- that really demonstrates that, that it's a swath of middle-- middle-class Nebraskans that this hits and it's got to be very beneficial for them. And giving these dollars back is good for Nebraskans. It's good for families. And plus, this step would improve our rankings on individual income taxes. And again, that helps us draw and attract residents and retain the residents that we have here. And I do certainly appreciate Senator Stinner's comments earlier and I think from his comments, you know, he certainly indicated that these are sustainable numbers. We've done this in a sustainable manner and it's fiscally responsible what we are proposing here. And again, we have to remember that the property tax relief goes to everyone. It's not weighted towards my constituents, not weighted towards ag, not weighted towards any particular group. Everybody gets the same percentage of property tax relief as everyone else. So the LB1107 credit, again based on your school property taxes paid, the, the new dollars based on your community college taxes paid. It benefits your constituents, benefits my constituents. And relative to the LB1107 piece, we have to remember, under the terms of LB1107, if we don't pass this, current law would have us-- have that credit at about \$548



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million, rising probably to 560 to 580 for 2023, but then dropping off to \$375 million for tax year 2024. And that, colleagues, is a-- would represent a \$200 million property tax increase on everyday Nebraskans, on your constituents, on my constituents, and we can't allow that to happen. We have to put this in place to prevent that increase. And so we need to come together on this. And again, we talked earlier, this is a package deal. People don't like every aspect of it. I didn't like every aspect of the budget, but I sat there and I voted for it and I would appreciate the same deference here. I think this is a package that's good for Nebraskans. It represents a win for everyday Nebraska taxpayers and we need to get behind this and support LB825 and the amendment thereto. Thank you, Mr. President.

**ARCH:** Thank you, Senator. Senator Murman, you are recognized.

**MURMAN:** Thank you, Mr. President. These tax cuts benefit everyone. Residential and commercial receive 71 percent of the property tax cut. Everyone that pays a substantial amount of taxes benefits from the income tax cuts. Everyone benefits from the stimulus to the economy, from allowing business owners and citizens to keep more of their own money and use that money to expand the economy. The plan is responsible from all of the data available to the Revenue Committee and the Appropriations Committee. The Cash Reserve will be adequate-- adequately funded. This excess revenue belongs to the taxpayer, not to the state. I find it ironic that we didn't have this big discussion on are we being responsible when we were debating the budget and spending. If the state keeps more of the revenue than necessary, we will spend it. I think that should be adequately illustrated the last few days. If we have, if we have revenue available, we're going to spend it. We showed that over and over again this year. In summary, anyone that votes against or is present, not voting with this package votes against income tax relief, Social Security tax relief, property tax relief, no matter what they may tell you when they're running for reelection. Again, I want to emphasize this is the people's money. We have more revenue than necessary. It's responsible and I think this package goes a long way into stimulating our economy and keeping the hard-earned money in the pockets of taxpayers and, and businesses that will expand and grow and provide more revenue in the future. Thank you, Mr. President.

**ARCH:** Thank you, Senator. Senator Halloran, you are recognized.

**HALLORAN:** Thank you, Mr. President. Good afternoon, colleagues. Good afternoon, Nebraska. I am in full support of LB825 and the amendments, but am I excited about it? No. I'm not excited about it. I think it's

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a start. And we've heard people say that, but we've been doing this incremental effort to try to fix a broken tax system for years. Nebraska's state tax system is the equivalent of a train wreck. We have three, three-- we have three taxes. We have the three-legged stool. When did that start? Well, it all started back in, in 1966. At that time and prior to that time, there was only one tax in the state of Nebraska. It was a property tax. It paid for everything. It paid for state revenue, paid for all local units of government. And in 1966, the voters had had enough and they decided to have an initiative petition that was successful, which abolished property taxes as state revenue source. So what, what was the alternative? What did they do? Well, they, they, they designed and built income tax for the state, sales tax and so now we have three-tax system that competes with itself that's been mentioned on the floor. And structurally, that's a problem with the three-tax system because we have special interests that want to protect each tax system, whether it's income tax, sales tax, or property tax. We have a lobby out there or a Rotunda-- we have lobbyists in the Rotunda and, and you can sort through them. You can walk through and you can pretty much tell which ones want to leave the tax system alone and which one, which one of those taxes is a tax they want to most protect, be it sales, income, or property tax. It's a revenue source for many of them or for their special interests they represent. And so over time since 1966, lobbyists began their work. Special interests would come to them and say, well, we need an exemption for sales tax for our business or what we do. We need an exemption for property tax, we need an exemption for income tax, and so we have a very complex tax code full of exemptions. We exempt away, exempt away most-- more than half of our sales tax revenue, potentially for the state and it all centers around special interests. Well, who's-- who represents the special interest of the voter, right? Well, if you look in the mirror every morning, that should be you, it should be me; elected senators. We should be the lobbyists for our taxpayers. It's been said several times. When we go home, people ask us-- they comment about, they complain about high taxes. LB825 is a-- is incrementally going to do something to help make us more competitive, but even when we pass this, we're going to still be at the bottom of the list of states in regard to having a competitive tax system, tax code. So I will vote for this, but it's not enough. I agree with Senator Erdman. I'm very supportive of the consumption tax. Soon, hopefully, very soon, we don't have much time, but hopefully soon we will have the opportunity to debate LR264CA--

**ARCH:** One minute.

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**HALLORAN:** --the consumption tax, and it will be a test. It will be a test. It's a CA so we'd-- we will be voting whether or not we want to put this consumption tax on the ballot, whether or not we trust the voter to make the right decision or whether we choose as a body to distrust the voters in making a decision. That's what we will be voting on when we have LR264CA on the floor. I, for one, trust the voters. I think it's time to let them decide yea or nay on whether we should substantially change, actually reform our tax system to a one-tax consumption tax, replacing property tax, replacing income tax--

**ARCH:** Time, Senator.

**HALLORAN:** --replacing sales tax. Thank you.

**ARCH:** Thank you, Senator. Senator Sanders, you are recognized.

**SANDERS:** Thank you, Mr. President. Good afternoon, colleagues. I stand in support of LB825 and AM2588. I appreciate all the hard work Senator Linehan, Senator Briese, Senator Lindstrom, and Senator Friesen has put into this effort. I now yield my time to Senator Linehan.

**ARCH:** Senator Linehan, 4:30.

**LINEHAN:** Thank you. I wasn't paying enough attention. Was that Senator Sanders? Thank you, Senator Sanders. So these bills-- I'm going to-- I wasn't-- I was deep into something else so I'm going to talk about our Revenue Committee for a bit and I'll start with the people that are not coming back next year, so Senator Friesen. So I don't know how many times in the six years I've been here-- because even before I was on the Revenue Committee, I was in so many meetings with Senator Friesen, Senator Briese and it would be-- I remember, like, the first time I think I came down to Lincoln. I didn't know Lincoln. I couldn't find a Starbucks. I brought them coffee and a pastry and they got-- I walked in, like, at 7:30, which I thought-- you know, I'm a city girl-- I thought that was pretty early. We've already had breakfast was the response. So we worked, as he said before, we have worked tirelessly and he has worked tirelessly ever since I've got here-- and I'm sure the two years before I got here-- on property tax relief. This is a big, big deal to Senator Friesen and I don't want him to go home with it. Also, we have on our committee Senator Lindstrom. Now he may be around a lot more. But Senator Lindstrom, he's always a calm guy in the room. I'll look at him and he'll kind of say something. He just-- he lets people relax and he has, since he's been here, fought every year for Social Security tax reductions and he's crawled his way

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to the finish line and he is this close. And I know that-- how much I admire Senator Lindstrom, that is shared widely in this body, widely, especially by some of the people who are talking about not letting him cross that finish line today. We really going to do that? We're not going to let Senator Lindstrom, who has worked for eight years to get Social Security tax cuts-- and he's worked on income taxes too and he's worked on property taxes. He has been-- his whole time here, he's worked on these and we're going to say no? I'll keep working down the list of my committee and I'm very lucky this was-- Senator Flood. Senator Flood has been here for eight years, six years as a Speaker, and I get him on my Revenue Committee. It was-- he knew things. Well, I didn't know what an IPP was. Now, we did kind of screw up the first day when we got carried away with IPPs and we had to un-IPP a couple of things. But he had so much history and I said this and I'll say it on the mike: I don't like term limits. I don't like them at all. Senator Flood knew-- when certain people came in to testify, he could go back 15 years and he could say, well, I remember when and-- because one of the problems we have around here--

**ARCH:** One minute.

**LINEHAN:** --is we have to depend on the lobby for history. And I, I love the lobby. They're good to me. But, you know, they don't have to tell us the whole history. They just have to tell us their side of the history. So to have somebody on the committee that was actually here when things happened that could tell the whole history was huge advantage. Senator Flood has worked really hard on this. Are you going to tell him no today? I think he's pretty well liked around here. You're going to say no to Senator Flood? I'll pick up with the rest of them when I'm back on the mike. Thank you, Mr. President.

**ARCH:** Thank you, Senator Sanders and Senator Linehan. Senator Clements, you are recognized.

**CLEMENTS:** Thank you, Mr. President. I wanted to go back over Senator Stinner's presentation as exhibits. He didn't have a lot of time to go over them and what he has done in these is look at what the revenue growth and valuation-- property tax valuation growth has been the last 20 years. And he took the credit of the current \$548 million and if you use those ups and downs over the last 20 years, where it would be now the-- let's see one-- the percent change in valuation, it starts from \$93.9 billion in the first-- in 2001. It's now \$270 billion. That-- the valuations have gone up 5.43 percent per year. Our General Fund revenues have gone up 4.71 percent. That's compounded every year-- per year. And so the average valuation change has been 5.43

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percent. Putting the 5 percent limit, which this amendment does, on the increase in the property tax credit incentive-- if you look at the-- where there's a column that says cap at 5 percent, 11 of the 20 years were above 5 percent. Nine of the 20 years were below 5 percent so only about half of the time would that cap come into play. But it will be changing-- there's an 11.8 and there's a 10.4 percent increase and so that does keep us from having a major blow in revenue, but-- while still giving at least 5 percent increase in the credit. And so I'm comfortable with the calculation that we'll have revenue enough to keep up with the tax credit. Then on the Social Security, I've already been doing tax returns for people that got 5 percent of their 2021 Social Security benefits exempted and have been telling them, we're going to give you 20 percent in 2022, but I'm hoping we'll get you 40 percent and that's put a smile on a number of people's faces. So I also strongly support the Social Security benefit. I've told you before about clients that moved out of state because they had \$50,000 of Social Security being taxed here and now they have zero tax on that. Senator Linehan-- yield the rest of my time to Senator Linehan.

**ARCH:** Senator Linehan, 1:45.

**LINEHAN:** Thank you and thank you, Senator Clements. So Senator Pahls isn't here, which is unfortunate in several ways, but Senator Pahls too, I was lucky enough to get actually two members that came back on the Revenue Committee and we had a little-- you know, I can't imagine what it'd be like to be here and then be gone and then come back. But Senator Pahls, I'm not sure when he left, but it's been a while. So in our first meetings, he started talking about sales tax exemptions. Why aren't we looking at these? Why aren't we-- there's all these sales tax exemptions. And poor Senator Friesen and Senator Briese were, like, we've looked at them . We've looked at them a lot the last three years. We had all kinds of hearings. We had hearings-- I remember the--

**ARCH:** One minute.

**LINEHAN:** --I think it was Senator Briese's bill where we had a hearing that started at 12:30 and went until 11:30 that night and I was-- food poisoning so I only lasted until about 9:00 that night and my committee had to carry the ball. I think Senator Friesen stayed there until midnight. I want-- I really, really would like your support so we could move this package along. We would have liked to do it-- the regular business. We tried that. We were stopped. The reason we're here today is because when we had the bill up last week, we couldn't get to the amendment. So for people to be mad because they don't like

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the way this proceeded, I don't-- that's-- one, one person's fine doing that, but we did this and somehow we're, we're not playing fair. I don't--

**ARCH:** Time, Senator.

**LINEHAN:** Thank you.

**ARCH:** Thank you, Senator Clements, Senator Linehan. Mr. Clerk.

**CLERK:** Mr. President, a priority motion. Senator Slama would move to bracket the bill.

**ARCH:** Senator Slama, you're welcome to open on your priority motion.

**SLAMA:** Thank you, Mr. President, and good morning again, colleagues. I intend to withdraw this motion as we get closer to cloture here, but I did just want to take a minute. We've got a historic tax relief package here with three very technical components and I wanted to make sure that the experts on this bill Senator Linehan, Senator Briese, Senator Lindstrom, the core team that has really worked for years on this issue, had the chance that they needed to dig into the mechanics of the bill, the needs addressed in the bill, and the sustainability of the bill. I think Senator Stinner has spoken extensively about that and he's done a wonderful job of keeping our spending at a responsible level and I really respect him getting up on the mike and addressing a lot of those concerns on the mike today. We have the chance to do something great here today, something that I, I couldn't have imagined when I got into this body in 2019 that we would be capable of doing. But this package could have a beneficial impact on every single taxpaying Nebraskan in the state and that is something that's exciting. And with that, I'd like to yield the remainder of my time to my good friend and colleague, Senator Briese.

**WILLIAMS:** Senator Briese, you are yielded 8:34.

**BRIESE:** Thank you, Mr. President, and thank you, Senator Slama, for that. Appreciate it. You know, relative to the property taxes, this bill really represents an opportunity for this body to reaffirm its commitment to its work in LB1107, reaffirm its commitment to property tax relief distributed in a fair and direct manner to everyday Nebraskans. And I know, you know, there are some special interest groups out there that have raised concerns about sustainability, things like that, trying to shoot this down, raising concerns about various portions of this package. But again, number one, we have to remember this is a, this thing is tied together. It's a package deal.

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There's things in here that I don't like that well, things in here Senator Linehan doesn't like that well, things in here that Senator Friesen doesn't like that well, and probably 47 other people or 46 other people probably have some things they don't like that well in here. But again, it's a package deal. It represents the tax relief that everyday Nebraskans need, the tax relief that everyday Nebraskans deserve. But going back to the sustainability issue, I think Senator Stinner laid that concern to rest and-- but there is still probably from special interest groups out there that are going to wring their hands about it, worried about it. But you know what? I'm more worried about the young homeowners whose house payments are comprised 30 to 40 percent by property taxes and trying to make those payments, trying to keep in their homes. I worry about keeping young residents in their homes when they have property tax bill \$100 a month higher than in neighboring states. And I worry about businesses trying to recruit a workforce in the face of having the-- roughly the fourth-highest residential property taxes in the country. And I worry about efforts to keep young people on the farm when some groups tell us we have the third-highest ag property taxes in the nation. I think third might be a little bit of a stretch, but we do have-- definitely have some of the highest property taxes on ag land in the country. But yet we're trying to keep young people out on the farm and-- but we saddle them with those taxes. It just doesn't-- that our high property tax burden is not conducive to economic growth in our state, not conducive to growing our state, not conducive to attracting residents, businesses to our state and retaining those residents and businesses that we already have in our state. And you can say the same thing about the marginal income tax rates. They're not conducive to attracting residents, retaining the residents we have, or attracting new business or retaining, retaining existing business. We have to do something about it. We talk about growing our state all the time and this bill represents a very substantial step in our efforts to continue to grow our state, move our state forward. And at the end of the day, I would strongly urge your support because this, this bill is a big deal. It provides a substantial amount of tax relief, both income and property tax relief, but delivered in a sustainable manner, a fiscally responsible manner, and Nebraskans deserve a green vote on this. You know, so the issue really-- at the end of the day, the issue is going to be simple. Relative to the property tax relief, are we going to preserve a mechanism in LB1107 that's eminently fair, providing direct property tax relief to our residents? Are we going to enhance the LB1107 credit with the inclusion of these additional dollars distributed based upon community college taxes paid? Are we going to ensure additional tax relief for Social Security recipients? Are we

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going to ensure additional tax relief, income tax relief, both corporate and individual, for a wide swath of everyday Nebraskans? And again, going back to the corporate, the corporate tax relief, that, that's important to also. Do not denigrate the importance of corporate tax relief in our efforts to grow our state, make our state more competitive, attract businesses or encourage businesses to do business in our state. So this is a package that we have to pass, in my view. I think this is a package where you really want to be a green vote on this and I would encourage your support of this package when we do get to the end here. Thank you, Mr. President.

**WILLIAMS:** Thank you, Senator Slama and Senator Briese. Senator McCollister, you are recognized. Senator McCollister is not on the floor. We'll pass over him. Senator Brandt, you are recognized.

**BRANDT:** Thank you, Mr. President. I am for LB825 and all the underlying amendments. I am opposed to the motion to bracket. I've spoken several times about the benefits of property tax to rural communities. I guess I should have expounded a little more on how the Social Security tax will help a lot of our older citizens in the state. I'm absolutely for that. That's the original LB825. I hear from businesses in my district about the corporate income tax and the individual income tax and-- but by and large, mostly what I hear is about property tax relief. And I think Senator Briese has worked hard the four years that I've been here and Senator Friesen and they have come up with a very innovative way to get property tax relief from the community colleges-- or through the community college system so that there's no reduction to the community colleges, but you get a refundable income tax credit for whatever that property pays to the community colleges. Would Senator Gragert yield to a question?

**WILLIAMS:** Senator Gragert, would you yield?

**GRAGERT:** Absolutely.

**BRANDT:** Senator Gragert, you're District 40, is that correct?

**GRAGERT:** That's correct.

**BRANDT:** What is the largest city in District 40?

**GRAGERT:** That would be O'Neill, Nebraska.

**BRANDT:** How many people?

**GRAGERT:** Around 5,500.



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**BRANDT:** Yeah. So your district is a lot like mine. I mean, my biggest city is Crete and that's probably 7,000 to 8,000 people. And you, you cover, what, five counties, six counties in your district?

**GRAGERT:** It's six counties, half of Pierce County, half of Pierce County.

**BRANDT:** And then you did serve on the school board prior to running for Legislature at Creighton, is that right?

**GRAGERT:** That's correct. I served 12 years at Creighton on the school board there.

**BRANDT:** OK. So in your capacity as a school board member, did you get a lot of feedback about property tax?

**GRAGERT:** Oh yeah, I-- not only when I was on the school board, but through my 2018 campaign year. If I-- if anybody said anything to me, it was definitely property tax issue.

**BRANDT:** So when we started-- I see Senator Moser is here. We're all in the same class. We started four years ago. At that time, there was \$125 million in property tax relief going back out to the people of the state. In the four years here, I think we're close to \$1 billion in property tax relief. Have you gotten any feedback from your constituents about that?

**GRAGERT:** Well, I definitely have and I, I think we've taken a good step, if not a giant step forward in property tax relief. But what I always continue to talk about as I go back out into the district is that we're not going to solve our tax system by just picking on one tax. And this is what I like about LB825 and the amendments attached is that we need to look at a tax reform, which is-- this is coming closer to a tax reform than just looking at one as a property tax.

**BRANDT:** And this bill is a real compromise between a lot of parties here, but ideally, if you could do a tax reform and this is-- you've got 12 days left and then you're free from here, but what would, what would your ideal tax reform look like if you could wave the magic wand?

**GRAGERT:** Well, I-- again, I think we got to look at total tax reform if we're going to continue with the tax system we have, not only property tax, income tax, but also sales tax. So I signed on as a cosponsor. I keep an open mind with the consumption tax, EPIC tax, but we need to--

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**WILLIAMS:** One minute.

**GRAGERT:** --possibly look at even taking a step further. So we need to-- we just need to keep an open mind on this whole tax system and see what we can do to improve it for everybody for-- a fair tax system for everybody.

**BRANDT:** And I appreciate your thoughts. Thank you, Senator Gragert.

**GRAGERT:** Thanks.

**BRANDT:** I know I've had this discussion with Senator Briese on the mike before. I think what I'm trying to demonstrate here is this is not just an urban issue. This is across the state of Nebraska. Thank you, Mr. President.

**WILLIAMS:** Thank you, Senator Brandt and Senator Gragert. Senator Hughes, you're recognized.

**HUGHES:** Thank you, Mr. President. Good afternoon, colleagues. This is the first time that I've had an opportunity to be far enough in the queue to have a discussion on this. And as presiding officer this morning, I listened very intently to a lot of the things that were said. So this has been extremely good discussion and debate this morning. I certainly want to give a tip of the hat to Senator Linehan and Senator Briese for coming up with this strategy. There are some grumblings in the background about how this came about. This is the way this place works. This is a game of chess. And if you remember correctly, we had LB939 up. It was effectively blocked so we could not put the amendment that had been agreed to on that so we had to go to plan B. We-- Senator Linehan and Senator Briese went to plan B. They went to plan C. I don't know what plan this is, but this is the one before us. This is the one we need to talk about. Some of the discussion we've had this morning about why do we need to cut tax rates in Nebraska, Senator Linehan said we are the highest tax-- income tax rate of-- in the Midwest and our surrounding neighbors. If we do this in five years, we're still going to be the highest income tax rate in the neighborhood. Tax rates drive a lot of things. They drive people in and out of states. You look at the migration into Texas now, they have no income tax. There's a huge migration going into that. We can't get to that point, but we need to. We've got to be able to compete to get people to come to Nebraska to work. We have record low unemployment. We are in an arms race. And there's a little pun there. We need more arms in the state of Nebraska. We need more people working. There's a tremendous amount of jobs that are going

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unfulfilled, that build our economy, that buy things, create sales tax, pay income tax, pay property tax. We've got to do what we need to do. Two years ago, we passed LB1107 that created an incentive for corporate world to come to Nebraska. We need to create-- pass this as an incentive to get individuals to come to Nebraska. And this is the total package, income taxes and property tax relief. I think it was-- Senator Brandt said this morning 71 percent of the property tax relief we have delivered goes to residential and commercial, 71 percent. We, as politicians, need to understand that's a big number. That's a huge block. That's a benefit for a lot of people. The amount of money that we have in order to pay for this-- this is something that is unprecedented in my eight years and my hat goes off to Senator Stinner. He explained it very well. We have the money to pay for this. These-- this is the people's money that we need to give back to them. We have a lot of money to run government. We've got a tremendous Rainy Day Fund--

**WILLIAMS:** One minute.

**HUGHES:** --at \$1.3-plus billion. This is the time that we can afford to do this. This is the time that we need to do this. There was discussion about how this impacts the elderly. With the rate of inflation that's going on, we better pass some kind of tax relief for the elderly because inflation is going to eat their lunch. Quite frankly, Mr. President, I don't know how if you are a candidate or going to be a candidate for another elected office in this state how you can possibly vote against this. Thank you, Mr. President.

**WILLIAMS:** Thank you, Senator Hughes. Members, Senator Kolterman would like to introduce 25 members of the Nebraska Chapter of the American Academy of Pediatrics. They are seated in the north balcony. If you would please stand and be recognized by your Nebraska Legislature. Returning to debate. Senator Moser, you are recognized.

**MOSER:** Thank you, Mr. President. The other day, a friend of mine was talking to me about the tax he had to pay to the state. He was kind of grumbling about having to pay-- and he paid estimated tax throughout the year and then he wound up having to pay another 300-and-some odd dollars to the state. His federal return, he had put enough away for that. But the state return turned out to be more than he thought and-- because the deductions and the things are not exactly the same between state and federal tax. And I asked him if he applied for his property tax credit and he didn't even know it existed. He does his own tax. And so if you're doing your own tax, be sure and look, look that up. Google it to find the right website. But you go onto the website and

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you click in your county that you live in and then you find your home on that list and it'll tell you what amount of school tax that you paid as part of your property tax. And then 25 some odd percent of that can be put onto your tax return as a tax credit. And so when he did that, he got over \$300 in a tax credit that he almost missed and it almost completely wiped out his tax liability to the state. So as long as we're talking about taxes, I wanted to bring that up just to remind citizens. More than likely your tax preparer, if you're hiring somebody to do your tax, will be sure that you get that credit. But if you're doing your own, be sure to consider that. I wanted to talk a little bit about the good job that the Appropriations Committee has done and the, and the budgets that they've come up with over the last four, five, six years. Our percentage of increase has been less than historical and I think that every percent that it's less than normal is around \$50 million. And so coming in with 2 or 3 percent increases rather than 4 or 5 percent increases like we have had in some years in the past is one of the reasons that we have more money to put into the Rainy Day Fund or to try to give back to taxpayers. So I do want to congratulate the Appropriations Committee on their budget work. I know that's a lot of work. Then back to the bill that we're looking at here, I'm in full support of LB825 and all its amendments. Well, except for the one to bracket it. I'm not in favor of that one. But you look at the property tax is a part of it, the income tax is a part of it, but one part that we haven't talked as much about, I don't think, is the Social Security tax. And a lot of states have lower or no tax on Social Security and Nebraska does. And I would hate to go back to my district and tell my constituents that I didn't support this bill to lower Social Security taxes. I told one of my-- a different friend who was complaining about taxes that we were lowering them and he said, well, some states don't have any at all. He says I'm not impressed by lowering them, so--

**WILLIAMS:** One minute.

**MOSER:** --it's an improvement, but it's not perfection by any means. But I encourage my colleagues here to look at the big picture and to stand up for our constituents and help give them more money to live on. Thank you.

**WILLIAMS:** Thank you, Senator Moser. Senator Slama, you are recognized.

**SLAMA:** Thank you, Mr. President. I don't rise with anything new to say here, but it's, it's a message that I think needs to be reinforced. Senator Lathrop made a great point when he said that as you're learning to become a lawyer, you learn in trial advocacy to say the

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same message three times over. And I think the core of this bill is the opportunity and we're about ready, in about 30 minutes here, to get to cloture on one of the biggest opportunities for structural tax relief that this state has ever seen. So when you're looking at the board and seeing who's agreeing and who's red and who's not voting and who's checked out, know that that's a vote on Social Security tax relief, income tax relief, and property tax relief. We're doing it the right way. We've got a great crew of senators who have made themselves experts on this in their years of service to this body. And I'm confident in their abilities and I'm confident in the job that they've done and the leadership that they've shown in guiding this bill hopefully across the finish line because this is, this is exciting. Whether you're on the left side or the right side of the aisle, whether you're a young Nebraskan or a retiree, whether you live in Omaha or Ogallala, we've got a generational opportunity here to provide tax relief where we desperately need it in this state. So I would encourage everyone in this body to vote green because the voters of Nebraska are watching this vote and expecting what we have been promising them for years, which is substantial structural tax relief. Thank you, Mr. President.

**WILLIAMS:** Thank you, Senator Slama. Senator Jacobson, you are recognized.

**JACOBSON:** Thank you, Mr. President. I'd like to maybe speak a little bit this time on the impacts of property taxes. I'm, I'm-- I listened to the letter that was read by Senator Bostelman. That is one of many cases out there. We need to remember that when we start looking at what's happening with the rampant inflation that's going on in this country right now and what it's doing to home values, not only because of inflation itself, but because of the supply chain problems, because of the cost to build today, new home construction is going through the roof. And I can tell you it's having a big impact on existing housing. Now, a lot of you might say, well, isn't that a good thing that my home is going up in value? Yeah, it is, other than that you need to live in it. Your home while you're living, while you're alive, you need a place to live. And so as that home goes up in value, so do your taxes. Unless that mill levy comes down, your taxes are going higher. Farmers are out there today with higher commodity prices temporarily. I've been in farming long enough over the years to know that when these times come, the worst thing you want to see is prices going way high or really low. There's the old adage the cure for high prices is high prices and the cure for low prices is low prices. They tend to correct. I also have heard many times in this body about well, my constituents are renters. They don't care about property taxes. Well,

let me tell you they should and here's why: I've been a banker a lot of years. We loan money to people who buy homes. Not all landlords, in fact, I will argue very few landlords own properties free and clear. Most of them are talking to bankers and they're financing those properties, whether those be condominiums, whether those be multi-unit apartment complexes, or whether it be duplexes or single-family homes. They likely have some debt on it. I will tell you that they're paying principal and interest payments every month and they're also paying property taxes. For those of you who have been watching, the Federal Reserve has indicated they're going to continue to raise interest rates. Well, guess what that does to that owner of that property? With rising interest rates, their principal and interest payments are going up. And as the property values go up, so are their property taxes. So the only way they have to make those payments is through the rent that they receive from the renters. So if you're a renter-- if I'm in Omaha today and I'm renting an apartment, I can assure you your rent's going up if property taxes are going to go up on your landlord. It's going to happen. It has to. It's the only way the numbers work. So to sit there and say I'm a renter and high property taxes don't impact me is false. You're not looking at the big picture. So I would just caution you again as we work through all of this and look at these bills, this is important. This is very important. I would tell you that we also talk a lot about well, we need to lower the income tax for the middle-- for the middle-income rates. Well, I would tell you that the property-- or that the income taxes are a problem throughout. But I can tell you not everybody is paying a lot of income tax, but most people are paying property taxes, either directly or indirectly if you're a renter. And so property taxes are involving everyone.

**WILLIAMS:** One minute.

**JACOBSON:** If you own a house, if you rent a house, you are paying property taxes either directly or indirectly. This is real. I, I again-- would just urge you again, think about this vote. We've given millions of dollars away in hopefully what are one-time investments. This is an important way to give back to our constituents through lower taxes. Thank you, Mr. President.

**WILLIAMS:** Thank you, Senator Jacobson. Senator Lowe, you're recognized.

**LOWE:** Thank you, Mr. President. Well, we're getting closer and I think they're getting closer to maybe peeling off a few because there's some trading going on in the back of the room. Don't like to see that. So look at the board when the vote comes in, everybody at home, at the

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businesses, wherever you're watching. See where this votes-- vote lands. See what people are thinking about your taxes on whether or not these people on this floor want to lower your taxes or they want to keep them the same as the price goes up on everything you buy. I don't care whether it's toilet paper or milk, but the price is going up, all the essentials in your life. And some of the people say we need it done in Lincoln. You don't need it in your pocket. Look at the red. Look at the lights that aren't lit when this comes up to vote. This is an important vote for the people at home. And when I go home tonight, I want to talk to people tomorrow. I'll be at a book signing tomorrow for my wife. She'll be at the Solid Rock promoting her new book. She asked me not to say that, by the way, so don't tell her. This is a vote for the people in Nebraska. This is not a vote for the people of Kansas, South Dakota, Wyoming. This is about us. This is about us taking care of our people. This is important. This LB825 and AM2588 is a compromise. Nobody's really happy with it, but it moves the bar a little bit. Senator Erdman, he would rather go to his, his tax. Others would rather go to another tax, but this is what we got today, the 25th of March, is we have AM2588. And when we eventually go home for the summer in a couple of weeks, I want to be able to tell the people back in my district that not only did we vote for-- or did I vote for this, but we passed it. And those young couples that have children will be able to afford a little bit more, whether it's groceries or childcare or something, that there will be more money in their pocket because of what we did today, maybe a half a month's rent. This is what we're doing today to affect everybody in Nebraska. So please record the--

**WILLIAMS:** One minute.

**LOWE:** --thank you, Mr. President-- record the vote on how everybody votes because in another month and a half, month and a couple of days, we'll be going to the, to the polls and voting. Vote accordingly. Vote green for those that voted green on this. Don't vote for those that don't vote green on this. Thank you, Mr. President.

**WILLIAMS:** Thank you, Senator Lowe. Senator Bostelman, you are recognized.

**BOSTELMAN:** Thank you. I want to continue reading. Individuals talk about a few things on the mike as far as what's happening within the body that I want to talk about, read a couple of things that, that I've-- out of articles, out of newspapers, out of magazines, out of emails we received from your constituents, my constituents. This one I want to read to is about property taxes sink farm landowners. It's a

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Stateline article from back in 2020. This one, especially as I know about -- directly myself because this is-- this one's from my district and I know this gentleman. I know this family and I know what happened. They used to live in Ceresco. So I'll read this to you. It says, well-thought-- well, we'll tough it out. In 2017, Frederick Fritz and Nancy were fed up. That year, they paid Lancaster County, Nebraska, roughly \$50,000, \$50,000 in property taxes for their 585-acre family farm in Ceresco, 20 miles north of Lincoln. They took home about \$30,000 for themselves. With that kind of money, you would think our kids could converse with Einstein and our roads would be paved in silver, Fritz said. We, we didn't think we were getting much value for our money. The couple became the poster children for the Cornhusker state's property tax woes when they left their 150-year-- 150-year-old family farm behind. After considering states including South Dakota, Minnesota, Iowa, and Kansas, they settled near Warrensburg, Missouri. They bought 850 acres on the Blackwater River and two-foot-thick topsoil and a third more rain than Ceresco so they no longer worry about drought. The first year down here was the best crop of my entire career, Fritz said. The next year wasn't, given the region's historic flooding. But they say they're still better off. We'll tough it out, Fritz said. In Missouri, they paid \$1,100, \$1,100 in property taxes for their farm in 2018. That was for an 850-acre farm. After they added a 60-foot grain bushel and a 100-foot machine shed, their taxes increased to \$1,200 in 2019. Overall, Missouri farmers paid \$235 million in property taxes in 2017, a 21 percent increase from 2012. You can't help but notice, Nancy said, things are different when you move to another state and wonder, why does it have to be this way? Remember what I said when I started this article? Let's see. It says they had 585 acres and they paid \$50,000 in property taxes, \$50,000. They moved to Missouri, added 350 acres, 850 acres total-- well, not quite-- 300 acres, 850 acres total, and they paid what? Oh, a grand total of \$1,200. Wow. Why are we here? Why are we not doing something in this state to make a difference for people? I read the article before. It was for someone in town. It was a family in town with a house trying to make ends meet. I've just read an article about a friend of mine, a person I know, personally know, I met when I was campaigning six years ago, had a farm, couldn't afford it anymore, moves it-- moved his entire operation, his entire family to Missouri, went from \$50,000-- was it \$50,000, is that right-- \$50,000 in property taxes to \$1,200 in property taxes.

**WILLIAMS:** One minute.

**BOSTELMAN:** What do I hear, what do I hear and what do you probably hear whenever you go out and talk to people in your district? Taxes.



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Cut the taxes. Lower our taxes. Help us, please. I was at a Corn Growers meeting here not too long ago. We probably had 100, 100-plus people there. And I asked them, OK, tell me. I want to show-- raise your hands. How many of you want income tax relief, relief? Not a hand rose. How many of you want property tax? Everybody rose both ends. So what are we doing? This is a package deal where we hit a lot of different areas that have a lot of concerns with a lot of people across the board in our state. This is a good deal. I oppose the motion-- the bracket motion. I do support Senator Briese and all that he's working on and the Revenue Committee and everybody else that has worked on this package. It needs to happen. We need to pass it. It's what your constituents want. It's what my constituents want. It's something that our state is struggling daily on. Our taxes are too high.

**WILLIAMS:** Time, Senator.

**BOSTELMAN:** Thank you.

**WILLIAMS:** Thank you, Senator Bostelman. Senator Briese, you are recognized.

**BRIESE:** Thank you, Mr. President. When you look at the tax structure in our state, we have to recognize that we have some of the highest property taxes in the nation, both ag land and residential. We also have to recognize that we have marginal income tax rates higher than essentially all of our neighbors. This bill is a huge step in the right direction to correct that. This bill is a huge deal for all Nebraskans, your constituents, my constituents, and it is sustainable tax relief. Senator Stinner explained that to us and I agree wholeheartedly with what he said based on what I look at too. This is sustainable tax relief. With-- without the passage of the amendment, we're going to impose a \$200 million property tax increase on everyday Nebraskans in tax year 2024. This bill also represents, in addition to that, a sizable amount of additional property tax relief, again for your constituents and my constituents. It's going to provide substantial income tax relief to our retirees and it's going to provide substantial tax relief to a wide swath of Nebraskans, everyday families, that's going to help pay their bills, put more money in their pocket. And we have to get this done. You know, there's talk on the floor now about some other issues, some side issues. And well, can we do this? Can we do that? No. We, we can talk about other, other issues another day. What we have before us today is a bill to provide a substantial amount of tax relief to everyday Nebraskans, your constituents, my constituents. And I would suggest to you that you

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really don't want to be on the wrong side of this vote when we do get a chance to vote on it. I think your constituents will very much appreciate your support of LB825 with the amendment and your green vote on that package and I would encourage-- strongly encourage you to do so. Thank you, Mr. President.

**ARCH:** Thank you, Senator. Senator Erdman, you are recognized.

**ERDMAN:** Thank you, Mr. President. Oftentimes, I listen [RECORDER MALFUNCTION] speaking to see how many people are listening. And, Senator Bostelman, you were speaking, I think there was two of us, so that-- I guess that's what we do here. I want to tell you a little story what happened four years ago. I got a call from a policeman who retired from the police force in Texas, and he was looking at buying property, he said, either in western Nebraska or eastern Wyoming, near Harrison, Nebraska. And he called me and he ask, when I check up-- checked to see what the taxes were between the two states, I noticed that Wyoming was 20 percent of what it is in Nebraska. And he said, what services or benefits do I get for paying four times as much taxes? And I said, the only thing I can think of is I would be your senator. And he did not buy land in Nebraska. That wasn't enough to convince him. So what Senator Bostelman was explaining to you is exactly the problem that we have: \$50,000 property taxes for 500 acres in Nebraska and a little over \$1,000 property tax in Missouri. Let me share another little story. A \$235,000 new home in Arizona, the property tax is less than \$1,000, and the insurance is \$600, annual insurance. So those two, if you do the math, and you don't even have to be an actuary like Senator Clements, will understand that's \$1,600. If that same home was in Lincoln, Nebraska, with our current insurance rates and our taxes, it would be \$7,000, so that's \$5,400 less for the same property. So why do people move to Arizona? Do they like 115 degrees in the summertime? No. They move to Arizona because they don't have any income tax and their property tax is next to nothing compared to what we do. And so we have a solution to all this, and all the vote trading that's going on about what we're trying to do here doesn't happen and all these discussions goes away. And those people that are moving to other states because of our tax system stay here, and the young people who graduate from college-- and we talk about the bla-- brain drain all the time-- they don't leave. And all of a sudden, we've become the most popular state in the nation to live because we have the best tax system. So we talk about property tax credit and we talk about all the property tax money that we've returned to people. And when you analyze it over the last seven or eight years, property tax has gone up well over a billion dollars, but we brag about giving a billion dollars in property tax relief--

**WILLIAMS:** One minute.

**ERDMAN:** --which means absolutely nothing. It's not property tax relief; it's holding them the same. But we are the same body that, when we want to increase spending by 10 percent and we reduce that to 5, we call it a cut. That's what we do. And so all the efforts that we have done to reduce taxes by giving a credit or a refund has done very little to reduce the tax obligation. It has done more to keep us status quo, which means we're one of the worst states in the nation. So we continue to put a Band-Aid on an amputation, and we don't want to deal with the real problem, that we have a broken tax system. Thank you.

**WILLIAMS:** Thank you, Senator Erdman. Senator Clements, you are recognized.

**CLEMENTS:** Thank you, Mr. President. Wanted to be able to speak again on this issue, and I really do appreciate the illustration and analysis that Senator Stinner gave. And it does show that there is a benefit to the 5 percent cap on the property tax credit amount, but it's not a severe amount. It's going to be half the time it's going to be used. And I see in the last six years that the 5 percent cap would never have been hit. The highest was 4.68 and the lowest is 1.64 percent. Last year, it was 3.87 percent increase in the valuations. And so I've been telling my clients that you're getting 25.3 percent of your school tax back on your tax return, and if we go up 4 percent in valuation, you'll get 26.3 percent for the 2022 tax year and that's been a wonderful thing to be able to tell taxpayers. Also on the analysis, Exhibit 2 from Senator Stinner showing a zero percent revenue growth, still shows \$64.5 million in excess revenue, still in the black, not-- not going negative on our revenues. And the other part of it, it's not because we have cut spending. We're-- the budget, on page 4, increases Medicaid behavioral health providers 15 percent and gives a provider rate increase for developmental disability services. Medicaid nursing home facilities are getting an increase; child welfare, foster care providers, 15 percent increase in rates. And so we are not giving back all the money that-- that's extra. We are spending it on more benefits for people who need it, taking care of the needy. And once we've done that, then I think the state has done its job and the extra money should go back to taxpayers. And so I think this is a sound fiscal policy to adopt these changes. This revenue is great. We have great reserves over what even statutory we require. And so if there is some downturn, we won't have to be making cuts. We can use it, use our Rainy Day Fund, the savings account that

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will still provide for a bump in the road, I guess we'll call it. And so would Senator Linehan want the rest of my time?

**WILLIAMS:** Senator--

**CLEMENTS:** I yield the rest of my time.

**WILLIAMS:** Senator Linehan, you are yielded 1:40.

**LINEHAN:** Thank you, Senator Clements. Good morning again, or I guess we're afternoon now. Good afternoon, colleagues. I just want to keep going on the Revenue Committee, so talked about Senator Pahls. Next down is Senator Briese, who's been here six years. He's in my class. He has been a partner in everything we've done here. He's been-- he's worked tirelessly on school funding. He tried to look-- he's tried to redo our-- the way we fund schools. He's looked at every sales tax--

**WILLIAMS:** One minute.

**LINEHAN:** --or every sales tax exemption we have in the state. He has caused us to set numerous hearings that go on forever and ever. The real-- the real magic of Tom Briese is, when I'm excited, he is calm. And when I haven't read a bill, I'm not worried because I know Tom Briese has read the bill and I know he understands the bill because even though he's an ag producer and he talks about ag, he's also a very capable attorney. He is-- I think my staff refers to him with-- as the big brain guy. So I'm hoping we get through this this morning because we-- we would like to be done and not have this whole Legislature blow up over this bill. If this bill doesn't pass, it's going to be a very--

**WILLIAMS:** Time, Senator.

**LINEHAN:** Thank you.

**WILLIAMS:** Thank you, Senator Linehan and Senator Clements. Senator Albrecht, you're recognized.

**ALBRECHT:** Thank you, President. I'd like to yield my time to Senator Briese since he has the most knowledge of the bill. Thanks.

**WILLIAMS:** Senator Briese, you're yielded 4:50.

**BRIESE:** OK, thank you, Mr. President, and thank you for that, Senator Albrecht. And, you know, we really have a chance here today to do something transformative relative to-- to tax policy in Nebraska, and

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we need to go with this. This is a package deal that's going to benefit every Nebraskan out there, your constituents, my constituents. I've said it three, four times today. It's not weighted towards ag, not weighted towards rural Nebraska, very, very beneficial to our urban taxpayers, and we need to recognize that. And as we've talked several times, it is sustainable, it's fiscally responsible, and Senator Stinner explained that very well and I appreciate his comments. And again, without this package, we're going to have a \$200 million property tax increase on everyday Nebraskans, your folks, my folks. This package also represents another sizable chunk of property tax relief, in addition to those original LB1107 dollars. Again, based on community college property taxes paid, there's going to be \$50 million the first year, \$100 million the second year, another \$125 million the third year, \$150 million the fourth year, and the fifth year it's going to be \$195 million of property tax relief for your constituents. And after that, it's going to grow at the allowable growth rate. This package deserves a green vote. Folks talk about taking out this provision or putting these provisions in there. No, I'm not interested in that. This is the package. This is what was-- what we've arrived at-- arrived at, excuse me. It's a good compromise. Yeah. And again, there's things in here that Senator Linehan don't like and Senator Friesen don't like, things here I don't like, things in here that every member of this body can point to and criticize, but that's beside the point. We worked through a budget that also had ingredients that I didn't entirely agree with and others didn't agree with. But we came together, we moved it forward for the good of the state, and that's what this bill represents, an opportunity to move something forward for the good of the state, something that will benefit every taxpayer in Nebraska. It'll benefit our constituents. It's something that Nebraskans need. It's something that Nebraskans deserve. And again, these other issues that folks are talking about, yeah, we can talk about those another day, but they're-- they should not cause anyone to vote against this package. This is a package that deserves your green vote. Nebraskans deserve your green vote. Your constituents deserve your green vote on this package, and I would strongly encourage your support of this bill with the amendment that was introduced. Thank you, Mr. President.

**WILLIAMS:** Thank you, Senator Briese and Senator Albrecht. Senator Murman, you're recognized.

**MURMAN:** Thank you, Mr. President. I don't think it's any secret that property tax relief is my number-one priority in lowering taxes in this state. LB1107 that we passed in 2020 created the refundable income tax credit, and that gave us the opportunity to lower property

taxes. That opportunity turned out much better than, than I think most in the body would have suspected, but very thankful for that. And now, with increased revenue that also was probably totally unexpected about two years ago, we have the opportunity to lower all taxes in the state of Nebraska. This bill with the amendments gives us the opportunity to lower Social Security taxes, income taxes, property taxes. And anyone that's up for reelection, campaigning, you know, if they vote against this bill or are present, not voting, I don't see how you can look-- look your constituents in the eye and tell them that, I'm for lower taxes, I'm for you keeping more of your hard-earned money. Actually, you know, the taxpayer should think, oh, you're all about getting more of our-- the money that I've earned and spending that on bigger government and-- and more programs. So I'm very thankful to have this opportunity, not just to lower proper-- not-- actually, just to maintain the property tax we've-- we've gained-- property tax relief that we've gained and not lose, as Senator Briese has mentioned, \$200 million or so of that tax relief that we've achieved. And I'm very proud to have a part of this bill with LB723 being in there with the amendments, to maintain that, that relief we've gained, and to not actually lose that, that relief, and-- and even beyond that, to have the opportunity, with increased revenues, as a body to decrease taxes in this state. With inflation and valuations and everything going up in the foreseeable future, this is just the-- the least we can do, I think, to provide some property tax or some tax relief to hardworking taxpayers in this state. And if I have any time left, I would gladly give some time to Senator Briese because I appreciate him giving me the opportunity to have a part of-- by making LB723 my personal priority, to have a part of-- of the tax relief that we're able to give the taxpayers of Nebraska. Thank you.

**WILLIAMS:** Senator Briese, you are yielded 1:45.

**BRIESE:** Thank you, Mr. President. Thank you for that, Senator Murman. I-- I certainly appreciate you prioritizing my LB723. That is, was an extremely important bill, because that's the bill that would prevent a \$200 million property tax increase on everyday Nebraskans. And the only way we're going to avoid that property tax increase on everyday Nebraskans, a \$200 million increase, is to pass LB825 with this amendment. It's a critical part of this bill. We need to get that done. Again, we need to recognize what's in here. We're going to head off at \$200 million property tax relief. We're going to provide some additional property tax relief beyond that. We're going to shave off the--

**WILLIAMS:** One minute.

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**BRIESE:** Thank you, Mr. President. We're going to shave off the marginal, corporate and individual income tax rates to the benefit of a wide swath of everyday, middle-class, hardworking Nebraskans, and we're going to provide additional income tax relief for our retirees. There's a lot at stake here. We need to be green on this. Thank you, Mr. President.

**WILLIAMS:** Thank you, Senator Briese and Senator Murman. Mr. Clerk, you have a motion on the desk?

**CLERK:** I do, Mr. President. Senator Lindstrom would move to invoke cloture pursuant to Rule 7, Section 10.

**WILLIAMS:** It is the ruling of the Chair that there has been fair and full debate afforded to LB825. Senator Lindstrom, for what purpose do you rise?

**LINDSTROM:** Mr. President, I'd like a call of the house and a roll call vote in regular order, please.

**WILLIAMS:** Members, there has been a request to place the house under call. The question is, shall the house go under call? All those in favor vote aye; those opposed vote nay. Record, Mr. Clerk.

**CLERK:** 33 ayes, 5 nays to place the house under call.

**WILLIAMS:** The house is under call. Senators, please record your presence. Those unexcused senators outside the Chamber, please return to the Chamber and record your presence. All unauthorized personnel, please leave the floor. The house is under call. Senator Vargas, please check in. Members, the first vote is on the motion to invoke cloture. All those in favor-- the-- call the roll in the regular order, Mr. Clerk.

**CLERK:** Senator Aguilar voting yes. Senator Albrecht voting yes. Senator Arch voting yes. Senator Blood not voting. Senator Bostar not voting. Senator Bostelman voting yes. Senator Brandt voting yes. Senator Brewer voting yes. Senator Briese voting yes. Senator John Cavanaugh not voting. Senator Machaela Cavanaugh not voting. Senator Clements voting yes. Senator Day. Senator DeBoer not voting. Senator Dorn voting yes. Senator Erdman voting yes. Senator Flood voting yes. Senator Friesen voting yes. Senator Geist voting yes. Senator Gragert voting yes. Senator Halloran voting yes. Senator Ben Hansen voting yes. Senator Matt Hansen not voting. Senator Hilgers voting yes. Senator Hilkemann voting yes. Senator Hughes voting yes. Senator Hunt not voting. Senator Jacobson voting yes. Senator Kolterman voting yes.

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Thank you. Senator Lathrop not voting. Senator Lindstrom voting yes. Senator Linehan voting yes. Senator Lowe voting yes. Senator McCollister not voting. Senator McDonnell voting yes. Senator McKinney not voting. Senator Morfeld not voting. Senator Moser voting yes. Senator Murman voting yes. Senator Pahls. Senator Pansing Brooks. Senator Sanders voting yes. Senator Slama voting yes. Senator Stinner voting yes. Senator Vargas not voting. Senator Walz. Senator Wayne voting yes. Senator Williams voting yes. Senator Wishart not voting. 32 ayes, 0 nays, Mr. President, to invoke cloture.

**WILLIAMS:** The motion to invoke cloture fails. Raise the call. Mr. Clerk, for items.

**CLERK:** Mr. President, a few items: LB741A, a new A bill, Senator DeBoer, appropriates funds to implement LB741. Amendments: LB1014, Senator Stinner; Senator Bostelman, LB1102. And a series of study resolutions: Senator Wishart, LR364, LR365, and LR366. Those will be referred to the Executive Board.

**WILLIAMS:** Members, we're going to move down the items to the 1:30 agenda. Mr. Clerk, LB933.

**CLERK:** Mr. President, Senator Albrecht would move that LB933 be placed on General File pursuant to Rule 3, Section 20(b).

**WILLIAMS:** Senator Albrecht, you're recognized to open on LB933.

**ALBRECHT:** Thank you, President. Good afternoon, colleagues. This is a pull motion on LB933, which is the Human Life Protection Act. A bill that I introduced has become the Speaker's priority bill out of committee so that it can be considered by the full Legislature. Pull motions should indeed be rare, but they are allowed under our rules for a purpose. Senator Brewer, in his introduction to a pull motion for his bill, laid out a number of factors for determining whether a bill is ripe for a pull motion. This, this particular bill meets the same criteria. It has not only been prioritized, it has been prioritized by the Speaker of the Legislature. It addresses the statewide issues with broad public support, and the committee has declined to either advance or kill the bill. It has been 43 days since the bill hearing for LB933 in committee. I have immense respect for the committee process, and I want everyone on the Judiciary Committee to know that this is not meant to slight them or a referendum on their deliberative process. But they have had ample time to decide what to do with the bill, and it has neither advanced nor been indefinitely postponed. It-- excuse me, it addresses, in my opinion, the most



important public policy issue there is: that's protecting the right to life of an innocent human being. I expect that this pull motion will succeed. That means we will have plenty of time to talk about this bill and its merits when it reaches General File. This bill has already become law in 13 states. Those that border the state of Nebraska are Missouri, South Dakota, and Wyoming. There are many other state legislatures considering bills like it right now. The most recent one like it passed into law just last week. It is often said that our great resource in Nebraska is our people. LB933 is about ensuring our most precious and vulnerable people, pre-born children, are protected from the violence of abortion. I introduced LB933 because life is a human right. This bill protects all human life by extending legal protection from abortion to every person at the moment of conception taking effect if and when Roe v. Wade is overturned. There is an exception for a medical emergency to preserve the life of the mother, and no woman who obtains or seeks an abortion can be charged, only abortionists who violate the law by intentionally taking the life of an unborn child. The Supreme Court finally appears poised to overturn Roe in the case of Dobbs v. Jackson Women's Health Organization, which was heard last fall. This provides us with a historic opportunity, and while a pull motion is necessary because we must address that issue now, every abortion ends the life of an innocent human being and a baby that is alive, growing, and has their own unique DNA separate from their mother. We need to act this session so that we are prepared to protect life at the greatest extent possible. As I mentioned before, 13 other states, including 3 of our neighboring states, have already done so and passed similar legislation. The Legislative Research Office did a research project recently where they found every use of the pull motion all the way back to 1974. The motion had been filed 188 times, and it has been successfully adopted 35 times. The history of the body shows how rarely this motion is used and how difficult it is to be successful. I'm utilizing this pull motion, however, because LB933 is a senator priority bill. It addresses a statewide issue with broad public support, and there were neither the votes to kill the bill or advance it from committee. We have this motion in our rules for a reason, and this is a historical moment that calls for action. In addition, using pull motions for important bills that are stuck in committee is not new or controversial. In 2020, the Legislature pulled another abortion bill out of the Judiciary Committee, LB814, sponsored by Senator Geist, which stopped the practice of dismemberment abortion. That bill also had broad public support and passed into law after needing to be pulled from the committee. LB933 was heard before the Judiciary Committee on February 24. Out of respect for the committee's time, I

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worked with Senator Lathrop to have intentionally organized and limited the set of proponent testifiers. There were also more than 320 letters in support of this bill. One of those letters came from a woman, Melissa Oden [PHONETIC], who miraculously survived an abortion attempt that was forced upon her mother. She's in our Capitol Building today, and her presence here confronts all of us with this question. If she's what a failed abortion looks like, what's the face of a successful abortion? The law protects her now. It should have protected her then and when, when she was small and in her most vulnerable state. That's what this bill is all about. There have been over 200,000 abortions in Nebraska since Roe decided-- was decided in 1973; 200,000 little boys and girls at their most vulnerable lost to the violence of abortion. Colleagues, that is 10 percent of our state's population. Every life has purpose. We can love and support both men-- both the women and the children and the men. I believe that there were-- there are-- there's a bill worthy of being debated in this body, and this is the one. I ask that you vote yes on the pull motion so that we can help Nebraska be a state where every life is celebrated, valued, and protected. Thank you, Mr. President.

**WILLIAMS:** Thank you, Senator Albrecht. Debate is now open on the motion. Senator Hunt, you're recognized.

**HUNT:** Thank you, Mr. President. Good after-- good afternoon, colleagues. Good afternoon, Nebraskans. I think that it is because of divisive abortion bills that we have heard, really in the past four years, starting with Senator Albrecht's ridiculous abortion reversal bill that is not based on any fact or science. And then Senator Geist's method ban bill, which banned a safe and effective and, you know, what physicians think is the best method of abortion for, for many patients. All of these bills had to come to this floor through pull motions, and Senator Albrecht cited how many times in the history of this institution floor motions have been used, how many times they've been successful. And she said that history showed how rare this motion is and how difficult it is for this motion to be successful. But colleagues, just in the last four years, we've seen this motion used time and time and time again to subvert the committee process to move radical anti-woman, anti-family, anti-choice bills through this Legislature in a way that the majority of Nebraskans just don't agree with. And not only that, it derails the important work that we're trying to do on the floor on other issues. I was saying last night we have less than 100 hours left of debate now in this body until we're done with this session. We got a canal you all want to have. We have a lake you want. We've got to regulate these casinos that are coming through. We've got the gun bill. We have your tax cuts

that you want so bad. All of these things are going to be in peril because you're giving the time up for that in order to have an abortion bill. Please understand, and you do, that this bill is going to go the distance. We're going to take every minute possible on this bill and make it as difficult as possible to pass in a state where I know the majority of the people in this legislative body are supportive of taking away that right to choose, are supportive of hurting women and these families who need this healthcare, who think that they, as politicians, know what's best for families and Nebraskans instead of the women themselves and the physicians who treat them. Farmers, bankers, teachers, career politicians, nonprofit workers. None of us are qualified to stand between a patient, a pregnant person, and then what they decide with their family, their faith, and their physician is best for them and their families. This is a waste of time and this is exactly what Nebraskans are not asking us to do. The introducer of the bill, who I have great respect for, noted that she has respect for this process. And that's correct. There is a process by which you can pull a bill out of committee, but we have a committee process in this body for a reason. The reason we have a committee process in this body is so that the people on those committees can become subject-matter experts in the area that they serve on those committees in those jurisdictions. And that's why members of the Judiciary Committee, sitting committee, often until 11 p.m. or midnight in a way that no other, no other members of this body typically has to do because they have the subject-matter jurisdiction and respecting that committee process is important. Now I respect that there is a rule that Senator Albrecht is availing herself of today, but I think that that disrespects the committee process, and for that reason and many other reasons, I will be voting against this. It was Senator Albrecht's prerogative to prioritize this bill. Well, I guess she didn't-- it's Senator-- Speaker Hilgers' prerogative to prioritize this bill before it came out of committee and the committee decided it, it was not ready--

**WILLIAMS:** One minute.

**HUNT:** --to come to the floor. The bill doesn't have a committee statement. I don't know what people on the committee thought of it. I don't know who testified and, and this and that. It doesn't have a committee amendment. And for that reason, it's going to end up being the most oppressive abortion bill that we can see in the United States because practically-- in practical terms and I'll talk more about that. We're not going to have any exceptions for the life of the mother. This affirmative defense thing that they're saying to cover themselves from accusations of being unconstitutional, which I believe

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this is unconstitutional. We have this affirmative defense saying that well, if there's a case of the life of the mother, then the physician is not going to be prosecuted, but that's not decided until they go to court. The chilling effect that this is going to have on healthcare, especially in rural Nebraska, is something that all of you are going to come to extremely regret. Thank you, Mr. President.

**WILLIAMS:** Thank you, Senator Hunt. Senator Machaela Cavanaugh, you're recognized.

**M. CAVANAUGH:** Thank you, Mr. President. Colleagues, I rise in opposition to this pull motion. And first of all, I have never supported a pull motion. I already talked about this once this year. I don't support pull motions. I respect the committee process. I have had to work very hard for every single bill that I have passed in this Legislature. I expect the same from my colleagues. And a pull motion is skirting the system, and it's kind of cheating the process. If a bill isn't good enough to come out of committee, then you need to keep working on it and bring it back again. And I would like to clarify, I believe that there was a vote taken in the committee, and Senator Albrecht did not have the votes to move the bill. That is different than not being willing to, to move it or to kill it. So I think that's a really important distinction. She didn't have the votes to move the bill out of committee. That has happened to me, and it was about things that I really cared about. But that is the reality, and I still didn't file a pull motion. I went back to the drawing board, and I worked on the things again and again and again until I got them right. So just fundamentally, I don't support pull motions. I haven't voted for one in four years. I'm not going to start now. I also don't support the underlying bill, and I know I'm going to have 8, 4, 2, what is that 14 hours, I think, 14 hours to talk about that. And I will, I will spend 14 hours talking about my problems with this bill. I know that, like, this Legislature wants to be penalizing me for taking time, but you keep doing things that require me to take time. If you are annoyed by Senator Machaela Cavanaugh talking for hours on end, as much as I'm tired of doing it, then don't do things like this. This is a bill that's going to take however much time we have today, and then it's going to take 14 more hours and that's going to gum up the works over the last, after today, what, 11 days for anything any of you want to do, anything. I'm going to take every single second possible to talk about you taking my, my rights away from me. My choices away from me. Nothing else that's ever done in this body goes after individual members of this body's own autonomy. This feels malicious. I have three beautiful, wonderful, goofy children who I love to the Moon and back. My daughter, my middle daughter, says to me

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multiple times a day as fast as she can, I love you more than you love me. It's possible. And I always have to try and get faster and say, it's not possible. It's not possible for you to love me more than I love you because I love you more than you could ever love me, because I love her more than the universe. And I made my choices. I made my choices. And I think I made really great choices.

**WILLIAMS:** One minute.

**M. CAVANAUGH:** They were mine and mine alone, nobody else's. Nobody else's business. I didn't even have to tell anyone. I could have done a million things and not told a soul. Maybe I have. You don't know. And you don't need to know. The only way you're going to know is if I tell you. So get out of my doctor's room, get out of my life, get out of my bedroom. Get out of the bathroom when I'm peeing on a stick. This is none of your business. This is none of your business. There's, there's a saying: trust women. Why can't you just trust women? We're not the problem. Our ovaries are not the problem.

**WILLIAMS:** Time, Senator. Thank you, Senator Cavanaugh. Senator Linehan, you're recognized.

**LINEHAN:** Thank you, Mr. President, and thank you, Senator Brandt, for coming and finding me. I appreciate that very much. I rise in support of Senator Albrecht's efforts here. I have since I've been here voted pro-life every time. It's critically important to me. It is basic to who we are. And when Roe v. Wade passed the year I graduated from high school, we didn't have the understanding that we have now. I have had a grandbaby that's six-months-old and I've been seeing pictures of her not quite for 15 months, but almost. You, you can't. We, we have got a-- we get something very wrong here when we have gender parties and we have photos getting sent on your iPhone of your grandbabies. And yet we think abortion is OK. No, it's not. We have-- we've got to understand what this is about. It's about life and we, and we know it. And again, 50 years ago, maybe-- who knows, but science has moved beyond this. We can't honestly think that abortion is OK in today's world when we all send pictures of our babies to each other from the very first weeks. And I also understand the concern about women, and we need to do a better job of helping moms, helping women who are in difficult circumstances and are scared and they don't know how they're going to afford it. We need, we need to do better. I'm all in on that. But there's also a difference now-- in the '70s and the '60s when I was in high school, if you got pregnant, you got kicked out of high school. We don't do that anymore, nor should we. And it's also in the '60s-- this will seem so weird to some of the younger people in here,

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if a young man got a girl pregnant, he was in trouble too. This hasn't been good on women. Now they're left pregnant and they're all on their own. There's no accountability. This is not-- it just isn't good. And if you have to go through the tragedy in your life of having made that decision, it never leaves you. Never. I'm 100 percent behind this, and I certainly hope when we have a vote on this, we don't have a lot of absentee votes. This is one you ought to put your name on. Thank you, Mr. President.

**WILLIAMS:** Thank you, Senator Linehan. Senator John Cavanaugh, you're recognized.

**J. CAVANAUGH:** Thank you, Mr. President. Well, so I rise in opposition to this pull motion, as I have against every pull motion that has been before the body since I've been here. I've got a few comments about this in general. With pull motions, there's-- you know, we have a rule. Of course, it exists for a reason and it is to pull a bill out of a committee after a certain period of time, after it's had a hearing, and the committee hasn't reported it out or taken action. And in this case, there was a hearing. I think many people were there. Many people watched it. I watched the hearing on this bill on TV and it went four hours or something along those lines. It was a long, thorough hearing. And then ultimately the Judiciary Committee, which we put a lot of faith in, in this body, decided not to vote this out, was not a bill that needed to be on the floor. And now we're here pulling it. And so the question is what is the, what is the reason for a pull motion? Why would we pull a bill to the floor that a committee has-- when we have committee processes decided not to vote it to the floor? And one of the things about this bill-- well, so I guess my, my thought would be that it's something that is urgent, something that is-- that needs to happen right away. And so there's maybe, you know, the committee didn't get it out, and this is something that would change the state of the law in the state of Nebraska. This bill doesn't do that. This bill has a requirement in it that the United States Supreme Court take some specific action before this bill goes into effect. We call it a trigger bill. And so the argument to pull a bill to the floor to be debated, to be voted on by this body that will actually have no effect unless some other dependent circumstance happens, does not seem to meet the, the standard of a pull motion. Why, why would we have this debated on the floor? So I'm going to be against this pull motion. And also, while I thought about-- I've had this postcard sitting on my desk for most of the session somebody sent me. It says trust Nebraskans, which applies to a lot of things. But it was specifically a postcard that was sent to me by one of my constituents asking me to vote against this bill and to trust people

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to make their own decisions. So I stand in opposition to the pull motion this time. But when this bill ultimately does come up, if it does come up, if the body decides that it meets the standard to be pulled, I will be opposed to this bill at that time as well because I trust Nebraskans to make their own medical decisions in consultation with their doctors without the intervention of the state. And with that, I would yield whatever time I have remaining to Senator Hunt.

**WILLIAMS:** Senator Hunt, 2:20.

**HUNT:** Thank you. Thank you, Senator John Cavanaugh. I would like to ask where some members of this body were, including the introducer of this bill, including Senator Linehan, who just spoke in favor of this bill, when we had Medicaid expansion, expansion, when we had paid family leave, access to affordable contraception, increasing the minimum wage? What if a pregnant woman has a drug felony, Senator Linehan, are you going to be there with her then? That's not what your votes have said, because when we talk about caring about the most vulnerable people among us, let's be consistent. The first year that I was in this body, I watched people who advanced bills like this vote against having accessible, affordable contraception for low-income women, to vote against food assistance for pregnant women. So how is that pro-life? Colleagues, I'm opposed to the pull motion, both on the basis of the principle of respecting the committee process and the rules. And I respect that the introducer is following the rules and I get that, but I also object to this legislation on the premise that it's based on caring about the vulnerable.

**WILLIAMS:** One minute.

**HUNT:** You only care about the vulnerable when it's coming from a place of Christian, far-right Christian fundamentalist faith and only when it's to control the body of somebody else. Do you ever notice that? It's so predictable you can set your clock by it. Thank you, Mr. President.

**WILLIAMS:** Thank you, Senator Hunt and Senator John Cavanaugh. Senator Arch, you're recognized.

**ARCH:** Thank you, Mr. President. Excuse me. I rise in support of the pull motion. There is a rule. We've referenced the rule, Rule 3, Section 20(b). There are many rules in our book, and those rules have been used generously throughout this session and through the three previous sessions that I've been in. They're there, they're there to be used, they're there to be used on occasion, and it's a matter of

the votes on the floor for supporting the use of these rules. So here we are. We have a pull motion done according to the rules, and I, I rise in support. This is a trigger bill. We're not going to debate the bill today, but it is a trigger bill. It is a very important trigger bill. We debated a trigger bill not long ago, daylight savings time. We passed that on General. We said that we will put that in if the federal government passes their bill, if we have three surrounding states. It was a trigger bill. So not unlike-- certainly more serious than daylight savings time, but not unlike another trigger bill that we passed. We have been living in the United States now for 50 years with an irreconcilable contradiction, irreconcilable. And that is why there is so much tension over this issue because there is a principle of logic called contradictions. And I want to read, I want to read this to you. The concept of a contradiction is very important to logic. In this lecture, we'll look at the standard logical definition of a contradiction and here is the standard definition. A contradiction is a conjunction of the form A and not-A, where not-A is the contradictory of A. So a contradiction is a compound claim. It has "and" in it where you're simultaneously asserting that a proposition is both true and false. Given the logic of, of the conjunction and the contradictory that we've looked at in this course, we see that the defining feature of a contradiction is that for all possible combination of truth values, the conjunction comes out false. Since the conjunction is only true when both of the conjunctions are true, but by definition, if the conjunct-- if the conjuncts are contradictories, they can never be true at the same time. OK, how does that apply to this? A and not-A cannot be true. It cannot be life and not life at the same time. Is it life, is it not life? And it's not-- it is-- that is, that is, that is true or not true. And if it is life, it deserves protection all the time. If it is not life-- well, I don't know what to say because it is life and that's what we're dealing with. And that has been the inherent conflict, the contradiction the United States has been dealing with for 50 years because on the one hand, sometimes we want to call it life. And on the other hand, we don't want to call it life. A and not-A cannot be true at the same time. I rise in support of this pull motion. Thank you, Mr. President.

**WILLIAMS:** Thank you, Senator Arch. Senator Matt Hansen, you're recognized.

**M. HANSEN:** Thank you, Mr. President. Colleagues, I will oppose the pull motion. I want to just reaffirm how atypical these are and they always, always, always go straight into a filibuster because they're in our most contentious rules. And I understand it's a motion under the rules. I think I've been consistent. I will be opposing it. While



we're already kind of talking about and justifying things that are available among the rules, I'm going to go off topic for just a minute and I apologize to do this in such of a significant debate as this. But this is looking at the queue and knowing what's on the agenda is going to be my last time to speak before the weekend. I would call upon this body for when the next time we do taxes to make sure it is not a surprise. There are tax packages that we can pass and there are tax packages that some of us want to work for and debate and discuss. But when you surprise us, don't show us amendments, throw them up at the last second, we can't get there. And my point with this, much like the pull motion, there are opportunities available to us under the rules to make sure we are not going to get surprised on taxes again, and that's something that I'm going to be working on. I have some sincere amendments to LB919. I have filed one just now that now includes Social Security to give that a path forward. Look at those. But again, don't surprise us in taxes and expect it to go well because you need to have a discussion. You can't call it a compromise when you don't work with the people who are opposing the bill. With that, Mr. President, I'll yield the balance of my time to Senator Hunt.

**WILLIAMS:** Senator Hunt, you're yielded 3:30.

**HUNT:** Thank you, Mr. President. Thank you, Senator Hansen. Why are we being asked to remove this bill from the Judiciary Committee? Why are we having this debate? So when you look at the bill, you look at this bill and you see that it bans abortion in nearly all circumstances if the Supreme Court or Congress allows the states to do so. So this means it will ban abortion if some other entity other than the Legislature, the Supreme Court or Congress pulls the trigger and allows the state to outlaw abortion. It's a hypothetical bill. It's a conceptual proposal, and it doesn't do anything if we pass it unless Congress or the Supreme Court says whether or not it will take effect. We are running out of time this session. We don't have time to take up the actual bills that are before us that will actually do things that impact Nebraskans that are not just conceptual ideas. You might as well introduce a bill that deals with property taxes on Mars. What other kinds of conceptual bills can we think of if Congress does something, then the Legislature will also do this. We could invent bills like that all day. What we need to do is deal concretely with issues that are affecting Nebraskans who are still recovering from this pandemic. You know that Arkansas is going to end up beating us. We ended up beating Arkansas for the most prison overcrowding and they're going to beat us to getting the emergency rental assistance too. All of the things that you people say you're pro-life, you want to do, you don't do anything to help people with their wages. You

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don't do anything to help people who are facing food insecurity or housing insecurity. And then when we get free federal money, basically, that we are contributing to as federal taxpayers, all of you say, oh, in Nebraska, we don't need that kind of assistance. Why don't we just give it to California? Why don't we give it to Iowa? Why don't we give it to South Dakota? Why don't we give it to New York? That is fiscally irresponsible, and it's also not pro-life. You're bragging about how tough you are and how tough and strong we are in Nebraska, that we don't have to help each other out with this stuff. But then when women make the life-- when women make the choice to bring life into this world, we turn our backs on them and we say, you're on your own. In Nebraska, we're strong enough to take care of ourselves. And if you're not, well, then you shouldn't have probably got knocked up. That's the attitude that you people on this floor have consistently when people are reaching out to us asking for help.

**WILLIAMS:** One minute.

**HUNT:** People who are alive, people who were born, and especially parents who chose to bring life into this world. I am a single parent and I have to listen to you people-- Senator Geist for one, Senator Albrecht for one, talk constantly about the problem with, with the lack of two-family households in this country. And how that's why our schools are going to crap and that's why people can't read is because they don't have two parents in the household. You guys intimate things like this all the time. Senator Ben Hansen talks about it. There is nothing wrong with my child and there is nothing wrong with any child that's been brought into this world with the love of a good parent. But we have bills all the time to help those parents raise their kids, and we turn our backs on them every time in this body unless we want to force somebody to have a baby, which is what you guys think is actually the most moral thing to do. This is a forced-birth bill.

**WILLIAMS:** Time, Senator.

**HUNT:** Thank you.

**WILLIAMS:** Thank you, Senator Hunt and Senator Matt Hansen. Senator Blood, you're recognized.

**BLOOD:** Thank you, Mr. President. Excuse me. Fellow senators, friends all, I actually stand against the pull motion and I do want to briefly address the bill because that's really what the pull motion is about. It really isn't about it being a priority bill and wanting to, to work around the process because we have that right to do so in the rules.

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It's, it's really about the underlying bill. And the issue that I take every single time this bill comes forward or a like bill comes forward is that much like when they just stood here on guns and on taxes, people stand up and say, if you vote against this gun bill, you don't support the Second Amendment. If you vote against this tax bill, you don't support property tax relief. We heard it on this bill. If you are pro-life, you have to support this bill. But what I never hear people say with at least one exception, is that if you don't like how a bill is written regardless of the topic, maybe you choose not to support the bill. I don't want to live in a police state. I don't want to live in a police state. And what we're doing with this bill and the last bill that we had that was like this is we are policing abortion through the process. We are encouraging people to snitch each other off. You can be pro-life. You can believe what you want to believe, that birth believe-- that, that life begins at conception or you can not believe that. But when did we become policy makers that we have to support every single bill based on the cause, not the content? That makes zero sense to me because, frankly, friends, you don't support-- when you stand here on this floor, you don't just support your values and your personal beliefs, but you support the values and personal beliefs of all Nebraska, at the very least, your district. We're allowed to not like the bill regardless of the cause. So I read the bill over and over and over again, and I found a bunch of red flags that I'm hoping that Senator Albrecht will take note of and address. I'm sure she's got lots of people helping her with this bill, so I'm sure she'll be able to come up with an answer. So I know the American College of OB-GYNs recommend standardized training on abortion care during medical residency. We know, we know we have a shortage of OB-GYNs in Nebraska. So during that residency, that's where medical professionals gain their on-the-job experience, right? We know that. But the number of residency programs located in states where hospital employees are prohibited from performing or teaching about abortion is what these bills seem to overlook. So if a medical candidate gets matched at a program in a state that has a trigger law like this one, what are they supposed to do? Because this is part of the accreditation process. Senator Albrecht, I believe Senator Linehan, and if I'm wrong, I apologize, I know Senator Geist had a connection. We talked one day about miscarriages on the floor. It was a very traumatic day. I think that was, like, my second or third year here. And the issue is, is that they learn these procedures so then they can go and practice and learn to do things--

**WILLIAMS:** One minute.

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**BLOOD:** --like clear the uterine lining after a miscarriage or end a pregnancy in demise that's causing hemorrhaging and killing the mother and other complications that can lead to maternal death. So the question that I have is that how can we cause more harm by trying to do good with how this bill is written? Again, I'm not asking for people to pontificate on whether they're pro-life or, or whatever they choose to call it. I'm asking you technically, how do we justify things like this, especially when we have a shortage of healthcare professionals here in Nebraska and across the United States? And this is one of several questions I'm going to have in reference to the technical part of the bill, Senator Albrecht. Thank you, Mr. President.

**WILLIAMS:** Thank you, Senator Blood. Mr. Clerk for items.

**CLERK:** Mr. President, amendments to be printed: LB596, LB723, LB729, LB730, LB853, LB873, LB917, LB927, LB984, LB1261, LR264CA, and LB919, all by Senator Hansen. That's all that I have.

**WILLIAMS:** Thank you, Mr. Clerk. Returning to debate. Senator Flood, you're recognized.

**FLOOD:** Thank you, Mr. President. Good afternoon, good afternoon, members. I rise in support of Senator Albrecht's M0159, the pull motion on LB933. I want to start out by laying a foundation about where I think our state is on issues concerning abortion. If you look at our record and if you look at who Nebraskans have elected to the state's top positions in this Legislature, we live in a pro-life state. This Legislature, if you look at our record and the bills that we've advanced and passed over the decades, this is a pro-life Legislature. This Legislature, back in 2001 with 44 votes out of 49, passed the state's first-- the nation's first ban on abortions at 20 weeks. What the state of Mississippi is considering now or has considered and passed and is under consideration by the U.S. Supreme Court, that effort started in Nebraska. And that effort started in reaction to a medical provider in Bellevue providing late-term abortions. The bill was LB1106 and it was the first time in the nation that any sovereign state was successful in drawing a line that said not after 20 weeks, and that the Nebraska Legislature finds that viability happens after 20 weeks. In the Mississippi case, it's 15 weeks, and that standard of viability and that state's rights issue will be decided later this year in the U.S. Supreme Court. And the reason I bring this up is to lay down the foundation that this Legislature has a significant investment in protecting the rights of the unborn through the laws that we've passed in this Chamber. This

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debate has been going on for 50 years. This is the 50th year. I'd argue that if the U.S. Supreme Court, in its ruling later this year, renders a judgment that respects the sovereign law of the state of Mississippi, we're likely to be here in special session dealing with this issue. Now I think it's important in this Legislature that we respect the rights of the minority on any given issue. That's why we have set a cloture standard at 33. And just a few moments ago this afternoon, 32 votes occurred on Senator Lindstrom's LB825, and I think it demonstrates the safeguards we have in place to protect Nebraskans from something that isn't really the will of the majority in the Legislature. While I'm not usually somebody fond of pull motions, this is an issue that has been tearing at the hearts of Americans since this law or since this decision, Roe v. Wade, was decided in 1972 [SIC]. This rises to the level of an issue that we must address. You might say to yourself, well, pull motions are extreme. Well, I would tell you, spending 16 hours on the budget on General File is especially extreme when there's almost 40 votes on cloture. I would tell you that it's extreme to spend 12 hours on Select File when there's more than 36 votes on cloture. Is X a Y for the purpose of Z?

**WILLIAMS:** One minute.

**FLOOD:** These rules exist for us to ensure the majority does its work. You may disagree on LB933, but at the end of the session when Nebraskans say, did you address the biggest issues in the state, the biggest issues facing Nebraskans, I think it's hard to argue this doesn't rise to the top given the environment that we're in and the possibility that this could be decided by the U.S. Supreme Court. That's why this pull motion makes sense. You may not be for LB933, but let's have the debate. Let's give members a chance to go on record. And let's answer this question for the people of Nebraska by voting for Senator Albrecht's pull motion and send the message to the rest of the state about where we stand on an issue that will become the biggest issue of this calendar year in America and in Nebraska. Thank you, Mr. President.

**WILLIAMS:** Thank you, Senator Flood. Senator Erdman, you're recognized.

**ERDMAN:** Thank you, Mr. President. Thank you, Senator Flood. Those were good comments. I appreciate it. In 2001, 1 of those 44 votes, the last name of that senator was Erdman. It was my son. This is a very significant issue. One of the things that we have not done, these are babies. We are killing babies. We protect dogs and cats more than we do babies. But it's a choice, right? It's a choice. What choice do you give the baby? What choice do they have? And we talk about, it's

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necessary healthcare, but we, we seldom take into consideration what happens to the women who had the abortion. It raises havoc with their mental capacity and their mental health. If you think that a woman kills their baby and can go on living without ever considering that person again, you're wrong. These are babies that we're killing, and they call it a fetus or they call it whatever they want, a glob of tissue. The point is, these are babies. I've been here for several pull motions, and I have voted for every one of them. Because every time we use a pull motion, it's because of the way the Unicameral is set up and the committee structure is constructed that significant issues like Senator Flood explained being a very significant issue the people of the state appreciate and support never gets out of committee. So those out there that are listening and you in here in the room that are listening and you think the Unicameral system is a great idea, you may want to rethink that. I will vote for this pull motion because it is the right thing to do, and when this bill passes, it'll protect babies. Thank you.

**WILLIAMS:** Thank you, Senator Erdman. Senator Morfeld, you're recognized.

**MORFELD:** Thank you, Mr. President. Colleagues, I rise in opposition of the pull motion for a lot of different reasons, and it's hard to know exactly where to start. So fundamentally, I think that the choice to have an abortion, as defined under Roe v. Wade, is fundamentally a decision between a doctor and a woman. So fundamentally that's what I believe. But that being said, there are many defects in this bill that are concerning, and I'm going to go through each one of them. And if I don't have enough time now, I'll, I'll punch in again and, and talk a little bit more. First, there is no rape or incest exception. There is absolutely no exception for rape or incest. And I think that that is horrible. Number one, I can't even imagine what that would be like to experience that, but then number two, to force a woman then to have that child is unthinkable. Second, there is contradictory language within this legislation. So first, it says: Notwithstanding any other provision of law, it shall be unlawful for any person to administer, prescribe, sell, or otherwise provide medicine, drug, or other substance with the specific intent of causing or abetting the termination of life of an unborn child. And then down in Section 5, it says: Nothing in Nebraska Human Life Protection Act may be construed to prohibit the administration, prescription, sale of a contraceptive, contraceptive measure, drug, or chemical if the contraceptive measure, drug, or chemical administered, prescribed, or sold in accordance of manufacturer's instructions and is not administered, prescribed, or sold to the use to abet the termination of the life of the unborn

child. Those are two very contradictory paragraphs, and we have very serious, very serious penalties for the healthcare provider in this, a Class II [SIC] felony, zero to 20 years in prison. And then people will say, oh, well, there's an affirmative defense for that physician if there's some type of thing that comes up that could threaten the life of the mother. Well, one, we haven't defined what reasonableness is in that circumstance because we haven't had a law like this. So you know what it's going to take, it's going to take a physician being charged with a serious felony who's having to make one of the toughest decisions in an operating room on whether to save the life of that mother. And then thinking in the back of their head, I might go to prison up to 20 years. Colleagues, wake up. This isn't just about pro-life or pro-choice. This is poor legislation. It is bad policy, and it is dangerous for the medical professionals that have to sit there while they have to make split-second decisions about whether to save the life of a woman and whether or not they're going to go to prison for 20 years. This is absurd, and this is the absurdity that leads to these binary choices; you're either pro-life or your pro-choice, you're either pro-death or you're pro-life. This is the absurdity of it, and we're all going to sit here and people are going to just vote for it because, oh, golly, I'll have to go back to my district and say I voted against the pro-life bill. And yet, we are going to be putting physicians and doctors who have to make life-and-death decisions in the position of wondering, oh, I hope a court finds this reasonable because if they don't, I'll go to prison for 20 years. I can tell you what that physician likely will err on the side of and that could mean the death of the mother, the death of the person that we say that we care the most about, along with potentially the death of that fetus or baby.

**WILLIAMS:** One minute.

**MORFELD:** And I will note that an affirmative defense can only be asserted after they've been charged. Colleagues, what bothers me about this is not only all of the legal deficiencies in this bill, and there are many, but also the hypocrisy of this. First, we restrict access to contraception, which this Legislature has done, and then we keep kids or we try to keep them ignorant on sex and then we ban abortion. And then we oppose all the supports necessary to make sure that these babies and these mothers and these families have everything they need to be healthy, everything from affordable healthcare to housing to food stamps. The hypocrisy is undeniable, and it is very disappointing. This bill has serious deficiencies. This bill will lead to mothers and, yes, even the unborn from being safe because doctors

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are going to be put in the position of looking at 20 years in prison if they--

**WILLIAMS:** Time, Senator.

**MORFELD:** --make the wrong choice. Thank you, Mr. President.

**WILLIAMS:** Thank you, Senator Morfeld. Senator Wishart, you're recognized.

**WISHART:** Thank you, Miss-- thank you, Mr. President, and thank you, Senator Morfeld, for having my back and having the back of a lot of women in this state. I rise in strong opposition to LB933. I fundamentally believe that women, women have the rights to their bodies, period. I will not vote for any legislation that undermines that right. That right that goes way beyond constitutional rights to just the basic understanding of what it means to be an individual living in a free society. Colleagues, this is a cynical, cynical view of women and one that is not realistic. If I were to poll every single person in this room-- you know what, if I were to poll every single person in this state-- you know, let's make it the world and ask who in your family is responsible for making the healthcare decisions to make sure those kids get to the hospital, make sure they get their yearly checkups? Frankly, who's even responsible making sure that pets get to the vet on time? I would guarantee you the majority of the people that are doing that in this world are women. Yet, we're the ones that need to have our rights taken away? We're the ones that are not responsible? The majority of single parents in this world are women. We didn't walk away. We stayed. Yet, we are the ones. Out of every one, out of every bill that we're expanding rights for this year, women, of all groups of people, are the ones that lose our rights. Wow. How cynical. How unfair. I have no illusions that this bill is not going to get pulled. I have no illusions that I will walk out of this session and my life and the life of my friends, my women friends and women family members are going to be less safe in this state. I have no illusions to that. But as a young woman who has to be a voice for the many women in this world, many who I wake up every day and read newspaper article after newspaper article of women's freedoms being destroyed around this world, I'll be a voice for them. Always a voice for them. I have never felt more-- I've never felt it is more important for me to be in this spot today than right now and all the young women that are counting on me to have their back and have their safety in mind. So I stand in strong opposition to LB933, to the pull motion, and I will be doing everything possible to make sure that



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women's rights are protected in this state because women's rights are human rights, colleagues.

**WILLIAMS:** One minute.

**WISHART:** Thank you.

**WILLIAMS:** Thank you, Senator Wishart. Senator Lowe, you're recognized.

**LOWE:** Thank you, Mr. President. I'm going to take just a second here for silence. That's the sound of the ultrasound after an abortion. Silence. The baby is dead. It's been said that the Judiciary Committee is not a pro-life committee. It is. It's a pro-life committee. Just this year, just a couple of weeks ago, we heard two bills on animal cruelty that came out of Judiciary. They came out 8-0. Every member of the Judiciary Committee voted in for-- voted for two bills that were against animal cruelty. LB933 and this motion to pull, MO159, is justice for the human babies. Justice for the human baby. Senator Wishart, I respect women's rights. I respect the, the women in this-- on this floor, but I also respect that little baby's life. LB933, it's a trigger bill. It doesn't do anything until the Supreme Court overturns Roe v. Wade. It's just a trigger bill. We should take it up now. If Roe v. Wade does not overturn-- or if the Supreme Court doesn't overturn Roe v. Wade, nothing lost by voting for this. But if they do overturn Roe v. Wade and we are in our interim session, how many of us want to come back for a special session? I've got summer plans, I've got fall plans. I don't want to be sitting here. We saw how cold it got in here in-- the other night. It'll be just as hot in here in the middle of summer. My emails were 3-1 in favor of this pull motion, in favor of LB933, 3-1, and those were from the constituents in my district. My district is a pro-life district. And the one, they were robo emails. They all look the same. They all came out of the same sending device. It was the personal ones that came from my constituents. Again, a moment of silence. Thank you, Mr. President.

**WILLIAMS:** Thank you, Senator Lowe. Senator Clements, you're recognized.

**CLEMENTS:** Thank you, Mr. President. I stand in support of MO159. I agree with the process and the rule that we have to place this bill on General File. I'm supportive of that rule. I want to thank Senator Albrecht for bringing the bill and for bringing the motion today. Our committee makeup varies. My committee has voted out bills onto the floor that I didn't like. I didn't want them here. But other committees have bill-- like the Judiciary Committee has members that

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didn't want this bill to move to General File. But there are some of the members of the Judiciary Committee that wanted this moved to General File. You've heard that the committee received 320 letters in support of approving LB933 to the floor. Similar to Senator Lowe, my emails from constituents the last couple of weeks have gone about 80 percent in favor of LB933. It's said that LB933 would hurt the most vulnerable women, but I disagree. I think it's saving and protecting the most vulnerable who are the children, and that abortion is a safe procedure. It might be fairly safe for the woman, but it's not a safe procedure for the child. And I've been thinking different times when we've been talking about the shortage of workers we have in Nebraska, around 50,000 worker shortage. Well, I asked my staff to look at the number of abortions we've had who now would be age 18 to 35 and eligible for the workforce. Our Chamber of Commerce continues to ask for more workers. And the number that we could have had at 18 to 35 is close to 50,000 available workers. So I ask for your green vote on the motion. I yield the rest of my time to Senator Jacobson.

**WILLIAMS:** Senator Jacobson, you're yielded 2:15.

**JACOBSON:** Thank you, Mr. President, and thank you, Senator Clements. I've got-- I'll have quite a bit to say once this bill does get pulled to the floor, but at this point, I'm in full support of the pull motion. I want to thank Senator Albrecht for bringing this important bill to the body and everyone who has spoken in favor of, of letting the Legislature talk about this. This is exactly what the motion does, is it simply pulls it to the floor. We're not debating right now the merits of the bill. We're talking about pulling it to the floor so that we can debate it. I, I am very empathetic with all of the arguments that are out there. I have a very unique story I can tell you. Obviously, you've heard part of it. I've lost a very premature baby boy 37 years ago. He was a live human being. He's buried in the cemetery at Lincoln Memorial. We go visit him on a regular basis. I agree with the comments that have been made. I'm also an adoptive parent of two children. I can tell you that there is a long waiting list of people more than willing to adopt these children.

**WILLIAMS:** One minute.

**JACOBSON:** I can assure you as well that abortion does kill. And I am, again, not pointing fingers, but I am also make-- would make the point that we have a lot of compassion for helping people, giving a lot of money to help people. We're even compassionate about letting people out of prison. We've heard the last two or three days nothing about-- all about how we should reform prisons, let, let convicted criminals

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get out of prison early. But we're OK on killing an innocent baby. I don't care how that baby was conceived. And I can tell you as an adoptive parent, I had no concern about the terms of, of how that child was conceived. It was a child, a child that a parent would be willing to love. And that's what we've done, and that's what many more will do. So thank you, Mr. President. Thank you, Senator Clements, for yielding the time.

**WILLIAMS:** Thank you, Senator Jacobson and Senator Clements. Senator Hilkemann, you're recognized.

**HILKEMANN:** Thank you, Mr. President. It's appropriate, Senator Jacobson, that I follow you because I am the grandfather of a beautiful 15-year-old girl who was born at 21 weeks at one pound and two ounces. You will never, ever tell me that these young babies don't want to live. The hours that I saw this young lady fight for her life and how long she was in the hospital was incredible, and she's turned out to be a wonderful human being. You mentioned adoption. My family volunteered for the nurturing connection. Nurturing connection connects women who find themselves pregnant without resources to deal with that pregnancy. Our pastor asked if we would take one of these persons into our home. That was over 30 years ago. The young lady went to an abortion center, her temperature was high, they said you have to come back next week. During the course of that week, she read a Reader's Digest article that talked about the nurturing connection. She called the 800 number. Instead of having an abortion the next Saturday, she was pulling into our driveway. She lived with us during the time of the conception of that baby. She continued her PhD program at Creighton University. She delivered that baby at Creighton University. This summer, that young lady graduated-- the baby that was born graduated with her MD from Washington University and got married. I have never not voted for a pro-life legislation, but when I read LB933, I went to introducer of that bill because I find it problematic. I find it problematic that we have-- we are threatening our physicians, well-meaning physicians with a felony. Senator Morfeld could not have said it better than my, my concerns about it. As a physician. We make decisions all the time. Fortunately, as a podiatrist, mine are generally not-- were generally not life and death, but I had to make some very quick decisions quickly. I never faced the fact that I could be charged with a felony for the decision that I made. The way this bill is structured, someone has to charge that person. Is that going to be the district attorney? Is that going to be the-- well, who's going to charge that person? And once they're charged with a felony, are they going to be able to continue to practice medicine? If you do malpractice, you can continue to practice

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while that malpractice case is resolved, but if someone charges you with a felony, you're done. There's not a hospital going to let you deliver. And I'm talking about well-meaning people. I'm not-- if this bill was strictly to wipe out the abortionists, I'd be all in. I'm concerned about the majority of doctors that deliver babies who want to do the very best for the baby and for the mother and for--

**WILLIAMS:** One minute.

**HILKEMANN:** --the family. I'm going to vote for this pull motion. But I am hopeful that during the process, if this pull motion is successful, Senator Albrecht, as I've tried-- as I mentioned to you earlier, I would like to see us work so that we-- our physicians are not threatened with a felony. We have a hard enough time getting physicians to practice in the state of Nebraska, believe me, if they had the choice to practice in a state that has this bill where they could potentially get charged with the felony lose a year or two years of their life even though they may be exonerated. That's an issue that I have for this bill, and I hope if the pull motion is successful, we can amend it so that I can enthusiastically support this bill on the floor. Thank you, Mr. President.

**WILLIAMS:** Thank you, Senator Hilkemann. Senator Jacobson, you're recognized.

**JACOBSON:** Wasn't sure you're going to get back to me. Thank you, Mr. President. Well, again, I asked for yield-- a first-- time to be yielded earlier because I wasn't sure I could get the time in here, but I do want to just reiterate a couple of things. I think Senator Hilkemann raised some points here. I think as you dig through the bill, you'll find that the concerns that he have are taken care of within the language in the bill. This bill is designed that there has to be intent, intent to kill the baby in order for you to be charged, intent to kill. It does not have anything to do with-- you can, you can do whatever you need to do to, to save the life of the mother. That's not intent to kill the baby. If you lose the baby along the way, that is not intent to kill. So I would encourage everyone to read the bill closely in terms of what that language is because I think there are safeguards in there. I'd have the same concerns about physicians being able to do their normal course of business and to protect the life of the mother all the way through. I'm very supportive of that, and I think the bill makes accommodations for that. I would just tell you again that this is not an issue of women's rights. This is an issue of saving the life of a living human being. That's what this is. No disrespect to women at all. Quite the

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contrary. I think it's been raised before the number of women that have gone through an abortion and who have thought about it and it haunted them the rest of their lives. If we're compassionate people, we should be thinking about those women as well, and we should think about all the lives that have been lost. And I think we're going to hear a lot of debate about these off-- the one-offs that could occur. And what about this and what about this? And we may get lost when we get into the debate. We may find that we can't see the trees for the forest because what ends up happening is there are thousands and thousands of abortions that are committed over a year-- over a period of time that are just elective. I decided I don't want to carry this child, so kill it. Has nothing to do with rape, has nothing to do with incest, doesn't have anything to do with anything like that. It's just that I decided I don't want to do this. And we've killed that life when there are plenty of people out there that would be more than willing to raise that child. That's where my concerns are at. That's where I think we have problems with the laws the way they run today. I'm very concerned about that. And I do-- I am concerned about women and how they deal with that. And I think we don't talk about that enough in terms of how they're haunted by that. I also think that all of this is incremental. I mean, we've already talked about situations where we have partial-birth abortion. Think about partial-birth abortion. We're delivering a child and we're killing it as it comes into the world. How does that even make remote sense? And yet we have people that will protect that. Where do we draw the line? Where does human life-- where does the sanctity of human life come into play, particularly among people who claim to care about people so much? They care about convicted criminals that we want to release onto the streets so they could potentially re-offend, but it's OK to kill an innocent baby. I don't get that. I don't get that logic. So with that, I'm going to stop and, and hope we get to the pull motion, get this on the floor so we can open debate. I would be willing to yield my time to, to the sponsor, Joni, if you'd like to take it from here, I'd yield my time.

**WILLIAMS:** Senator Albrecht, you are yielded 1:03.

**ALBRECHT:** Thank you, President, and thank you, Senator Jacobson.

**WILLIAMS:** One minute.

**ALBRECHT:** Yes. You know, I just want to get back to the pull motion. It's very important to understand that we're doing this not because we didn't get the bill out of committee. There were five people who chose not to vote for this bill in Judiciary. There were three that said

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yes. I thank Senator Brandt, I thank Senator Geist, and I thank Senator Slama for their support in the Judiciary Committee. Senator Lathrop, Senator Pansing Brooks, Senator Morfeld, Senator DeBoer, and Senator McKinney chose not to allow this to come to the floor for debate. This is a priority bill. I will tell you in my time, I have voted priority bills out. I feel that that's the right thing to do because you get your time on the floor to do what you need to do to get the message across and try to get the bill across the finish line.

**WILLIAMS:** Time, Senator.

**ALBRECHT:** Thank you.

**WILLIAMS:** Thank you, Senator Albrecht and Senator Jacobson. Senator Ben Hansen, you're recognized.

**B. HANSEN:** Thank you, Mr. President. Colleagues, good afternoon. I'll be brief here. I actually want to stick to the merits of the pull motion and then I'll yield the rest of my time to Senator Albrecht. And I think my colleague, Senator Flood, explained it very well about which bills qualify in his mind but I think in kind of the general thought of the, of the body of which, which bills qualify for pull motions, and there are ones that are contentious. There are ones that will get on the floor and probably get filibustered. There are ones that are sometimes divisive. But let's also not be naive with the idea that just because a bill isn't good enough to get out of committee, then we just have to work harder. Anybody-- everybody in this body knows how committee chairs work, committee-- and then for those who, who don't know who might be listening, because I-- being a committee chair, which I am one myself, is, is a very powerful position. And you do have the ability to hold a bill in committee and not take it to a vote, which happens pretty much in every committee every year. And from my understanding, that's-- from my opinion-- I don't know. I can't say for a fact-- that this is probably the case with this bill right here and especially with a priority bill. I'm also in line with my colleague, Senator Albrecht, that as a committee chair, if someone brings me a priority bill, I am going to take it to a vote. May not pass, but if they want me to take it to a vote, I will. And so I think this bill, LB933, which I am in favor of and the pull motion does warrant a pull motion. And so with that, I will yield the rest of my time to Senator Albrecht.

**HILGERS:** Senator Albrecht, 3:10.

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**ALBRECHT:** Again, thank you, Senator Hansen for the yielding of time. You know, again, it's, it's all about the committee setup like Senator Hansen had talked about. Some of our committees are not. I mean, some of them have eight people, some have seven. And when you have a committee that does not kick that many things out because we might have different ideologies or ways of thinking and each time a priority bill comes to the floor, it's because it means something to someone. You know, I don't care who in this-- on this floor, there have been many that I've pushed out of committee because they were a priority, but I let the person know that this isn't something that I can support. But because it's your priority, I'm going to, I'm going to let it out. I've been in committees where I've told other members and the Chair that, hey, this is their priority. We only get one. So again, I appreciate the Speaker taking this one on as his priority. And, you know, I might not even see my priority. There are many of us that won't see a priority on any of our bills, but the rules are in the book to be played. And it's very important that everybody understand that this particular bill is important. It is a trigger bill. It will only trigger if and when Roe v. Wade is overturned. So we have to take the time to, to think about that. I'm certain that everyone has concerns about the way the bill is written. We'll certainly address that when we get eight hours of debate when it gets to the floor. I've been very patient with a lot of the bills. I've worked very hard. My office staff has worked very hard. People in this building have worked very hard to get all of the bills that I introduced into committee and now we sit and wait. I was very patient waiting through the, the budget bill, not being able to talk about anything--

**HILGERS:** One minute.

**ALBRECHT:** --but what other people wanted to talk about. Our time is now to make a difference for the unborn by passing this pull motion to the floor for debate. We will talk about what we need to in this bill and we need to do this for the unborn. Thank you.

**HILGERS:** Thank you, Senator Albrecht and Senator Hansen. Senator Murman, you're recognized.

**MURMAN:** Thank you, Mr. Speaker. I think the pull motion has been discussed quite a bit here today. But I'll-- I know that's the reason-- that's what we're discussing right now. So I will mention that my time in the Legislature, I think there's been at least two pull motions done and both were successful. The committee process works very well in most cases, and I very much respect the committee

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process. But sometimes the committees are set up so they don't reflect very closely at all what the makeup is of the Legislature. And in that case, I think the pull motion is very valuable because the people of Nebraska need to know where their senator stands on the most important issues of the state and, and if a bill is held in committee and that committee doesn't reflect the Legislature or actually even the balance of the state, I think it's very important that the people need to know that their views are heard with, with the use of the pull motion. And that way it can be-- the bill can be debated out in the open and everyone will be informed and have a chance for input through their senator on which way the vote should be taken. I do have a couple of personal stories concerning abortion. Well, several, actually, but I'll save that pretty much for the next-- when, when this bill gets out of committee. But I will just mention, I've got a disabled daughter that's 34-years-old. Now you can test in utero for Rett syndrome and it would just be a disaster if someone would abort one of these beautiful babies because of the way it tested in utero. Also, my first granddaughter or-- yeah, my first granddaughter, my daughter knew early that the baby wouldn't survive to term and likely would make it to about five months. And that's exactly what happened, but she did carry it to term. And I'm proud of her for doing that. She, she, of course, knows about her younger sister. And if you respect life at all, I don't see how you can-- how can-- you can be so-called pro-choice. You're, you're really pro-death. Thank you, Mr. Speaker.

**WILLIAMS:** Thank you, Senator Murman. Senator Sanders, you're recognized.

**SANDERS:** Thank you, President and good afternoon, colleagues. Thank you to Senator Albrecht for bringing LB933 forward, and I support both LB933 and MO159. More importantly, I support the life of the baby, the unborn, the right of the unborn, who has no voice. On a very personal note, I have a blended family-- four boys, two girls-- all wonderful humans, young adults now, all had the opportunity to go to college if they chose. One chose medical school after college. He attended medical school and that went well, then four years of residency in pediatric anesthesiology. And then he chose two more years of a fellowship of anesthesiology for the unborn. Surgery that is done in utero. The baby in utero has its own anesthesiologist during surgery. Why? The baby in utero feels pain. Thank you, Mr. President. I yield the rest of my time to Senator Albrecht. And on behalf of the unborn, Senator Albrecht, thank you.

**WILLIAMS:** Senator Albrecht, you are yielded 3:20.



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**ALBRECHT:** Thank you, Senator Sanders and Senator Murman for your comments. These are very, very personal. I think everyone on this floor-- and believe me, we've heard it on all pro-life bills, the importance of life. I have my own story, but we've had too many late nights and I probably would get quite weepy. So I just want to tell you again, this is just about a pull motion. We will come to the floor for full debate on the bill. I know it's Friday afternoon, I'm standing between our vote and the ability to get this across, so I'll yield my time back to the President. I'm done.

**WILLIAMS:** Thank you, Senator Albrecht. You are next in the queue. You may continue.

**ALBRECHT:** OK. I'm not sure how much time, so we probably do have a few minutes. OK, I'm just going to go through a few things with you about again, we're, we're talking about the pull motion, not the bill. And again, I want to stress when we have rules in our Rule Book, that's what we go by. And, you know, with, with the Speaker, he gets to control a lot of things. He told many of us because believe me, we would have had more than just two pull bills, two pull motions if we would have had the time. We're all going to lose out on the time and ability to get our, our, our priority bills heard, not just consent agenda items, not just Speaker priorities, but we will leave here, many of us, without any work done. But you know what, we did the work that we could get done in a 60-day session so we should feel proud of what we get done when we leave. But what we do get done, we get done for Nebraskans. And this particular bill, we're going to get done for the babies, for the unborn, for the babies who have no choice in the situation. You know, again, I just want to say we, we need to spend the time with this bill just to, to understand that the pull motion is warranted, it is needed and it is something that I want to see get a green light today and very confident that it will. We just need to make sure that we get the time allotted to us in the next few weeks to get it across the finish line. So thank you.

**WILLIAMS:** Thank you, Senator Albrecht. Mr. Clerk for items.

**CLERK:** Amendments: Senator Friesen, LB8344 [SIC-- LB344]; DeBoer, LB919; Matt Hansen, LB283CA [SIC--LR283CA], LB864, LB1273, and LB1150. In addition, Mr. President, a study resolution, Senator DeBoer, LR367. That's all I have. Thank you.

**WILLIAMS:** Thank you, Mr. Clerk. Returning to debate. Senator Hunt, you're recognized.

**HUNT:** Thank you, Mr. President. Many of you have been very vulnerable today and have been very vulnerable in the discussion of this extremely personal and extremely controversial topic. And I want you to know that I, I realize how heartfelt that is. I don't laugh at that or scoff at that or judge that or disagree with that. But I want you to think about the thing that all of your stories have in common is choice. There was a choice. You talk about a woman who made the choice to bring life into this world and how happy you were for that, and that is the choice that I want for all women, what you want for yourselves. Senator Jacobson asked, where do we draw the line? Where do we draw the line with life and what life is and isn't? And, colleagues, honestly, that's kind of the function of law, right? That's what we're in here to decide. And this bill, LB933, does draw a line. It draws the line at fertilization. But this bill is very broad and it leaves things unclear. And Senator Hilkemann spoke about that a little bit, but one of the things that's unclear in this bill is what fertilization is. The Catholic Church defines fertilization differently than the medical community does. So how is the definition of fertilization going to be tested if we don't put that definition in this bill? Colleagues, this is once again a fundamental problem with the language in a bill that everybody feels very emotional about. If you're against the bill, you, you are going to be against it either way. If you're for it, you're going to be for it either way. And in that passion, we lose sight of the good language that we actually need to put into a bill to make it make sense, to make it legally feasible and to make it actually do what we want it to do. The definitions in this are unclear. Fertilization, what does that mean? It leaves it open to interpretation by the courts. So how are the courts going to test this? Well, a physician is going to have to be charged with a felony. If that happens, they won't be able to practice anymore. They'll be giving up their career. And again, as Senator Hilkemann said, the realistic outcome that we're going to see because of the passage of a bill like LB933 is that OB-GYNs in Nebraska are just going to become GYNs. The practice of obstetrics is going to be greatly reduced in Nebraska in a state where we already have so much need for healthcare providers. Because those physicians, when they have to make a decision, they're going to be weighing whether to do the best thing for their patient or to possibly risk going to prison and losing their license and being charged with a felony. Colleagues, even if they're charged with a felony and we have this affirmative defense that physicians can use that they were acting to save the life of the mother-- but when we don't define things like fertilization, which what is that? Is that when the sperm meets the egg is that when the egg is implanted? What is fertilization to you? Because there's,

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there's differing legal definitions, the medical community has a definition and the religious community has a definition. And when we're dealing with policy that is not black and white, those things have real-world consequences when there's a woman patient on the table and a doctor has to make a decision. Your feelings about abortion and life and death may be black and white. You may believe--

**WILLIAMS:** One minute.

**HUNT:** --for yourself when that life starts and that no matter what the circumstances of that fertilization, whatever the circumstances of that person's life, you're going to be against abortion. And that's fine. That's your choice. And that's what I support you to have is your choice. But the real world is not black and white. You go through things in life that make you realize that there's gray areas. There's reasons that we can't have it black and white and say, as soon as the sperm hits that egg, you can't do anything to that woman. That's not medically responsible, and it's not legally responsible for our state to put that burden on these physicians. Physicians aren't going to risk it. They're going to be treating a patient and they're going to have to go to court and defend their treatment of that patient. It's after the fact. So that, colleagues, is where we draw the line with this bill. We're not talking about abortions later in pregnancy. We're not talking about 20 weeks. We're talking about fertilization with this bill and that is a very black and white line to draw. Thank you, Mr. President.

**WILLIAMS:** Thank you, Senator Hunt. Senator Machaela Cavanaugh, you're recognized.

**M. CAVANAUGH:** Thank you, Mr. President. Thank you, Senator Hunt, for what you've said today. The people that have been speaking so far today in support of this bill and in support of this pull motion are the same people who did not support rental assistance from the federal government, who did not support extending SNAP benefits from Senator Hunt's bill, the same people that are not fighting for us to get Medicaid postpartum up to a year. Same people who say we need to trust law enforcement, but we can't trust women and we can't trust doctors. The same people who say don't take things personally, don't get emotional, getting emotional and making everything about this extraordinarily, painfully personal. This is personal. You are coming for me. Personally, me, my rights. Not some theoretical situation, me. You are coming for my rights. I am a state senator elected just like the rest of you and you are coming for my rights, my personal rights. My constitutional rights. You're not trying to minimize them or narrow

them, you're trying to take them away. And you don't even understand what you're doing. You don't understand reproductive health because nobody in here is an OB-GYN. You don't understand the complications and the pitfalls of what you are doing. All you understand is that you have an ideology and that's enough for you. It is not enough for me. It is not enough for me to take away any female in this room's rights because of my ideology. We need to ensure that families have access to housing, to food, to healthcare, to education. But we can't do those things because you all think that it's a handout or a hand-up or I don't even know what the-- I don't know what you think it is, but it's supporting families and you want women to feel like they can have a baby with developmental or physical disabilities, severe disabilities, but they-- we can't pay for that. We can't help that mother take care of that child because I think somebody here once said, well, they'll be flocking here from Iowa. If we have too many benefits for disabled kids, they'll be flocking here from Iowa. Well, please flock here from Iowa. We lack a workforce, apparently because of our taxes, not because we have horrible policies for young people and for women. Flock here from Iowa, please. The ethics and the morality behind everything is skewed. And I challenge any of you who think that there is no reason for any woman to need this. Well, some of them aren't women. Some of them are 12-year-old kids who are raped by their father.

**WILLIAMS:** One minute.

**M. CAVANAUGH:** And you want that 12-year-old kid to carry that to term so somebody can adopt that baby. And that 12-year-old will never be able to have children again because she wasn't physically ready and her body won't do it again after that, which happens when you force a 12-year-old to give birth. But I'm glad that somebody will adopt that baby, no matter how it came into this world whether it's incest, rape, what have you. Who cares about that child, that child, that child of God. This takes away that child's right to live her life. And it was taken away by a man, and it'll be taken away by the men and the women of this body, and it sickens me to my core. Thank you.

**WILLIAMS:** Thank you, Senator Cavanaugh. Senator Pansing Brooks, you're recognized.

**PANSING BROOKS:** Thank you, Mr. President. So I stand against the pull motion. I've been against pull motions before, but that's really beside the whole point. I, I stand for a woman's right to her bodily autonomy. In the late '90s-- in the late '80s, I was elected as the Chair of the Lincoln Lancaster Republican Party. The Lincoln Lancaster

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Republican Party elected me as their cochair. And while I was cochair and elected to that position, I was Chair of the Lincoln Lancaster Commission on the Status of Women, a mayoral appointment, and I was on Planned Parenthood board. The Lincoln Lancaster County Republican Party elected me as cochair of the Republican Party while I was on Planned Parenthood board. And now it's becoming this big thing, we're going to try and play catch you. Well, there's nothing to catch me on. I'm pro-choice and we did vote this out of committee, Senator Hansen. What? We voted no, but yes, we did vote on it. So Senator Hansen said we didn't vote on it. We did vote on it. Senator Albrecht recounted the vote. What we didn't do was IPP it because we were having a good day, because I don't know what, but we did it out of courtesy to Senator Albrecht to let her pull this out. And we felt she was going to get the votes anyway. So you can slam us all you want. You can say we're a committee that doesn't care about people's priorities. You're just wrong. You're wrong. So this is an outright ban on abortion, forcing people who need procedures to delay care or to travel hundreds of miles to another state or to carry a pregnancy against their will. One of the senators said a moment ago, thousands of these are elective. Thousands of these abortions are elective. They're using them as, as birth control. Really? You think people are using abortion as a birth control measure? Those statements show how out of touch you are with this and how out of touch with a woman's body you are. If I sound strident on this, I have a 25-year-old daughter and you bet I'm going to fight for her healthcare rights and her bodily autonomy and her ability to make her decisions with her physician and her pastor if she chooses, but not with the rest of you. You do not get to go into that medical room and decide what's best for my daughter in her life. Or if my daughter had been raped at 12-years-old by a neighbor, you do not have the right to walk into that medical room and say, no. Avary, you must carry that. You must go forward and walk through a school as a nine-month pregnant 12-year-old because we say that's what you're going to do. How cruel, how twisted of you to put that into a bill and demand that a child who's raped, a child who's experienced incest must go forward and carry it to term. Here we talk about, about fertilization. In my mind, Senator Hunt may be right. It's confusing.

**WILLIAMS:** One minute.

**PANSING BROOKS:** My understanding of a fertilization is when the egg and the sperm meet. You know what? Let's start, let's start bringing in the laws about the men. Let's put them all on different kinds of birth control and put them in charge of carrying the baby. They need to be the ones responsible for all of this, paying for the child, having the child, birthing the child out of the womb, stretching the

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body. I, I was calm thinking about this. When I think of those 10-year-old babies or 12-year-old babies that you are forcing to have a child because it makes you uncomfortable that a child raped might choose another path, that their family might choose another path, a child, it's cruel. It's twisted, and it's unconstitutional. Thank you, Mr. President.

**WILLIAMS:** Thank you, Senator Pansing Brooks. Senator Vargas, you're recognized.

**VARGAS:** Good afternoon, colleagues. I rise in opposition to the pull motion. You know, I think there's a good reason that the Judiciary Committee didn't advance this bill out of committee. I think it has a lot more to do with that we're on shaky legal ground of the bill and less to do with actual healthcare policy issue at hand. But aside, even if it's just that, reading this letter from the Nebraska Medical Association, where we often are listening to experts on different fields and hearing the Nebraska Medical Association advocating for physicians and health of all Nebraskans, also is expressing their opposition to this is the reason why I rise. I don't want to spend a lot of time here, but I think what's most important here that Nebraska women should know is that they do have another person fighting that I'm here. Put simply, I agree with the Supreme Court of the United States of America that politicians don't belong in doctors' offices making these medical decisions. I've said this before: women should make these decisions that are best for them with their doctors. And I'll continue to stand up for that very basic human right because at the end of the day, we're trying to be as informed legislators as possible and listening to the experts and also listening, listening to women about these decisions is the right thing to do. With that, I'll yield the remainder of my time to Senator Hunt if she'll have it.

**WILLIAMS:** Senator Hunt, you're yielded 3:18.

**HUNT:** Thank you, Mr. President, and thank you, Senator Vargas. Folks today have outlined myriad reasons why LB933 isn't the right type of policy for us to be debating this year. We don't have time. We don't physically literally have time in the session to go through this type of thing with all the other issues pressing us as Nebraskans. It's disrespectful to the committee process. We're passing more and more legislation in this body with pull motions because it's the only way that the conservative far right can end up getting these conservative far-right policies passed. And I think that's something that would be worth looking at with the rules. If a bill gets 25 votes to pass that's brought out of committee that completely circumvents the

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committee process, maybe it should have to get 33 votes instead of 25. If it's popular enough to subvert the committee process, then it should be popular enough to beat cloture, right? Maybe that's the standard we need to be rising to if that's going to be the way that we're passing legislation. Why have the committee process at all? I'm sure a lot of us would like to have our afternoons back even though that would be ignoring the hundreds of Nebraskans who made their voices heard on this issue and on countless reproductive justice issues over the years. Look up in the balcony at all of these women and people who came to listen to this debate. Many of these people are folks who, who bothered to come from all over the state to share their testimony on this bill about why this wouldn't be the right thing for them and their families. And now they're here today to watch over us as citizens as we make decisions that affect their lives. That's something that you don't see on a lot of bills because it really matters to people. Also, this bill has problematic language. It's unclear what fertilization is. It's unclear what kind of liability physicians are going to have--

**WILLIAMS:** One minute.

**HUNT:** --because it was put together without legal concern for those kinds of questions. And this is not to say that the bill is not dangerous in itself, it certainly is. The effect of this bill passing would ban abortion in every circumstance, including rape, including incest, including fetal anomalies, and including the life of the mother. I know there's this affirmative action defense in it that claims that it's an affirmative defense for the prosecution if the abortion care was for a woman's health, but that is a very narrow island of safety for those people who seek reproductive healthcare and for the physicians who have to make these decisions. It's too far. It's too much. And this is only going to happen if the Supreme Court overturns Roe v. Wade. It doesn't do anything to assure medical professionals in Nebraska and it's a criminal law.

**WILLIAMS:** Time, Senator.

**HUNT:** Thank you, Mr. President.

**WILLIAMS:** Thank you, Senator Hunt and Senator Vargas. Senator DeBoer, you're recognized.

**DeBOER:** Thank you, Mr. President. It has been my practice throughout my time in this Legislature to not vote for a pull motion. I will

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continue with that tradition and I would yield the rest of my time to Senator Hunt.

**WILLIAMS:** Senator Hunt, you're yielded 4:45.

**HUNT:** Thank you, Senator DeBoer. A lot of times when we're talking about a hypothetical type of thing that we are passing a bill for, Senator Ben Hansen brought up the daylight savings time bill, saying that if Congress passes this bill, you know, saying that states can choose not to observe daylight savings time. And if three neighboring states pass the same bill that we have, then Nebraska will no longer observe daylight savings time. That's also the kind of thing that can be passed with a resolution. It's the kind of thing that you can-- you know, like the Convention of States resolution. These are things that we can say if these types of things happen, if a number of states decide to do something, then Nebraska will resolve to do the same thing. But that's not what LB933 is. It's an actual change to criminal statute. It's creating a crime of providing healthcare. It's going to telegraph a message to OB-GYNs, and it's going to send OBs out of state. The terms are not medically defined at all, and it's a criminal statute that's trying to elbow its way into the medical profession. I talked to so many of you off the mike, and I'm not going to say who because I'm still working on some of you. But I talked to so many of you off the mike when we were debating the method ban, LB814, a couple of years ago that banned the process of dilation and evacuation, which is an abortion method. And so many of you said to me, Megan, you know, you know, I don't believe in this stuff. And you didn't say stuff, you said a different S-word. Many of you. Not just one of you. You know, I don't believe in this stuff, but my constituents do. And to that, I would say, I don't even think that's quite true. We have very loud, very vocal, you know, anti-abortion contingencies in Nebraska, but that's actually not most Nebraskans. That's not most constituents. But again, putting that aside, many of you, like six of you, have said, I don't believe in this stuff, but it's what my constituents believe and you know I have to do it. You know the political pressure we're under and you know we have to do it. And with the method ban, you would say, look, they could still get abortions. There's still these exceptions for the life of the mother. So you kind of give yourself this out and you feel like this is going to be an OK thing to vote for because it's not actually going to end up hurting anybody. That's going to be true to an extent, but when we start going with something like LB933, colleagues, it just goes too far. No exception for rape. No exception for the life of the mother. No exception for incest. And physicians seeing that they can be charged with a Class IIA felony if they are charged with violating this act. And colleagues, even if they're



charged, they're no longer going to be able to practice medicine. So for this law to be tested in court, no physician is going to take that risk. It's going to put women in danger. It's going to put the unborn children that they want in danger. There will be many wanted pregnancies that are put in danger because of this law because it ties physicians hands and it prevents them from putting in place the best care for their patients. And that's where legislatures continue to go too far. There are many debates that we can have about contentious moral issues; sex education, for one thing. You know, the reason a lot of people have confusion--

**WILLIAMS:** One minute.

**HUNT:** --about when fertilization is, is because we aren't taught that. It's too prurient, it's too inappropriate to teach children the sex education and these things about their bodies. Not just children, when you say children, you think of, like, a 6-year-old, I'm talking like a 16-year-old. We have a problem in our legislatures of legislating morality. But when that legislation of morality gets to the point where we're actually standing in the way of science in a way that puts people's lives in literal danger, when it comes to a physician who has his hands tied or her hands tied from doing what they know is best for their patient, that's when the moralizing and the hypotheticals and the little ideas have gone too far. You're going to see that reflected in our population in this state. We know that if this bill passes, Nebraska is going to be less safe for women, for mothers who already have children, for their families.

**WILLIAMS:** Time, Senator.

**HUNT:** Thank you, Mr. President.

**WILLIAMS:** Thank you, Senator Hunt and Senator DeBoer. Senator Blood, you're recognized.

**BLOOD:** Thank you, Mr. President. Fellow senators, friends all, as it stands now, I'm still against the pull motion and had hoped that Senator Albrecht would actually answer my question that I said well over an hour ago. I know that the, the message is that we should be able to debate the bill and the content of the bill once we get it out onto the floor. But if I'm going to support a pull motion, I need to know that that bill is a viable bill. With that said, I would ask that Senator Lowe please yield to a question.

**WILLIAMS:** Senator Lowe, would you yield?

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**LOWE:** Yes.

**BLOOD:** Senator Lowe, I just want to clarify, did, did I hear you correct when you said you asked for a moment of silence, which was a very kind thing to say, because when an ultrasound was, was being used on an, an aborted womb that there was no sound? Is, is that something you believe?

**LOWE:** That was to represent there no longer being a heartbeat.

**BLOOD:** OK. Are you aware that-- how an ultrasound works, what the, what the premise is for an ultrasound? And it's OK if you don't. I mean--

**LOWE:** No.

**BLOOD:** OK, because it's not like you-- I mean, you've actually likely had someone at some time or another if you had any mental-- excuse me, physical issue, not mental. I apologize. So it works with sound waves. You know, kind of like a submarine, right? Works with sound waves and it bounces off what's, what's there internally in your cavity. So I, I just want you to be aware that when indeed there is an ultrasound, if there is not a fetus in there, if there's, if there's nothing in there, there's still organs in there. So it still makes a sound. So I, I understand that you were trying to, to bring to light how sad you felt that it was. But I just want to make sure that-- and we've had this discussion before and I'm trying to be kind. When it comes to women's bodies, especially, we need to make sure that when we stand up and we talk about the premise, when we talk about how things work, that we don't put out incorrect information. So I'm not trying to school you, I'm just trying to share a thought with you, Senator Lowe. So thank you for, for talking to me about that. So again, I'm going to go back to my concern about the bill and why I can't support a pull motion. And, and Dr. Hilkemann, we always forget he's a doctor, right, had said it very clearly. This puts us in a police state. This puts a doctor in an awkward position. This really isn't whether you're pro-life, pro-choice or what other labels you choose to use. This is about whether we're going to support good or bad legislation. Senator Morfeld did a really good job of walking us through how there are many issues within this bill, and this bill is based on bills that have been done nationally. So we're being told that maybe we can fix these things, but if we fix the things that really make this a bad bill, the bill will no longer do what they want it to do. So I don't have hope that the bill is going to be fixed if we do let it out for debate. But, but here's what I know is that we have a long list of bills that

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pertain to abortion in Nebraska creating hurdles and making it harder for women, which is apparently the goal. And I'm not sure we need ones that create more problems for our physicians. And by the way, I don't know if you know this but OBGYNs already pay four to five times more than other doctors do for their liability insurance. So on top of making it hard for people to get accredited if they were to come to Nebraska because of a law--

**WILLIAMS:** One minute.

**BLOOD:** --like this, they would also have higher liability insurance. They would also not be able to get reimbursed by insurance because they weren't accredited because they couldn't get accredited because we started a bill like this here in Nebraska. So, you know, we talk about shortages in healthcare, but yet, gosh, we've done so many things to make sure that those shortages get bigger and broader and harder. So, you know, I'm not going to get into this us versus them pro-life, pro-choice. You know, we're trying to label people. What I'm getting into is, is either good policy or bad policy. It's bad policy. And that's why I'm here is to make sure that good policy gets passed that truly helps Nebraskans. And I'm really sad that we've had to politicize something like this because it should never be about politics. Thank you, Mr. President.

**WILLIAMS:** Thank you, Senator Blood. Senator Albrecht, you're recognized.

**ALBRECHT:** Question.

**WILLIAMS:** The question has been called. Do I see five hands? I do. The question is, shall debate cease? All those in favor vote aye; those opposed vote nay. Record, Mr. Clerk.

**CLERK:** 26 ayes, 3 nays to cease debate, Mr. President.

**WILLIAMS:** Debate does cease. Senator Albrecht, you're recognized to close on your pull motion.

**ALBRECHT:** Thank you. And I will just ask for a green light on the motion to pull and to move on to LB933, and I'll waive and call of the house and roll call in regular order.

**WILLIAMS:** There has been a request to place the house under call. The question is, shall the house go under call? All those in favor vote aye; those opposed vote nay. Record, Mr. Clerk.

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**CLERK:** 34 ayes, 2 nays to place the house under call.

**WILLIAMS:** The house is under call. Senators, please record your presence. Those unexcused senators outside the Chamber, please return to the Chamber and record your presence. All unauthorized personnel, please leave the floor. The house is under call. Members, all members are present. The question is the adoption of MO159. There's been a request for a roll call vote in regular order. Mr. Clerk, call the roll.

**CLERK:** Senator Aguilar. Senator Albrecht voting yes. Senator Arch voting yes. Senator Blood voting no. Senator Bostar voting no. Senator Bostelman voting yes. Senator Brandt voting yes. Senator Brewer. Senator Briese voting yes. Senator John Cavanaugh voting no. Senator Machaela Cavanaugh voting no. Senator Clements voting yes. Senator Day. Senator DeBoer voting no. Senator Dorn voting yes. Senator Erdman voting yes. Senator Flood voting yes. Senator Freisen voting yes. Senator Geist voting yes. Senator Gragert voting yes. Senator Halloran voting yes. Senator Ben Hansen voting yes. Senator Matt Hansen voting no. Senator Hilgers voting yes. Senator Hilkemann voting yes. Senator Hughes voting yes. Senator Hunt voting no. Senator Jacobson voting yes. Senator Kolterman voting yes. Senator Lathrop. Senator Lindstrom voting yes. Senator Linehan voting yes. Senator Lowe voting yes. Senator McCollister. Senator McDonnell voting yes. Senator McKinney voting no. Senator Morfeld voting no. Senator Moser voting yes. Senator Murman voting yes. Senator Pahls. Senator Pansing Brooks voting no. Senator Sanders voting yes. Senator Slama voting yes. Senator Stinner not voting. Senator Vargas voting no. Senator Walz. Senator Wayne voting no. Senator Williams voting yes. Senator Wishart voting no. 28 ayes, 13 nays, Mr. President, to--

**WILLIAMS:** The motion is adopted. Mr. Clerk for items. Raise the call.

**CLERK:** Mr. President, Speaker.

**WILLIAMS:** Speaker Hilgers, you are recognized.

**HILGERS:** Thank you, Mr. President. Good afternoon, colleagues. Just before we head into the weekend, in light of the debate on LB825 this morning, I had initially announced this morning we were going to do LB919, which is the tax cut bill. But because of the debate today, I don't think you should expect that to be up on Monday. That being said, we'll be meeting in my office to figure out exactly what will come up and just please look for the agenda. But I just wanted to at

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least make you aware that that was likely to not come up on Monday.  
Thank you, Mr. President.

**WILLIAMS:** Thank you, Speaker Hilgers. Mr. Clerk for items.

**CLERK:** Mr. President, an amendment, Senator Morfeld to LB933 to be printed. And a resolution, Senator Machaela Cavanaugh, study resolution, LR368. That will be laid over. Senator Lindstrom would move to adjourn the body until Monday morning, March 28, at 9:00 a.m.

**WILLIAMS:** Members, you've heard the motion to adjourn until Monday morning at 9:00 a.m. All in favor say aye. Opposed say nay. We are adjourned.