

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate September 22, 2021

FOLEY: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the eighth day of the One Hundred Seventh Legislature, First Session-- Special Session. Our chaplain today is Senator Erdman. Please rise.

ERDMAN: Thank you, Lieutenant Governor. Good morning. Let us pray. Father, we thank you for this opportunity to come and meet in this place this morning to do the business of the state. We also thank you this morning that we have the assurance, knowing that Jesus came to die on the cross to pay for our sins, and we thank you for that. We also thank you for the fires that have been extinguished in my district and in the western part of the state. Be with those who responded, the first responders and those firefighters. We appreciate their service. Bless them and their families. We thank you for the seasons that you've created and we thank you for this first day of fall, and fall reminds me of a completion of the task of getting things done. And so today I pray that the task of redistricting would be completed, that it would be pleasing to you and be beneficial to the people of the state of Nebraska. Give us wisdom, because your word says if anyone lacks wisdom, we should ask of you. So we pray that you would share that with us so that we can accomplish our purposes. And we thank you, Lord, that all 49 of us are here and healthy. We appreciate your blessings upon us. We ask all these things in the name of Jesus. Amen.

FOLEY: Thank you, Senator Erdman. I now recognize Senator Lindstrom for the Pledge of Allegiance.

LINDSTROM: Please join me in the Pledge of Allegiance. 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.

FOLEY: Thank you, Senator Lindstrom. I call to order the eighth day of the One Hundred Seventh Legislature, First Special Session. Senators, please record your presence. Roll call. Mr. Clerk, please record.

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

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

ASSISTANT CLERK: I have no connections this morning.

FOLEY: Thank you, sir. Any messages, reports, or announcements?

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ASSISTANT CLERK: Mr. President, one item. I have a report from the Education Committee regarding the appointment of Technical Advisory Committee for Statewide Assessment. That's all I have this morning.

FOLEY: Thank you, sir. Speaker Hilgers.

HILGERS: Thank you, Mr. President. Good morning, colleagues. I wanted to give you a brief update before we start our day today. I appreciate all the response yesterday from my comments. No one likes a deadline, especially if not meeting that deadline means what we all know it will mean if coming back in January, which I will reiterate and be explicit about. I know everyone, most of all me, does not want to do that. The reaction yesterday, I think, was incredibly positive. I had a number of people in my office working through, having a lot of conversations. A number of senators, including the leadership of the Redistricting Committee, worked late into the night yesterday to make-- and I think made significant progress. Today is going to be a critical day. I've asked the Redistricting Committee to meet in my office as soon as we adjourn. And we're going to use every minute and every hour wisely and efficiently, today through tomorrow, to try to reach an agreement and get this accomplished. My goal currently, to make the body aware, is to have the congressional legislative maps on the floor for Friday. That is my current goal. Whether we can meet that or not, we built-- we have a day built into the schedule if we have to go to Saturday. I want to avoid that at all costs. My goal is to come in on Friday. As soon as we have those, if we are coming in indeed on Friday, I will let the body know immediately and have maps available for everyone. But I will tell you today you should expect every member of the Redistricting Committee or you should, every senator, I should say, will have a communication from a member of the Redistricting Committee, and you should be in contact and they will be in contact with you so that you can be up to date and informed of exactly what we're doing. I want to avoid as many surprises as we can. I again, am very appreciative of the grace that's been shown to this process. I know it's been very frustrating for many people, myself included. The circumstances of the timing of the Census Bureau data has made this very difficult. And I'm just asking for a couple more days of patience and hard work and cooperation. And if we do all those things, I'm very confident that we'll get across the finish line. Thank you, Mr. President.

FOLEY: Thank you, Mr. Speaker. Pursuant to the agenda, legislative confirmation reports. Mr. Clerk.

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ASSISTANT CLERK: Mr. President, the first report this morning from the General Affairs Committee is three appointees to the Commission on Problem Gambling.

FOLEY: Senator Briese, you're recognized to open on the confirmation report. First of four, I believe.

BRIESE: Thank you, Mr. President. And good morning, colleagues. The General Affairs Committee held a confirmation hearing on September 15 and heard the testimony of six individuals to three different commissions. First, there are three individuals for your consideration being appointed to the Commission on Problem Gambling. First, we have Paul Leckband is being reappointed to the commission. He has served on the commission for 10 years. He spent 40 years in education and his mission as a commissioner is also education, making sure the providers they contract with know and understand the rules and regulations that are in place to provide the best help possible to their clients. Second, we have Todd Zohner being reappointed to the commission. He has completed one four-year term. He has a good deal of experience working with individuals who suffer with problem gambling, even with members of his own family. He has enjoyed serving on the commission thus far and feels this program is very needed. He feels the commission is making progress in connecting with more people who have a problem with gambling and that their programs are effective. Third, Dan Volnek is a new appointee to the commission. Dan is one of the two members of the commission who is a recovering gambling addict, as is required in statute. He never personally sought out the services of the commission when he was gambling. But this-- but his personal treatment provider is also a contracted service provider to the commission and is the one who recommended his name for the appointment. He feels the commission is very important, as there are so many more opportunities for gambling now than there were 15 years ago and more people struggle with addiction. I'd ask for your vote and your support to confirm these individuals for the Commission on Problem-- Problem Gambling. Thank you, Mr. President.

FOLEY: Thank you, Senator Briese. Debate is now open on the first of four confirmation reports from the General Affairs Committee. I see no members wishing to speak. Senator Briese, you're recognized to close. He waives closing. The question before the body is the adoption of the first of four confirmation reports from the General Affairs Committee. Those in favor vote aye; those opposed vote nay. Have you all voted who care to? Record, please.

ASSISTANT CLERK: 37 ayes, 0 nays on the adoption of the report.

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FOLEY: The report is adopted. Senator Briese for your second report. Mr. Clerk, do you want to read that first?

ASSISTANT CLERK: Mr. President, the next report from General Affairs Committee is Shane Greckel to the State Racing and Gaming Commission.

FOLEY: Thank you, Mr. Clerk. Now, Senator Briese.

BRIESE: Thank you, Mr. President. Shane Greckel is being reappointed to the Nebraska Racing and Gaming Commission. He was first appointed in 2020 to fill out the remainder of a term that had been vacated. He has a lifetime of experience in the equine industry and has been educating himself extensively on the voter initiative from 2020 and on-- also on LB561, which was passed earlier this year. He wants to ensure the will of the Legislature and the will of the voters is implemented. But he wants to proceed with caution as gambling is a new industry in our state. He is hopeful the casino revenue will help to revitalize horse racing in Nebraska, and he feels the role of the commission is to regulate, set precedent, establish safety standards, and grant licenses based on qualifying criteria set forth by the commission. I'd ask for your support in confirming Shane Greckel to the Nebraska Racing and Gaming Commission. Thank you, Mr. President.

FOLEY: Thank you, Senator Briese. Debate is now open on the report. Senator Kolterman.

KOLTERMAN: Good morning, colleagues. I rise in support of Shane Greckel's reappointment to the General Affairs Committee or to the Racing Commission. I've known Shane for a long time, and he's-- he's a level-headed thinker. I think he'd really do a good job on that committee. And he has a strong interest. He's already reached out to me to visit with things about, well, what-- what are your thoughts about this and that about these new racetracks and things of that nature, open-minded individual. I'd encourage you to support this. Thank you.

FOLEY: Thank you, Senator Kolterman. Senator Erdman.

ERDMAN: Thank you, Lieutenant Governor. I was wondering if Senator Briese would yield to a question.

FOLEY: Senator Briese, would you yield, please?

BRIESE: Yes.

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ERDMAN: Senator Briese, thank you. So what are the qualifications to serve on this committee, on this commission?

BRIESE: Qualifications? I would-- the new appointees, there was some statutory language outlining their qualifications, required qualifications. The existing members of the commission, such as Mr. Greckel, I don't know if there really are any statutory qualifications.

ERDMAN: OK.

BRIESE: Simply common sense, good judgment--

ERDMAN: All right.

BRIESE: --and possibly some experience in the industry would be helpful.

ERDMAN: So would there be any requirement that they've been involved in the industry at all in the past?

BRIESE: I don't think so. I'd have to look at the statute to be certain. But this particular appointee, I don't believe there is any requirement.

ERDMAN: So he's-- he's a current commissioner now. He's on there now?

BRIESE: Yes.

ERDMAN: OK, thank you.

FOLEY: Thank you, Senator Erdman. I see no further discussion. Senator Briese, you're recognized to close. He waives closing. The question before the body is the adoption of the report. Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

ASSISTANT CLERK: 34 ayes, 0 nays on the adoption of the report, Mr. President.

FOLEY: The report is adopted. Third report, Mr. Clerk.

ASSISTANT CLERK: Mr. President, the next report relates to Tony Fulton to the State Racing and Gaming Commission.

FOLEY: Senator Briese.

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BRIESE: Thank you, Mr. President. Tony Fulton is a new appointment to the Racing and Gaming Commission. He has been appointed to fill one of the two new seats that were created by the voter initiative in 2020. He currently is a director of the Nebraska Department of Revenue and has experience working with the lottery and charitable gaming divisions of that department. Director Fulton is also familiar with the Gamblers Assistance Program as it is housed under the Department of Revenue. He is an advocate for moving ahead with gambling slowly and with caution because he wants everything to be done right. But he also feels that the voters have spoken and the commission will respect that and that nothing should be held up because of one's personal position on gambling. I would ask for your support in confirming Tony Fulton to the Nebraska State Racing and Gaming Commission. Thank you, Mr. President.

FOLEY: Thank you, Senator Briese. Discussion is now open. I see none. Senator Briese. He waives closing. The question before the body is the adoption of the third confirmation report from the General Affairs Committee. Those in favor vote aye; those opposed vote nay. Have you all voted who care to? Record, please.

ASSISTANT CLERK: 37 ayes, 0 nays on the adoption of the report, Mr. President.

FOLEY: The report is adopted. Fourth report, Mr. Clerk.

ASSISTANT CLERK: Mr. President, the next report from General Affairs Committee is for Kim Lowe to the Nebraska Liquor Control Commission.

FOLEY: Senator Briese.

BRIESE: Thank you, Mr. President. Kim Lowe is a new appointee to the Nebraska Liquor Control Commission and has been serving since June. She has been in the liquor industry for many years, but changed businesses five years ago when Senator John Lowe was first elected to the Legislature. She has a very different perspective than anyone else on the commission and understands the pros and cons of the three-tier system we have in Nebraska that deals with the manufacture, distribution, and retail sale of alcohol. I would ask for your support in confirming Kim Lowe to the Nebraska Liquor Control Commission. Thank you, Mr. President.

FOLEY: Thank you, Senator Briese. Debate is now open. I see no members wishing to speak. Senator Briese, you're recognized to close. He waives closing. The question before the body is the adoption of the

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confirmation report. Those in favor vote aye; those opposed vote nay. Have you all voted who care to? Record, please.

ASSISTANT CLERK: 36 ayes, 0 nays on the adoption of the report.

FOLEY: The report is adopted. Moving now to the confirmation report for the Business and Labor Committee. Mr. Clerk.

ASSISTANT CLERK: Mr. President, the Business and Labor Committee would report favorably on William Blake to the Commission on Industrial Relations.

FOLEY: Senator Ben Hansen.

B. HANSEN: Thank you, Mr. Lieutenant Governor. Yeah, my appointment is for the Commission of Industrial Relations and this is William G. Blake, who is a current judge/commissioner on the Commission of Industrial Relations and has been a member since the year 2000. Mr. Blake graduated from the University of Nebraska Lincoln College of Law in 1975 and has lived and worked in Lincoln ever since. Currently, Mr. Blake owns and operates a private law practice that focuses on, among other things, administrative law, municipal law, and business law. Being an expert in these areas of law is a tremendous asset to the commission. Mr. Blake's professional expertise, coupled with his 20 years of experience on the commission, makes him not only an asset but an ideal candidate for the commission. As Chairman of the Business and Labor Committee, I ask for your green vote for the appointment of Mr.-- Mr. Blake to the board, to the Commission of Industrial Relations. Thank you.

FOLEY: Thank you, Senator Hansen. Debate is now open on the report. Senator Friesen.

FRIESEN: Thank you, Mr. President. I'm just going to take a little bit of an opportunity here to talk about the CIR a little bit and what's been happening in the past and seeing if it's relevant anymore. So when we talk about school funding and how we fund education, when we looked at school budgets, 80 to 85 percent of a school's cost is personnel. And when you talk to school board members and we always harp about local control and all this thing, you know, and they-- they, in the end, they have no control, basically over 80 to 85 percent of their budget. Although they think they do, they don't. And what has happened is school boards and the school boards association, everything has gotten really good at-- at going out and looking at their comparables. And both sides do this and they basically get all the information they need. They sit down at the board meeting and--

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and everybody says what they want. And pretty soon they just agree to a number and it's done. Nobody wants to take anything to the CIR anymore because you're going to lose. And in the end, nothing gets accomplished other than you have high legal fees and you end at the same conclusion. So I just think everybody needs to be paying a little bit more attention to the CIR and what they do and how that process has changed over the years and really see if it's-- it's needed anymore or how it can be maybe designed so that it works a little better. Because right now, there's a lot of things that have happened. And I'll give one example of Hall County. A few years ago, they were designated an MSA, which is a metropolitan statistical area. They reached this magic 50,000 population number and suddenly they were thrown in with new comparables and they had to raise wages of all the city, county employees by 33 percent. No duties changed, nothing else changed, but suddenly they were in a different group of comparables. And so it happened fast. It really put a strain on their budget. There were attempts, you know, to work it in gradually to try and phase it in over time. Those were rebuffed. But again, it's the-- it's the process. Sometimes that happens. They were forced to do it immediately. There was no compromise on that. And suddenly they had budget issues. They had to increase property taxes. They had to increase occupation tax. I think they put some wheel tax in place to try and meet those budget obligations. So it puts a severe strain on some public entities trying to do the right thing, but in the end, being forced to do it way faster than what's necessary. And it all goes back to how that process works. So I think it's something that people need to look into a little bit and talk about. And this is my opportunity to do that a little bit. So with that, thank you, Mr. President.

FOLEY: Thank you, Senator Friesen. Senator Erdman.

ERDMAN: Thank you, Lieutenant Governor. And thank you, Senator Friesen. I-- you stole my thunder. I was on the same approach that you used. I served on the school board for a numerous, for numerous years. And when we negotiated with our staff, we would negotiate to a number that we thought would keep us from going to CIR. And so we never pressed it past that because we knew what the ramifications were going to be if we did. And so Senator Friesen said we need to start having a discussion or people need to talk about CIR. I'll take it a step further. We need to pass legislation to either fix CIR to fit what we do now or eliminate it. And I have no problem with Mr. Blake. I think he's a respectable person and I think his appointment will be confirmed. But we need to look at what CIR does. We compare ourselves to ourselves. And as he stated, Senator Friesen stated, when you get

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into a different category, all of a sudden you're compared to a different group and you-- and it goes up. Your wages go up and your costs go up and your taxes go up. And so it's an opportunity for us to have that discussion about CIR. And I think this next legislative session somebody needs to bring forth a bill to either fix it to make it more conforming to what we do now or eliminate it. Thank you.

FOLEY: Thank you, Senator Erdman. Senator Groene.

GROENE: Thank you, Mr. President. I concur with Senator Erdman and Senator Friesen. Here's that rural-urban divide again. The CIR, Committee on Industrial Relations, is an antiquated labor where the government stuck its nose into labor negotiations, local labor negotiations, and made a bad trade-off that said if we do the CIR, you cannot strike. Go ahead and strike and then see what the public opinion says on your hero status. I would rather have a strike because that's labor. But to tell a community that might be under economic distress and already high burdensome taxes that they must give a raise to the public employees, in many cases haven't asked for it. I have talked to small communities, small union presidents at schools and said we want to keep our school. We're willing to negotiate with the school board. But guess what happens? The heavy hammer of the union comes in and said, you got to be a team player and you will get a raise. Meanwhile, the school closes. If you're worth your salt, because I come from the free enterprise system, you will get your raise. You will get your raise, which I hopefully believe the guards at the prisons will get, state prisons, because that's free market. We got a shortage and the free market should solve it. And the free market should raise the prices, wages, Governor. We have a crisis there. Maybe some of that CARES Act money can go there, but what good did the union do them there? But the CIR needs to go away. We have different cost of livings across the state. We have people who are community-minded, wives and husbands in farming or small business who also teach at the school. They want their school to survive. They want their community to survive. But the heavy hand of the union, the state union, comes in and dictates to them and the school board what they will pay. It's not right. We all know that. Now the greed of the administrators in our schools are going to the school boards acting like the CIR covers them, which it doesn't. They're not union, but they come in to the school board and said, here's an array of wages from Kansas City all the way to-- to Cheyenne, Wyoming, and says, I'm not paid enough. And the school board sits there and goes, oh, yeah, we had an array for the-- for the teachers. We ought to follow this average and raise the price of administrators. That isn't the way it's supposed to work. It's distorted. We have some of the highest paid

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administrators in the nation per cost of living and we got 38 percent results on our math test from our juniors and 41 percent on our literature test. The CIR needs to go away, period. I'll be gone, but somebody needs to have a backbone and get rid of the country club of who's on committees and reasonable people in the majority need to control the Business and Labor Committee.

FOLEY: One minute.

GROENE: A bill needs to be on the floor and it needs to be debated and the CIR needs to go away. It's antiquated. It gives a huge hammer to labor over and above the taxpayer. Remember, this isn't a choice. This isn't free enterprise where I can decide to do business with this company because wages went up and their prices went up. I am forcibly, forcibly con-- by threat of confiscation, paid-- forced to pay property taxes. And I can't have any say on the cost of the spending because of the CIR. That's wrong and we all know it is. Thank you.

FOLEY: Thank you, Senator Groene. Senator McDonnell.

McDONNELL: Thank you, Mr. President. Good morning, colleagues. This is a confirmation report. It's turned into a discussion about the CIR. That's fine. If we want to spend the morning talking about the CIR, we can. I don't believe the-- the comments that have been made are factual based on my experience with the CIR. Also, there's a subject matter expert here. There's a person here that's a state senator in 2011, [INAUDIBLE] Senator Lathrop, spent many hours on trying to come up with a compromise on how to improve the CIR for both sides. And it's worked so far. Because one thing that's done, it's kept people at the negotiating table. It's kept people collectively bargaining at that table and continuing to try because the changes in the CIR were fair to both sides, not one side over the other. It's similar work, similar conditions, similar skills. Twice as big, half as small. You start looking at those things. You start looking at comparability; and both sides, if they're trying to do their job, represent their interests. But to be fair, they do not want to go to the CIR unless the other side will not compromise. The idea of what we do here and how it affects people's lives and the idea of starting to discuss letting people strike, you're talking about police officers, firefighters, first responders striking. That's a reason, one of the reasons the CIR was put together was to say, OK, if you cannot meet at the negotiating table and come up with an agreement, then we're going to give you a way, both sides, to go somewhere, and it was the Commission of Industrial Relations, to settle your dispute without striking and putting public safety in jeopardy. Firefighters, police officers, they do not want to strike. They took an oath to protect

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life and property. They'll continue to go ahead and fulfill that oath, but you have to treat them fairly. You can't have a discussion about eliminating their option of where they would go if they meet at impasse at the negotiating table. And that's what the CIR does. I'm not saying that the CIR can't be improved on. But with the work they did in 2011 and what Senator Lathrop did and the work and the leadership he showed saved the state of Nebraska, based on the idea of continuing in court year after year, local municipalities going to court year after year because it made improvements and it made it fair. The Commission of Industrial Relations can always be improved on, but it has to be looked at as a fair process and what's best for both sides of the people, both sides sitting at that collective bargaining table and the people that they're there also representing. Thank you, Mr. President.

FOLEY: Thank you, Senator McDonnell. Senator Lathrop.

LATHROP: Thank you, Mr. President. Good morning, colleagues. I do want to respond to some of the remarks of Senator Groene because they are misplaced and demonstrated a failure to fully understand the trade-off that is the CIR. Understand, colleagues, the CIR is simply a panel of people who will go look at people that do similar kinds of work in similar communities with similar skills and figure out what the average pay is. And that's the award. You don't go to the CIR and game or get some judgment that's greater than the average pay for that kind of work. So if you're a teacher, whatever the average is for a similar type school district doing similar type work. When we made the changes in 2011 that Senator McDonnell referred to, we-- we made a number of changes that made the criteria more objective, more tight. And as a consequence, it's easy for the political subdivision and the-- the employees to see what's going to happen when we go to the CIR. There's not a lot of guesswork here. You can tell who's going to be in your array. You can figure out what their average is. We made sure they take into account benefits at the same time. So what our teachers get is average pay. And if you're negotiating with the school district and you're too high, you're going to end up in the CIR. By the way, an expensive process, figuring out who the array is, figuring out what the average hourly rate of pay is for those type of employees. But let me talk about the trade-offs. So what we did in Nebraska is we said public employees cannot strike, but they will have a panel that they can go to where they can get average pay for what they do. Now, the argument for eliminating that is that there are some administrators, by the way, who aren't covered by this, who come up with their own array. And Senator Groene thinks they're overpaid. If that's the argument, they're not even eligible to go to the CIR. So it doesn't

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make sense. But let me tell you who would like to eliminate the CIR today probably and have the right to strike and that would be our friends over at the Department of Corrections, because they could have a strike for 15 minutes and probably get \$15 an hour more than they're making right now. We can't afford to have people on the front line, whether it's State Patrol, your police officers, your fire and rescue people, or, God forbid, the Department of Corrections employees, strike. What would we do with our 5,700 inmates if those folks who are committed to this job recognize that they have an avenue at the CIR, stood out in front of the penitentiary and said, we're not working today and held up a sign that said, I want more money? By the way, we got people that need fed, we got people that need to be let out, people that need showers. Who's going to do that if we let them strike? This was a trade-off made by thoughtful people. And when people stand up here and say we should get rid of the CIR, it's a nice sound bite, particularly if you don't really care for labor or labor unions. But it doesn't make sense. The CIR was reformed. It has resulted-- those reforms have resulted in fewer people going there, more certainty for the employer, more certainty for the employee. And what they get from this process is average pay for the kind of work they do, not extraordinary pay. We don't go down to the CIR and appeal to someone and ask them to show mercy and give us more money because I got to make a house payment.

FOLEY: One minute.

LATHROP: They look to see what average pay is and the average pay is awarded to that labor organization. And because both sides know that, they enter into agreements that provide for average pay for people in a similar community doing similar work. Don't buy into this idea that our employees should strike and we should eliminate the CIR. That's a bad place to go down. I can tell you I've spent a lot of time on this issue, average pay. Thank you.

FOLEY: Thank you, Senator Lathrop. Senator Blood.

BLOOD: Thank you, Mr. President. Fellow senators, friends all, first of all, I want to start out by thanking Senator McDonnell and Senator Lathrop, who are avid supporters of Nebraska's unions, as am I. And I want to help Senator Groene because I think he's a little confused. He actually talked about two different organizations, one of them being CIR, one of them being SECBA. And I'm happy to top off the mike and explain the difference between the two. But the only reason I am standing up was the ridiculous phrase, "heavy hand of the unions." If it wasn't for the unions, your children would still be working in factories and not in school where they belong. If it wasn't for

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unions, there would not be the safe workplaces that we have today, workplaces where people previously lost their lives because it was just about people making profits. It was never about the employees until the unions stepped in. You already heard it: police, fire, teachers, construction workers, trades. They have unions and they have unions because they deserve better working conditions. And don't say that that would happen without unions because we know damn good and well that's not true. They deserve a decent standard of living for working their butts off. And if you're a teacher right now with all that's going on with the mask mandates, is there one, isn't there one, who's contagious, who isn't, who's been infected today, who hasn't, would you want to teach in today's schools right now? They deserve the retirement that they get because I can't imagine teaching in public schools right now: health, safety, education, training, a voice at work where you're not just a number, you're a human being who deserves to be treated like a human being. And unions don't see color, don't see culture. They don't care where you come from. They care that you get a fair shake. Be you male, be you female, no matter how you identify, they don't care. They want you to have what's right and what you deserve: reasonable retirement, unions, not just for members, but also for their families. When these people were lifted up, their families were lifted up. And you need to talk to union members and ask how it changed their lives for the better. So when I hear "heavy hand of the unions," it makes me sick. Senator Groene's always talking about history. Read the history of what happened and where, how unions came to be. Because if you do, to stand then on a mike and say the heavy hand of unions is ridiculous. And I'm sorry, because I sit on the Business and Labor Committee and I want us to move forward with this appointment. But I'm not going to sit silent while unions are talked about like that on the floor. They lift people up. They give them a voice. I don't know. For those of you that are in my age bracket, do you remember when teachers that were women made less than men because men had to provide for their families? When female teachers got pregnant, they weren't allowed to wear maternity clothes because you wouldn't want the children to know that you were pregnant. Don't fool yourselves. And by the way, if you're really worried about the people, let's talk about right to work, because we're a right-to-work state. Everybody's worried about losing their jobs if they're not vaccinated. Guess what? In Nebraska, you can be fired for any reason, any reason. Oh, but here's-- here's a consolation prize. You can also quit for any reason. If we're talking about workers and we're talking about what's fair, let's look at the big picture, because there's a lot of stuff that needs to be corrected.

FOLEY: One minute.

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BLOOD: With that, I know we want to get on to the appointment. But please, let's not stand here and pontificate in a negative fashion about labor, because I could talk all day and I would if people keep coming to the mike. Thank you, Mr. President.

FOLEY: Thank you, Senator Blood. Senator Groene.

GROENE: Senator Blood, that was the most disgusting thing I've ever heard. I said one union, not unions. I said public unions. I am a big supporter of unions. I was endorsed by the railroad unions. CIR only covers public unions, public unions. I am not against my local school district unionizing. I am not against the Omaha Police Department unionizing. Negotiate with your local government. I am all for that. That's what happens in just about every single other state in the Union. So don't slander me. I said one union, teachers union, the state teachers union. All right? I am pro union. I know what happened in the past when the railroader lost a hand, they'd be fired that day. I don't believe that the scales should be tipped to the public unions because of the CIR. Economies are different in every city and every local district. It should be negotiated between the taxpayers and the union. What services am I willing to pay for? But everything you said was hokey, made up, twisted. You do it too often. It's about time you get-- get out of here until I'm done speaking. Don't take my time unless I ask you to take it. Anyway, the Governor, whoo. Anyway, the CIR needs to go. It is antiquated. It's destroying small school districts. It's destroying small police departments. It's undermanning public service, because when wages go up, people have to be laid off. That's what the CIR does. You want to know why there's 25, 30 kids in a room? The CIR. That's why. It needs to go away. And you talk about variances. What they negotiated was a variance in the CIR negotiation, Senator Lathrop, is that not correct? What the CIR does is drive up-- drive up wages, inflationary wages, with no other reason than a stupid formula, a stupid formula. Oh, I understand the CIR and so does every county, every person who's a county commissioner, a school board member. Well, I don't know about them, but-- because they just listen tell-- they do what they're told. City councilperson understands it. They understand it. And it takes their management abilities away from them of their budgets. It needs to go away. Thank you, Mr. President.

FOLEY: Thank you, Senator Groene. Senator Pahls.

PAHLS: Thank you, Lieutenant Governor. I pushed my button and many things have been said since I pushed my button. I am almost-- I'm almost discouraged to stand up here and speak on this-- on this particular issue. We ought to listen to ourselves. Sometimes we ought to record what we're saying on both sides of this. I am not an expert

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in this particular area, but I do have a question for Senator Lathrop if he would answer.

FOLEY: Senator Lathrop, would you yield, please?

LATHROP: I will.

PAHLS: Senator Lathrop, I was down here when you were working on this and this-- this was a hot issue. But what Senator, I can recall for, I think from Hastings who negotiated with you on this?

LATHROP: Dennis Utter. We spent nine months in meetings with the League of Municipalities, the Chamber of Commerce, labor, and it was Senator Utter and myself.

PAHLS: OK.

LATHROP: A banker and strong conservative from Hastings.

PAHLS: Yes. Senator Utter served with me on the Banking when I chaired Banking. This guy was as hard-nosed, great guy, but as hard-nosed as you can get, hard-nosed as some of you in here. I know when he first started, he had the attitude that some people have about this concept. But he and Senator Lathrop brought something together that I call on both sides, brought it together, and we agreed to it. So it may have some warts that we may have to take a look at. But this topic was-- I can-- I can remember. I said Jiminy Christmas, what are we doing, guys? But they worked it out. We're not talking about somebody who's moderate. We're talking about somebody who was on, as I say, probably as hard-nosed as you can get, a great guy. As I said, he served with me on the Banking Committee. You didn't run over him. You didn't blindside him. But he stood up with Senator Lathrop and said it was time to do what we needed to do. And apparently it did work. And some of you believe that it needs to be taken-- need to take a look at it again, I can't argue with that. But we have to get away from this it's either us or them. I came down here looking for balance. That's what I'm after. I am sincerely trying to help some of those schools and the country schools. I am and I'm from the big city. But I was born in a small town. I grew up in a small town. I'm not against what's happening out there. It's-- it's sad. As I said, it saddens me to see what's happening or has happened to my small town. Let's try to reinvigorate those towns. But I can assure you right now the number, because I had a conversation with the president of Wayne State several months ago, and she said it's going downhill. Fewer people are going into teaching, as in many of the professions. But if we have fewer people going into teaching, it's going to be harder to get people to

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teach in some of the small towns. So we have to-- we have to think about that. And I'll just give you a little bit of history. Many years ago, we're talking about a day or two ago, when I first came to a small town in Nebraska, I interviewed--

FOLEY: One minute.

PAHLS: One minute?

FOLEY: Yes, sir.

PAHLS: OK, thank you. I interviewed and this is what happened. They gave me a salary and I walked away, because I was a young person at that time, I walked away with this unbelievable salary, and I found out that the teachers who were married to ranchers, I made almost double what they made because they knew they had-- that's where they were located. So not everything is black and white. But I did, I got more. I wasn't any better. They had been teaching awhile. I was basically new. So let's-- let's back off on some of this stuff, this rhetoric, and let's-- and if we need to take a look at it, let's challenge the good senator to take a look at it again and see if-- if-- if we have the warts to remove them, and maybe we don't have the warts. Thank you.

FOLEY: Thank you, Senator Pahls. Senator McCollister.

McCOLLISTER: Yeah. Thank you, Mr. President. Good morning, colleagues. When I joined the Platte Institute in January of 2009, our first assignment was to write two papers, one on desirability about retaining the CIR and the other paper about dismissing or ending the CIR. We wrote those two papers and the consensus was that retaining the CIR was the very best move to make. I can attest to the fact that Senator Lathrop was instrumental in getting a agreement on the CIR that has stood the test of time. I think during the-- the 10 or 11 years since the CIR was-- the law was passed, we've only had just a handful of cases before the CIR. CIR was a good agreement and it's stood the test of time. In addition, in my work experience at McCollister and Company, we had the Teamsters Union, Teamsters, and they're a hard-headed union. But, you know, during the 35 years we were in business, we never had a strike. The only problems we ever had was when we had a steward that wasn't strong. And when we had a good steward, we had very few problems. And the good thing about a union is you have a union agreement and that agreement determines what the work environment is going to be. And so when an employee comes up to the president of the personnel company or the personnel officer and asks for some raise-- raise or something, you send them back to the union

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agreement. So in that-- in that way, a union serviced both management and the employee. So unions aren't necessarily a bad thing. One thing about a public union, the teachers union, let's say. You can see what happens to a city when the teachers walk out: Chicago, New York, take some of those big city teachers' unions and the disruption that occurs when those unions strike. It's terrible. So the agreement that you make with a public union is they can't strike, but you have to abide by the terms of the CIR, the agreement that comes out of the CIR. And that's a good system. And it's stood the test of time. Thank you, Mr. President.

FOLEY: Thank you, Senator McCollister. Senator Blood.

BLOOD: Thank you, Mr. President. I hadn't planned on speaking again; but, fellow senators, friends all, I'm going to speak real briefly. I-- I don't understand when we have certain senators who if you question what they say and you-- and you intimate that perhaps they said something incorrectly, then it explodes on the mike later. I'll always find that puzzling. But maybe by saying that I'm going to again, get an explosive response, who knows? But I appreciate passion, right or wrong, and I appreciate people's right to say things on the mike. But I do like what Senator Pahls has brought, what Senator McCollister has brought. They're bringing reason to it. And with all due respect, I don't believe you can say that you support unions and then you cherry-pick which ones you like and don't like. They all serve the same purpose. But again, that's my personal opinion. I'm not saying somebody else is not entitled to their opinion. But what I will say is that if indeed we feel that tweaks need to be made to make this-- this organization better, I think we have a lot of really smart lawyers in the body right now who can get together and can help us do better. But I don't think it needs to be eliminated. And again, that has nothing to do with the appointment that we need to get to. And I promised the Speaker that I would only talk for one minute so we could be rolling forward. I don't know if anybody else is in the queue, but with that, I would yield my time back to you, Mr. President.

FOLEY: Thank you, Senator Blood. Senator Ben Hansen, you're recognized to close on the report. He waives closing. The question before the body is the adoption of the confirmation report for the Business and Labor Committee. Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

ASSISTANT CLERK: 37 ayes, 0 nays on the adoption of the report.

FOLEY: The report is adopted. Moving on to the report of the Education Committee, Mr. Clerk.

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ASSISTANT CLERK: Mr. President, the next report from the Education Committee is two appointees to the Technical Advisory Committee for Statewide Assessment.

FOLEY: Senator Walz, you're recognized.

WALZ: Thank you, Mr. President. The Technical Advisory Committee for the Statewide Assessment was created in 2008. The role of the committee is to review the statewide assessment plan, state assessment instruments, and the accountability system developed under the quality-- developed under the Quality Education Accountability Act. The committee advises the Governor, the State Board of Education, and the Nebraska Department of Education on the development of statewide assessment instruments and the statewide assessment plans. The committee typ-- typically meets up to three times a year in Lincoln. Members are reimbursed for their expenses. Jeffrey Nellhaus has been reappointed for his second term on the committee, serving as one of three statutory required national experts. He holds a master's of education from Harvard and works as an education consultant. In addition to Nebraska, he currently serves on the New Hampshire-- New Hampshire Technical Advisory Committee and has previously served on them in Kentucky, Maine, Rhode Island, and the province of Ontario, Canada. An original member of the committee, Linda Poole, has been reappointed for her fifth term. She is fulfilling the Nebraska teacher position on the committee. She teaches sixth grade at the Prairie Queen Elementary in Papillion La Vista Community Schools and holds a master's degree in both educational leadership and curriculum and instruction. She was inducted into the Millard Public Schools Hall of Fame as an alumni in 2003 and as a community booster in 2007. Thank you for your time and I ask for the confirmation of Jeffrey Nellhaus and Linda Poole. Thank you, Mr. President.

FOLEY: Thank you, Senator Walz. Debate is now open on the confirmation report. I see none. Senator Walz, you're recognized to close. She waives closing. The question before the body is the adoption of the confirmation report from the Education Committee. Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

ASSISTANT CLERK: 39 ayes, 0 nays on the adoption of the report.

FOLEY: The first report from the Education Committee has been adopted. Mr. Clerk.

ASSISTANT CLERK: Education Committee would report favorably on James Scheer to the Board of Educational Lands and Funds.

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FOLEY: Senator Walz.

WALZ: Thank you, Mr. President. This is a new appointment to the Board of Educational Lands and Funds. The board was established in the Nebraska Constitution in 1875 to serve as trustee of lands contributed to the state in 1867 by the federal government. It provides general management of all lands set aside for educational purposes, which includes approximately 3,200 agricultural leases as well as mineral-- mineral and renewable energy leases. This is a five-member board and the appointed members serve a term of five years. Members are paid \$50 a day when actually engaged in the performance of their duties of the office and reimbursed for necessary travel expenses. Jim Scheer, the former Speaker of this body, is appointed to the at-large position and will be filling the statutory requirement that one member of the board shall be competent in the field of investments. During his first two years in the Legislature, he served on the Education Committee. In addition to his time in the body, Jim previously served on the Norfolk School Board, as mayor of Norfolk, and on the Nebraska State Board of Education. Thank you for your time and I ask for the confirmation of Jim Scheer.

FOLEY: Thank you, Senator Walz. Discussion on the report. I see none. Senator Walz, you're recognized to close. Waives closing. The question before the body is the adoption of the confirmation report from the Education Committee. Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

ASSISTANT CLERK: 41 ayes, 0 nays on the adoption of the report.

FOLEY: The confirmation report has been adopted. Next report, Mr. Clerk.

ASSISTANT CLERK: Mr. President, the Education Committee would report favorably on Darrin Good to the Nebraska Educational Telecommunications Commission.

FOLEY: Senator Walz.

WALZ: Thank you. The appointment to the Nebraska Educational Telecommunications Commission or this is an appointment. The commission was established in 1963 by the Educational Television Act. Its powers and duties include, but are not limited to promoting and sponsoring noncommercial educational telecommuni-- telecommunications throughout Nebraska via broadcast, satellite, fiber optic, computer, and other technologies. This is an 11-member commission and the appointed members serve a term of four years. Commission members do

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not receive compensation, but are reimbursed for reasonable and necessary expenses incurred in attending scheduled meetings. Dr. Darrin Good is appointed as the private college representative on the commission. He is the president of Nebraska Wesleyan University. Dr. Good received his Ph.D. in biology from the University of Kansas. He previously served as vice president for academic affairs and dean of faculty at Whittier College. Thank you for your time and I ask for your confirmation of Dr. Darrin Good. Thank you.

FOLEY: Thank you, Senator Walz. Discussion on the report. I see none. Senator Walz, you're recognized to close. She waives closing. The question before the body is the adoption of the third confirmation report from the Education Committee. Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

ASSISTANT CLERK: 41 ayes, 0 nays on the adoption of the report.

FOLEY: The report has been adopted. Final report, Mr. Clerk.

ASSISTANT CLERK: Mr. President, the Education Committee would report favorably on Christy Hovanetz to the Technical Advisory Committee for Statewide Assessment.

FOLEY: Senator Walz.

WALZ: Thank you. This is a new appointment to the Technical Advisory Committee that represents one of three national experts. Dr. Christy Hovanetz earned her Ph.D. from Florida State University with a concentration in public policy and specializing in education policy. She is currently a senior policy fellow-- she is currently a senior policy fellow with the Foundation of Excellence in Education and previously served as the assistant commissioner for the Minnesota Department of Education. Thank you for your time and I ask for the confirmation of Dr. Christy Hovanetz.

FOLEY: Thank you, Senator Walz. Discussion on the report. I see none. Senator Walz? Closes-- waives closing. The question before the body is the adoption of the confirmation report from the Education Committee. Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

ASSISTANT CLERK: 39 ayes, 0 nays on the adoption of the report.

FOLEY: The confirmation report has been adopted. That concludes our confirmation reports for the day. Proceeding now to General File, LB14. Mr. Clerk.

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ASSISTANT CLERK: Mr. President, LB14, introduced by Senator Hughes as Chair of the board, is a bill for an act relating to appropriations; to appropriate funds for the expenses incurred under the One Hundred Seventh Legislature, First Special Session 2021 and to declare an emergency. It was introduced on September 13, reported directly to General File.

FOLEY: Senator Hughes, you're recognized to open on LB14.

HUGHES: Thank you, Mr. President. Good morning, colleagues. LB14 appropriates the funds for the expenses incurred during this special session. The dollar amounts in LB14 are based on a 14-day session. If we need to, we can adjust the amount on Select File to reflect the actual number of days that the sect-- this session actually runs. The expenses includes funds for our per diem payments, mileage reimbursement, printing, and some additional staff costs, including the Sergeant at Arms, pages, Bill Room staff, Transcribers, and Bill Drafting Technicians. I would be happy to try and answer any questions if you have them. Thank you, Mr. President.

FOLEY: Thank you, Senator Hughes. Debate is now open on the bill. Senator McKinney.

McKINNEY: Thank you, Mr. Lieutenant Governor. I don't rise to oppose LB14. I just received a weekly update from the Inspector General on the state of our prison crisis. And I just wanted to share with you all, if you haven't read your emails. This week, we wanted to make you aware of a fight that took place in the Diagnostics and Evaluation Center on Saturday night. There are currently two dozen men sleeping on cots in the gym at DEC because of COVID-related precautions. On Saturday night around 10 p.m., there was no one guarding the gym. A corporal who was leaving work the day had happened to walk by the gym and noticed two inmates in-- in a fight with anot-- with a third inmate. The corporal didn't-- did not have his radio because he was leaving for the day, but was able to alert a lieutenant by shouting down the long hall that connects all of the units. Since this incident, one person who was working at DEC that night has contacted our office to express ongoing concerns about staff safety. He stated in part: Imagine if the fight was fake and the 40 inmates took over and let their friends out. We've also wanted to make you aware of an incident at the State Penitentiary on Friday, which sent three staff to the hospital. Around the same time we sent out our last email, an inmate in housing unit three, which we referenced in the last email, had covered his cell window, claiming to have a cellmate at knifepoint and was demanding to see mental health. Staff report his-- staff report having to use force to get him out into a holding cell, during

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which time four of the staff were injured. One declined treatment. The injuries were classified as nonserious. NSP was below minimal staffing and near critical at the same time. Both of these descriptions are based on initial-- initial reports of the incidents, but our office is continue-- continuing to investigate. Again, I ask you all, if you haven't, to start pushing our Department of Correctional Services and the Governor to do something about this staffing crisis. It's not safe for the individuals inside and it's not safe for the staff. And we shouldn't even have a conversation going into January about building another prison because we will not be able to staff it. We need to think about how do we reduce our prison population and how do we make it safe for both individuals inside and staff. We're talking about redistricting and, you know, helping-- helping stop population decline in western Nebraska. We have to remember that it's not attractive to anyone to be known, for Nebraska to be known as the state that continues to build prisons. We have to look to the future and look to real solutions to this staff crisis and this prison crisis. If you don't care, don't stand up next year and say, I need property tax relief and you want to build a 200-plus million dollar prison. We have to do something and we have to push the department and the Governor to do something because it's not safe and it's only going to get worse. Thank you.

FOLEY: Thank you, Senator McKinney. Senator Machaela Cavanaugh.

M. CAVANAUGH: Thank you, Mr. Lieutenant Governor. Good morning, colleagues. I am not in opposition to this bill, but I wanted to take time this morning to share a story with you all. So most of the people in this body know my son Barrett, he's three. When I started here, he was a few months old and I came to this Chamber for my orientation and I had to bring Barrett with me because, as I say, he was a gentleman of discerning taste and would not take a formula bottle. And so I had to bring him with me to nurse. And I called in advance to the Clerk's Office to ask about where I could do so and was informed at that time that there was no mother's room. This began a journey for me. I knew that I would have my own office. I knew that I would have my own private space. But I also knew that there were so many women that worked in this building that didn't have that luxury. And so I wanted to make sure that they had the opportunity to take care of their child while also working. I introduced a bill. It went to Government Affairs. It did not get out of committee. I worked with then Speaker Scheer, Senator Brewer, Senator Hilgers, Senator Matt Hansen, and Mr. Ripley of the Capitol Commission. I think you can see a theme in the individuals that I worked with. Then a wonderful woman came into the room, the legal counsel, who's actually sitting on the floor today,

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for the Exec Board, and she suggested a space. And all eyes turned to me to see if it was acceptable. And I said, absolutely, as long as we can put a sink in it and it's a private room that locks, it's acceptable. That began the process of figuring out how much that would cost, because this is-- everything has to be Capitol original. And the Exec Board agreed that the space could be a new mother's room, but we could not spend a single dollar of taxpayer dollars. So I was given a \$40,000 fiscal note. And 24 hours later, I had a donor who donated the funds for the room. I found out yesterday that the furniture has been moved out, that the room is being used as an office for a gentleman. And I found it out not from any of those gentlemen that were sitting in that room with me that day, but from a woman who works in the building who no longer has access to this room. Thank you, Mr. Lieutenant Governor.

FOLEY: Thank you, Senator Cavanaugh. Senator Groene.

GROENE: I wanted to make the point nobody has, but our Speaker cut the 90-day session to 84 days. So there was six days that we didn't get per diems. Additional costs were not there. So, Senator Hughes, would you take a question?

FOLEY: Senator Hughes, would you yield, please?

HUGHES: Of course.

GROENE: Senator Hughes, have you run the numbers or did Accounting run the numbers really what the offset is, this special session versus if we'd have went 90 days on the regular session?

HUGHES: Not specifically. The bill for this special session is approximately \$9,300 a day. I don't-- I don't have those figures at my fingertips for a regular session, but I'm--

GROENE: Thank you.

HUGHES: --thinking the per day is very similar.

GROENE: Thank you. Well, I want to let the taxpayers know that that really we should have-- we would have ran 90 days if we could have done this during the session and much-- pretty much an offset. Senator Hughes mentioned Transcribers and Clerks. And those people are fully employed. They are here if we're in session or not. So there is no additional cost there. Basically, it's our per diem, our travel expenses that this cost is. And I would think it's pretty close to a wash, not quite. So I appreciate the management of Senator Hughes and

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the Speaker where they've-- they cut the session short and has offset it with this special session. Thank you, Mr. President.

FOLEY: Thank you, Senator Groene. Senator Hughes, your light is on. You may close if you care to or speak to the bill.

HUGHES: I will. I would like to respond to Senator Cavanaugh if she would yield to some questions.

FOLEY: Senator Cavanaugh, are you on the floor, please?

HUGHES: No. Not seeing Senator Cavanaugh, I will proceed. It's unfortunate that she found out yesterday that the-- thank you, Senator Cavanaugh-- that the mother's room had to be changed. I would like to remind her that I did reach out to her on July 27 of this year to have a conversation about the change to the mother's room, as in my position as chairman of the Exec Board I have to make decisions all the time on office space. And I will remind you that this is only a temporary move. But we did need additional office space because of the HVAC project. So I did reach out to Senator Cavanaugh. On the 27th, we exchanged texts and she indicated she could not engage with me at that point and she would let me know when she was back in the state and call me. She did not. When we want-- when we want-- if we want to talk about the mother's room, there's a little more to the story. The expense for the mother's room was significant to the state of Nebraska. I think the total was around \$137,000 that the state, I'm sorry, \$37,000, not \$137,000. All of the furniture, I believe, was donated. And part of the negotiations, and I was not one of the persons in the room when this was being discussed, but I do believe from several sources that Senator Cavanaugh did assure that the state of Nebraska, she would procure donations to cover that cost for the state of Nebraska. As of yesterday, there is still an outstanding balance of \$7,676. So, Senator Cavanaugh, would you yield to a question?

FOLEY: Senator Cavanaugh, would you yield, please?

M. CAVANAUGH: Yes.

HUGHES: Thank you, Senator Cavanaugh. Is that correct that in your attempt or your desire to provide this mother's room, you did indicate that you would secure donations so the state of Nebraska was not on the hook?

M. CAVANAUGH: Yes.

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HUGHES: And where are we at with this last \$7,677?

M. CAVANAUGH: I wasn't aware that there was an outstanding balance. I'm sure if we send the invoice to the donor that that can be resolved immediately.

HUGHES: OK, that would be great. Do you recall the text exchange that I had with you back in July when you were on vacation?

M. CAVANAUGH: Yes, I do.

HUGHES: And did you reach out to me once you got back to the state?

M. CAVANAUGH: I did not. And you did not tell me what it was in regards to. I thought it was in regards to my hearing and the scheduling of my hearing, which your office and my office worked out together. And since that seemed to be resolved and I had no indication that it was about anything else and no further communication with you, like an email about this, I did not follow up. You are correct.

HUGHES: OK, very good. Ladies and gentlemen, the mother's room is an important addition to this building. There's also a, I think it's a pod is what it's called on the first floor that is available to mothers with young children. So it's not like we do not have any space whatsoever. And many of you will remember that you have come to me and wanted to make changes in your offices.

FOLEY: One minute.

HUGHES: You want to move. You don't want to move, lots of things. And I have to make very tough decisions because there are a lot of moving pieces in this building. There's a lot of office space. We have a tremendous amount of personnel that needs space to do their job. And I have to make some very tough decisions. And I know some of you don't like the decisions I've made, but we have a plan. It's been-- it was approved by the Executive Board, I believe, back in 2015. And we're sticking to that plan. And part of that plan says that the Legislature, the Executive Board of the Legislature, can move offices, find office space when we-- when we have to. And this was an instance when we did have to find that space. I apologize to Senator Cavanaugh that she found out yesterday. I did my part to reach out to her and did not get responded to.

FOLEY: That's time.

HUGHES: Thank you, Mr. President.

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FOLEY: Thank you, Senator Hughes. Senator Machaela Cavanaugh.

M. CAVANAUGH: Thank you, Mr. Lieutenant Governor. Yes, there is what is called the pod. It's on the first floor in the copy room. It is less than an ideal location. It does not meet the needs of the legislation that was introduced and the conversations that we had preceding that around what a mother's room actually is. The pod is a space that a woman can go to privately and pump or nurse a baby. It is not a mother's room. It is just a space that the public doesn't just walk in on you in the, what I call the torture chamber. So a space in the downstairs restroom where the mother's room used to be, which is in a public restroom in an empty stall. So the mother's room has four chairs of different sizes, and some of them are recliners, some of them have footstools so that-- some of them are wider so that women have options for what's best for them and what's most comfortable for them. It has a refrigerator so that when you express milk, you have a place, a dedicated place to put it. It has a sink that is not in a public restroom because hygiene is really important when you're cleaning the parts of your pump. It has a microwave in case your baby is with you and you need to heat up milk. It is gone. It is gone. The whole Legislature should have been informed that it was gone, but we weren't. And a text message over the summer break just doesn't cut it. It doesn't meet the standard of informing all of us, of informing staff that this no longer exists. It is devastating, disappointing, disheartening. Pro-life state my butt. If we can't support the working mothers in this building, man, it's like talking out of both sides of your mouth, people. You can't say families first. We love babies. We want to raise up children. If you can't support working mothers in our own building. And a mother's room isn't just for when you have a newborn baby. When you are pregnant and your legs are swollen and you are tired all the time because your body is literally growing a human being, you might want a comfortable place to just sit down over your lunch break, put your feet up and take a rest. A mother's room is so much more than just a place to pump. It is a place to accommodate working mothers and their needs so that they can be the best employee and be the best mom. I don't know why that office, that person can't share an office with somebody else. They can have my office. You can move that individual into my office. I will give up my office.

FOLEY: One minute.

M. CAVANAUGH: I am dead serious. I will give up my office. This can be my office until you have a space for him. But the mother's room should be reinstated immediately. Thank you.

FOLEY: Thank you, Senator Cavanaugh. Senator Hunt.

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HUNT: Lieutenant Governor. This got me really heated. And I've got to get on the mike and say some things about this. I didn't even know this was going on and I can't believe that private donors and Senator Machaela Cavanaugh had to pay for accommodations for breastfeeding mothers in the people's house. Who's the misogynist now? Where's the great feminists to speak up about this? We constantly, continually in this body ask women to make the moral decision to bring life into this world, and then we turn our backs on them when they make the decision to do it. We say we want the house to be accessible to everybody. We want more people to run for office. We want to make this supportive of women, supportive of mothers. And then we turn our backs on them every chance we get. And, Senator Hughes, as a member of the Executive Board, you should know that employers have to provide a space for nursing mothers and not a bathroom. I nursed my daughter for two years. And there's no way I could have done this job without a space to do that with her. And who knows how many people want to work in this building as a staffer, who want to run for office, who are here visiting the Capitol and they don't have a space either to care for their children that way. This is what misogyny is. It's institutional, systemic decision making on the part of people to exclude women, to exclude people who have these experiences. And this is something that every member of this body should be speaking against and we should continue to have this conversation off the mike because as soon as possible, that mother's room should be reinstated. If you have to take Senator Machaela Cavanaugh's office away, sounds like that's something she's willing to do. We've got to get that little bill paid by this private donor so that people can nurse their babies in the people's house. Let's get that bill sent. I bet you anything that donor is a woman, too. Once again, women come through. We solve the problems. We make it work. And then men who run the institution take every opportunity to erase the progress that we make for ourselves. Thank you, Mr. Lieutenant Governor.

FOLEY: Thank you, Senator Hunt. Senator Machaela Cavanaugh, third opportunity.

M. CAVANAUGH: Thank you, Mr. Lieutenant Governor. Thank you, Senator Hunt. I am 100 percent serious that my office can be used for somebody else's office to create the mother's, reinstate the mother's room I. I would offer my office to be the mother's room, but it doesn't have a sink and it's in the tower, so it's not easily accessible to everyone. And I just appreciate your acknowledgment of the convenient feminism in this body. Thank you. I yield the remainder of my time.

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FOLEY: Thank you, Senator Cavanaugh. Senator Hughes, you're recognized to close on the bill.

HUGHES: Thank you, Mr. President. I would like to remind Senator Hunt that there is a pod on the first floor for nursing mothers. It's not like we've taken away the only option that we have for mothers who are-- choose to be in the building to express milk or feed their children. With that, I would appreciate a green vote on LB14. Thank you, Mr. President.

FOLEY: Thank you, Senator Hughes. Senators, you heard the discussion on LB14. The question before the body is the advance of the bill. Those in favor vote aye; those opposed vote nay. Have you all voted who care to? Record, please.

ASSISTANT CLERK: 41 ayes, 0 nays on the motion to advance the bill.

FOLEY: LB14 advances. Items for the record, please.

ASSISTANT CLERK: Thank you, Mr. President. Your Committee on Enrollment and Review reports LB6 and LB5 both to Select File. Finally, a priority motion. Senator Slama would move to adjourn until Thursday, September 23, 2021, at 9:00 a.m.

FOLEY: Members, you've heard the motion to adjourn. Those in favor say aye. Those opposed say nay. We are adjourned.