

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate February 24, 2023

KELLY: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the thirty-fourth day of the One Hundred Eighth Legislature, First Session. Our chaplain today from Senator McDonnell's district is Father Ryan Lewis, St. Elizabeth Ann Seton, Omaha, Nebraska. Please rise.

FATHER LEWIS: Loving and merciful God, this distinguished body convenes this morning on this seriously cold, for Nebraska February standards anyway, day which is itself your gift to us. We convene for the important work of governance of this our great state. Please bless our state, which we love, bless its growth and prosperity and its communal resolve to work for the common good. And as Pope Francis would remind us in its resolve to reach out especially to the poor, the suffering, those that he would call on the peripheries. May the efforts of this Legislature lead not only to right order, but also to strengthen our state and its citizens and their desire for collective compassion, unified humility and gratitude for blessings received. And in our desire to be a state that is welcoming, girded with strong morals and dedicated to the dignity and worth of every human life because every life is ab initio from the beginning made in your image and likeness. Bless our chief executive, Governor Jim Pillen, as he settles into serving us. Bless Suzanne and their family as they all adjust to his greater role of leadership. Bless these our citizen legislators, may they legislate and give counsel aided always by your wisdom, your compassion, your justice, your mercy, your love. May they serve well those whom they represent and the state as a whole, bless their families, help them this day and throughout their public service to work always for the common good. Your common good. May it be so. Amen.

KELLY: Thank you, Father. Senator Bostelman, you're recognized for the Pledge of Allegiance.

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

KELLY: Thank you. I call to order the thirty-fourth day of the One Hundred Eighth Legislature, First Session. Senators, please record your presence. Roll call. Mr. Clerk, please record.

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

KELLY: Thank you. Any corrections for the Journal?

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CLERK: I have no corrections this morning.

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

CLERK: There are, Mr. President. Your Committee on Enrollment Review reports LB628, LB51, LB252, LB136 and LB138, LB140 and LB247 and LB298 to Select File, some having E&R amendments. Additionally, new resolution (LR47) from Senator Hansen, that will be laid over. Agency reports electronically filed with the Legislature can be found on the Nebraska Legislature's website. Additionally, reported registered lobbyists as of February 23, 2023, is available in the Legislative Journal. Senator Albrecht has designated LB626 as her personal priority for the session. Amendments to be printed: Senator Brewer to LB77. And an announcement, the General Affairs Committee will meet under the north balcony for an Executive Session at 9:30 this morning. General Affairs under the north balcony at 9:30. That's all I have at this time, Mr. President.

KELLY: Thank you, Mr. Clerk. Senator Brewer has a guest under the south balcony, Mr. Noah Philson from Elmwood, Nebraska. Please stand and be recognized by your Nebraska Legislature. And I recognize Senator Brewer for a message.

BREWER: Thank you, Mr. President. Well, I need to tell you a little bit more about Noah as soon as you sit down and quit talking. Come on. All right. The, the date of 24 February is the anniversary of the attack by Russia on the Ukraine. Now we love to be proud of Nebraskans, but I want to share a little about Noah and what he was doing. He was in the Ukraine at the time. So he woke up that morning about 5:45 in the morning to the sound of cruise missiles crashing in not far from him. And he was there helping a church and immediately secured a vehicle, Volkswagen, like a mini van, and started the process of taking refugees from central Ukraine to Poland. And his first trip took 41 hours. And that's, that's nonstop. So that's the kind of dedication he's had. Now, the other thing that you should remember is he returned on the 26th of January and he had been there for 400 days. That's a lot of refugees that he was able to move out of the Ukraine. I understand that, that the male population of the Ukraine between the ages of 18 and 65 cannot leave the country because they're put into service. So it was individuals like Noah who volunteered and gave of themselves at, at no reimbursement, just for the sheer act of kindness to help them to move those people from the war zone to Poland, many times to Romania and other places. He volunteered to spend about 100 days either planning or driving for me

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while I was over there. He is somebody Nebraskans can be proud of, and I'm very proud that he's here with us today. Thank you, Noah.

KELLY: Mr. Speaker for an announcement.

ARCH: Thank you, Mr. President. Colleagues, this is my Friday announcement letting you know about next week what's-- what will be happening. So next week, we will begin debate on priority bills. On Tuesday, we will, we will debate one of the General Affairs Committee priority bills, Senator Lowe's LB376, a bill to change provisions relating to the importation of alcoholic liquor into the state under the Nebraska Liquor Control Act. As has become the practice with committee priority bills, the committee amendment to this bill includes provisions of four related bills amending the Liquor Control Act. On Wednesday, we will begin debate on Senator Brewer's priority bill, LB77. His bill to change provisions for the carrying of concealed handguns. To date, senators and committees have designated eight priority bills. This means there are 75 more senator and committee bills yet to be designated as a priority. For those of you new to the designation process, I have a Speaker's memo that will be distributed this morning outlining the procedures and timeline for designation. I encourage you and your staff to read the memo carefully, ask me or Laurie in my office any questions you may have. A reminder that the deadline for senator and committee priority bill designations is prior to adjournment on Tuesday, March 14, 2023. The deadline to submit a Speaker priority request letter to me is prior to adjournment on Thursday, March 9, 2023. I'll be announcing my designation of the Speaker priority bills on Wednesday, March 15, the morning following the deadline for senator and committee designations. Additionally, I want to announce that from this point forward, the background information provided to committees on each gubernatorial appointment will be available to senators and staff prior to the floor debate of a confirmation report. Later today, the Clerk will be providing senators with more information about the program that will be accessible via our internal website, UniNet. Thank you, Mr. President.

KELLY: Thank you, Mr. Speaker. Senator DeBoer has a guest in the north balcony, a student of hers, Faith Pair from Harvard, Nebraska. Please stand and be recognized by your Nebraska Legislature. Mr. Clerk, for items.

CLERK: Mr. President, the first item on the agenda, LB147, introduced by Senator Kauth. It's a bill for an act relating to property tax refunds; amends Section 77-1736.06; changes provisions relating to the

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notification of political subdivisions; and repeals the original section. The bill was read for the first time on January 9 of this year and referred to the Revenue Committee. That committee placed the bill on General File with no committee amendments. I do have additional amendments pending, Mr. President.

KELLY: Senator Kauth for a one-minute refresh, please. You're recognized.

KAUTH: Thank you. LB147 is a minor adjustment to allow counties to use email and to change the dollar amount that they are required to email for. Thank you.

KELLY: Mr. Clerk.

CLERK: Senator Cavanaugh, I've got AM557, AM558, AM521, FA21, and MO40, all with notification that you wish to withdraw.

M. CAVANAUGH: Yes. Yes.

KELLY: They are withdrawn.

CLERK: In that case, Mr. President, Senator Conrad would move to pass over LB147 pursuant to Rule 6, Section 3(d).

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

CONRAD: Thank you, Mr. President, and good morning, colleagues. Just as a point of order, can you tell me how much time I have on the open?

KELLY: Ten minutes.

CONRAD: Oh, ten minutes. Very good. Thank you, Mr. President. And again, good morning, colleagues. Happy Friday. I had an opportunity to listen to most, if not all, of the debate yesterday. And we find ourselves at an impasse and approaching a, a speed bump in our session. So I work to try and identify some solutions with Senator Cavanaugh, with the Speaker. I had a brief conversation with Senator Kauth and talked to many other members of the body who were eager to move on to a host of the other pending bills on General File as delineated in your agendas. And I think, you know, for a variety of reasons over the years when the body has found itself at an impasse for personal, political or policy reasons, typically leadership would convene the stakeholders to try and address the issue at hand and provide for an opportunity to remove the speed bump from the body's agenda. And unfortunately, that has not happened in this instance for

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a variety of reasons. So as is typical in our rules, if we're not able to get resolution from specific parties or for leadership, the rules kick the decision back to the body. And what this motion does is it says to us collectively, let's pass over this speed bump. This motion to pass over does not kill Senator Kauth's bill. It does not move it in any sort of way from its regular worksheet order. It just says this has become a focal point. This has become a speed bump that has caused frustration for members, I think, across the state and across the political spectrum. So what this lets us do is it lets us take a beat, it lets us take a breath, it lets Senator Kauth, Senator Cavanaugh, the Speaker, kind of come together outside of the pressure of this instant debate and have an opportunity to see if there's a better way to proceed. And then what it does is it gives us the collective opportunity to continue our work on the agenda as delineated in General File today. I would definitely appreciate questions, ideas to help us collectively work through this impasse that we find ourselves at. I understand from Senator Cavanaugh, and I definitely would not pretend to put words in her mouth or any member's mouth, that she is willing to allow debate to proceed on the rest of the issues pending on General File if this motion is successful. So, colleagues, this is a procedural move. You don't have to bring any political judgment to bear on your decision, but it says, hey, we're at an impasse. We have a procedural opportunity here to reset the agenda and clear the way for substantive debate on the rest of the measures pending on General File without in any way hurting Senator Kauth's bill, which is a technical bill related to property tax notices. So that can and will continue to, I think, be before the board-- body and have opportunities to move. But this gives us a chance to just reset the agenda, to remove this roadblock, to remove this speed bump, which has taken a great deal of time and energy and consternation from our collective agenda this morning and allows us the opportunity to continue to debate and work through a host of interesting and important bills that are on General File this morning. Thank you, Mr. President.

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

M. CAVANAUGH: Thank you, Mr. President and colleagues. I'm not sure how many were listening, it was kind of loud during the start of Senator Conrad's comments. Senator Conrad came to me and asked if I would be willing to stand down on talking all day if we passed over the first bill on the agenda. I said this yesterday that I would and it's back on the agenda today. If we move with Senator Conrad's motion, then I will pull my amendments on the remaining bills on the

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agenda. If we don't, then I will refile my amendments on LB147. So six of one half a dozen to the other for me, you can either listen to me talk all day or we can move some bills forward. I just wanted to clarify that I, I did agree that I would stand down, but I'm also fine. I took some cold medicine and I'm raring to go. So if you want to hear me talk some more, then I guess don't vote for the motion. Thank you.

KELLY: Thank you, Senator. Speaker Arch, you are recognized to speak.

ARCH: Thank you, Mr. President. I rise today in support of LB147 and in opposition to the motion to pass over. Generally speaking, motion to pass over-- and, and by the way, I very much appreciate what Senator Conrad is attempting to do here. She is, she is working, trying to find a way to move on and I very much appreciate that. So don't, don't, please don't misunderstand my comments. I-- generally speaking, that pass over is done when there is legislation that obviously needs additional work and, and you need to take it off so that people can go over in the corner and work out those issues with that legislation. This right now I think we're dealing with, with LB147, and let me just talk about that for a second. It amends Nebraska revenue-- Revised Statute, Section 77-1736.06. Currently, when an entry of a nonappealable order, an unprotested determination of a county assessor, an unappealed decision of a county board of equalization, or other final action requires a political subdivision to refund taxes to a taxpayer, the county treasurer must give notice of the refund to the political subdivision of its respective share of the refund. If the refund is less than \$200, the county board can waive the notice. LB147 would modernize this notice process by allowing political subdivisions to waive notice of refunds of \$1,000 or less. In addition, LB147 would allow county treasurers to provide notice electronically rather than by first-class mail if the governing body of the political subdivision makes a written request to receive such notices. That's it. This LB147 is a matter of good government, needs to pass. The committee voted this bill out of the Revenue Committee by a vote of 8-0. The worksheet bills that are on today's agenda were selected in order of when they were voted out of committee and reported to the Clerk with one exception. As Speaker, I decided to exclude those bills that had no votes in committee. So I notified Senator Halloran, Linehan, McKinney, Wayne, others, that their bills would not be heard on worksheet order because I wanted to pass a number of bills that I would call good government without concerns that any controversy surrounding the no votes could trigger a filibuster on a worksheet bill. This was done so that before we reached the controversial bills which we know are coming, we would--

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we could pass some cleanup and good government bills that our system of government needs. That was my intention. When I was elected Speaker, my perspective of my role in this body changed significantly. Prior as Chair of the HHS Committee and as a sitting senator, I viewed my role as processing bills through committee and representing my constituents of District 14 in the Legislature. As Speaker, I realize that my role now is much larger. It is to protect and secure the institution of the Legislature for this session and for future sessions to follow and manage the process of the Legislature. As one who is tasked to protect the institution for the future, my perspective has changed. The permanent rules that we adopted and that have largely been in place for decades protect the exercise of free speech and make it very difficult to stop an individual senator from expressing his or her views on issues. That is how the rules are designed. While frustrating at times, I strongly support that. Our body is one of deliberation. It should not be easy to stop or shut down a senator from debate, and it isn't per our rules. Article I, Section 5 of the Nebraska Constitution says, quote, Every person may freely speak, write and publish on all subjects, being responsible for the abuse of that liberty. End of quote. That applies to all citizens and to this Chamber and that is how our rules are crafted to ensure the freedom of speech. While we may not agree with the speech that is expressed in this Chamber, our rules are designed to protect freedom. While I will not always agree with the speech expressed in this Chamber, my role as Speaker is to protect that freedom by the enforcement of both the letter and the spirit of the rules. We cannot trade our freedom of speech when we disagree with what is being expressed. That being said, it's interesting that--

KELLY: One minute.

ARCH: --in the wisdom of the authors of our constitution, the phrase being responsible, the phrase being responsible for the abuse of that liberty was included. With freedom comes responsibility. We should all be mindful of the responsibility that accompanies freedom of speech. Another senator in this body recently said, just because you can doesn't mean you should. And that's good advice. That is the exercise of freedom with responsibility. We know we're going to have some extremely difficult debates on some extremely difficult issues in the coming weeks. We know these are coming. These are not those issues on worksheet order. These bills today on the worksheet are unanimous votes of committee members to pursue good government. They have been selected to allow us to proceed. I would ask that members allow these good government bills to proceed. By doing that, we can all respect and express our freedom of speech. Thank you very much.

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

RAYBOULD: Thank you, Mr. President. I stand in support of passing over LB147. I want to echo the frustration I feel as a new senator. I would love to get back to business. I would love to start taking up the bills that we have on General File. There's a lot of good bills that are pending. But I have to, I have to tell you in business, and I've been in business my entire life, starting when I was eight years old, but when you come to an impasse in negotiation over anything, and this is a very small bill, if this is impeding us to get back to debating all the bills that we should be debating and passing over is a common practice in business. If we can't agree on this one sticking point of dealing with this matter at this moment in time, we put it off to the side because we in business want to get things done. And that's part of my frustration as I stand before you today as a new senator, I am so frustrated. I would love to be getting back to business and spending more time with my constituents who come and visit rather than spending time on the floor sitting in my chair trying to reach out and catch up on correspondence. It is a very frustrating time and I, I wasn't expecting that when I signed on and, and wanted to win this position and serve my constituents and serve my state of Nebraska. So if this is a small ask, we're not tabling this matter, we're just passing over it so that we can get on to the other substantive bills that we should be talking about that are not in-- that are not being contested. So I ask my colleagues, this is a very small ask. I think Senator Machaela is entitled to do this. I would ask you, let's pass over it. We're going to come back to it. But I don't want any more impediments for us to get going and, and starting to review our bills and get things done. Mr. President, I would like to yield the rest of my time to Senator Machaela Cavanaugh.

KELLY: Senator Cavanaugh, you have 2:40.

M. CAVANAUGH: Thank you, Mr. President. Thank you, Senator Raybould and Speaker Arch. So I did-- I had to actually withdraw everything that I had on this bill in order to allow Senator Conrad's motion to go up first this morning. And so I've already done that. But after hearing the Speaker's comments, it, it feels that the body is not going to vote for this motion. So I went ahead and asked that all of my things be refiled on this bill so that I am prepared for when we move forward with LB147. I'm honestly, like, I'm happy to keep talking. I'm happy to keep talking about our youth. I'm happy to keep talking today about strong public policy, economic recovery. I'm happy to keep talking about those things. And, and if you're happy to hear

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me talk about them, then great. If you want to get to the rest of the bills that are on this agenda, that's fine, too. We won't get back to these things. I don't even know if we'll get back to them this session, because if we're moving to priority bills next week, then we might not get back to these General File worksheet order bills again. I suppose the Speaker can speak to whether or not that will happen, but. So, yeah, I guess if you want to get to the bills that are on the agenda today, this session, I would encourage you to vote for the motion. If you're fine with us not getting to the bills that are on the agenda today, then I would encourage you to vote against the motion. I'm going to keep my word. I'm not going to take time on the other bills,--

KELLY: One minute.

M. CAVANAUGH: --but I will also keep my word and take this to eight hours. And there is, at the start of today, there was around five hours left, so we wouldn't get to cloture on this today. So this isn't going to move today and it'll go off the agenda next week for, as the Speaker said, because we'll be working on priority bills. So I guess act accordingly. I'm fine either way, doesn't hurt me, no skin off my back and I guess just make good choices. Thank you.

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

CONRAD: Thank you, Mr. President. Again, good morning, colleagues. And, and thank you to the colleagues who asked some questions off the mike after the motion was filed. And thanks to Senator Raybould and Senator Cavanaugh and Senator Arch for their comments this morning as well. I really-- it always warms my heart to see an impassioned defense of free speech. And so definitely appreciate the, the Speaker injecting that into our debate this morning. I, I think that's really important in kind of centering what we're, we're doing here just, just generally. But again, as you know, I just want to talk a little bit about past experience. And there's no doubt that Speaker Arch has an incredibly challenging job. I think the, the job of a Speaker was hard pre term limits, and I think it's even harder post term limit. So there's, there's no doubt that I think he's trying his best here. But the precedent is clear, when a roadblock exists in the body, whether it's personal or political or policy based, part of leadership's job is to address and clear the roadblock to bring the parties together off the mike and to see if an opportunity and a path forward can be identified for a variety of different reasons that's not being utilized in the present instance. So what our rules does whenever there is a disagreement that's unresolved or that isn't pursued by

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individuals or by leadership, it kicks it back to the body. And that's what this motion does. It does not touch Senator Kauth's bill in terms of killing it or changing it in, in any way. It's a technical cleanup bill. It's an important bill. It will move forward, but it has created a roadblock for personal policy or political reasons. And Senator Cavanaugh has committed to a very significant concession in regards to the rest of the measures that she has pending on the rest of the bills on General File today to help things move forward. Is this motion a perfect solution? No. Is it a good-faith attempt to try and help the body take a breath to reset? Yes, that's exactly what it is and that's why it exists. It's also important to remember we don't need to dig in here. This is not going to set some sort of terrible precedent. This is common place in our body to say we've hit a roadblock. This gives us a chance to remove the roadblock. Let other business proceed and see if that roadblock can't be addressed. If it can't be addressed, the Speaker has total control on the agenda to bring it back. This measure could pop up again in regular worksheet order. It could pop up again in consent calendar. There's numerous ways for this measure to keep moving forward, but if it's creating a speed bump in our work together and Senator Cavanaugh has graciously agreed to remove her other pending matters on the other pending agenda items, that's a significant concession. This motion simply gives the body the opportunity to take a beat, to take a breath, and to commit to moving forward. It's not a proxy vote for the other controversial measures that are pending before this body. It is not a referendum on whether or not we like Senator Cavanaugh or Senator Kauth or who's on who's team. That's, that's not what this motion is about. This motion is a simple procedural opportunity to move forward together, to say we've hit a roadblock. We want to take up the other issues here. Let's take a minute to breathe. Let's take a beat. Let's get the parties together to see if they can figure out a way forward. If they can't, Senator Kauth's bill comes forward, comes back in numerous different ways--

KELLY: One minute.

CONRAD: --in numerous different ways. This just says-- thank you, Mr. President-- we as a body have an opportunity, and I'm sensing and hearing the frustration from folks across the state and across the political spectrum, to say we don't want to get mired in this. This gives us an, this gives us an off-ramp. This gives us a temporary off-ramp to continue our work together this morning. So it's, it's not a proxy vote for anything else. It's not a personal referendum on any of the senators involved. It's an opportunity for the body to make a slight adjustment on the agenda as presented to us today, which typically, when these roadblocks have popped up, Speakers say for

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whatever reason, we're going to pass over these bills and let the other things move forward. That's not happened in this instance, and that's the Speaker's prerogative. But if he's not going to do that, we have a chance to do that for ourselves.

KELLY: That's your time, Senator.

CONRAD: Thank you, Mr. President.

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

ERDMAN: Thank you, Mr. President. Good morning. I had distributed to your place this morning an invitation to listen to a tax expert on income tax, as well as taxation and, and principle. And it'll happen at the Hruska Law Office on March the 2nd for a buffet dinner, and then again March 3 for a breakfast. So if you want to know about taxation, how it became, how it came into effect, what it does on you the regressiveness of income tax, I would encourage you to join us. Dan Pilla has been here before. We've taken him around the state to several locations to explain the principles of taxation. It was a phenomenal time then and it will be again. So please mark your calendar and join us one of those two times or even both. Now I want to speak a bit about what's happening here on the floor, but I'd like to ask Senator Machaela Cavanaugh a question.

KELLY: Senator Machaela Cavanaugh, will you yield to a question?

M. CAVANAUGH: Yes.

ERDMAN: Senator, you had mentioned if we wanted to know what you're doing, just come and ask. So I'm going to ask this morning, what is your issue with LB147?

M. CAVANAUGH: I have no issue with LB147.

ERDMAN: OK. So then why can't you just withdraw what you're trying to do and let us vote on LB147?

M. CAVANAUGH: Well, I did talk about this yesterday, but I'm happy to reiterate. I have an issue with the introducer of LB147, and I'm not going to let us move forward on her bill without it going eight hours.

ERDMAN: OK. So your issue is not necessarily with LB147, but with Senator, Senator Kauth?

M. CAVANAUGH: Yes.

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ERDMAN: OK. Thank you.

M. CAVANAUGH: Yep.

ERDMAN: Appreciate it. All right. So when we vote, if we do vote in favor of Senator Conrad's motion, that will not prevent Senator Cavanaugh from doing what she's done on LB147 as long as a bill has the name Kauth associated with it. It's time for us to get over those kind of attitudes and feelings and move on. Yesterday, I circulated through the Chamber and asked those who would be in favor, who are opposed, and who hasn't decided yet on sine die? I had 16 not yet. I had four no, and I had six yes. So if all we're going to do this session is what we're doing now, we just as well do sine die and leave it in the Governor's hand to call a special session to do those things that are required, which is pass a budget and adopt voter ID and anything else the Governor thinks we should discuss. It's disingenuous for someone to stand up and say for four, five, six, eight hours, whatever we've been doing, because you don't like another senator we're not going to let their bill pass. I have gotten as many texts, emails, and phone calls over what has been happening this week than anything that we've ever done here. People are confused about what we're doing, why we're doing it. This is something that has to stop. This is not what the citizens of Nebraska elected us to come and do. So I would encourage Senator Machaela Cavanaugh to withdraw her motions. If she's on the losing side of an issue, that sometimes happens, move on. I think it's inappropriate that one senator can hold up the wishes of 48 others. And there are many people that have worked a long time,--

KELLY: One minute.

ERDMAN: --many hours on their bill that they want to have at least a conversation on the floor about which we cannot. Let's move on. And the only person holding us up is Machaela-- Senator Machaela Cavanaugh. Thank you.

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

CONRAD: Thank you, Mr. President. I was hoping that Senator Kauth might yield to a question.

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

KAUTH: Yes.

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CONRAD: Sorry. You're on the run there, Senator Kauth. OK. Will that pick it up? OK.

KAUTH: Will it?

CONRAD: Senator Kauth, I know in your work outside of the legislative body, you work, I believe, in business development and as a mediator. Is that right? Sorry. I know you're trying to logistically get set up here. We've, we've got time.

KAUTH: That is correct.

CONRAD: OK. Well, I-- it's been many, many moons ago that I took mediation in law school, but I found that learning experience very valuable and very applicable to many aspects of life, including my work in the Legislature. And I wanted to just open up a dialogue with you utilizing your professional expertise as a mediator. What are some of the tools or strategies that you utilize in your mediation work when the parties are at an impasse?

KAUTH: Mediation is dependent on both parties being willing to come to the table and actually engage in dialogue and be willing to make changes so--

CONRAD: I'm sorry, I'm just not, I'm, I'm just hearing you and I know you're-- because we're trying to connect here.

KAUTH: Both parties have to be willing to come and sit down and it needs to be an issue that actually should be mediated, an actual conflict.

CONRAD: OK. No, Senator, I, I appreciate that. And you're, you're absolutely right in noting that mediation isn't the right solution for, for every conflict or every challenge that comes before us. But I'm grateful for your time. I'm grateful for your response. I'm intrigued by your mediation background because I think it can be very valuable to our work in the Legislature. And I would be hopeful that maybe we could figure out a way strategically to just take a breath and help, and help the work move forward. And, and I appreciate you yielding the time. Thank you, Senator Kauth.

KAUTH: Absolutely. Thank you.

CONRAD: Appreciate it. Thank you, Mr. President. And thank you to Senator Kauth. I appreciate the feedback from my friend Senator Erdman as well, and really, honestly, truly, genuinely enjoy serving with

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him. And I love his energy and tenacity. And I think it's, it's always really fun to have a robust exchange of ideas with such a, a passionate advocate. I'll tell you, I have received a fair amount of feedback from my district about what's happening in the Legislature, and I'm sure Senator Cavanaugh and others have as well. And it's very supportive, people are really hurting about the direction this Legislature is headed and some of the key issues that are coming before us. And that's I believe, again, can't speak for Senator Cavanaugh, what's, what's prompted her to utilize this strategy. And to be clear, this is not unique to Senator Cavanaugh, different senators for different reasons at different times have utilized every tool in their tool bag to advance the work of their constituents in enumerable different ways. So this is nothing new to the Nebraska Legislature or to Senator, Senator Cavanaugh. But all this motion does is it just gives us the chance to clear the path, let this issue be dealt with at another time, in another way, and continue our work together this morning. It's not any sort of--

KELLY: One minute.

CONRAD: --kind of-- thank you, Mr. President-- kind of, you know, we, we shouldn't be walking up to the brink together here and digging in. We should be recognizing there's concerns from our colleagues for whatever reason, and we should collectively use our leadership and our power to take a breath, to take a beat, to let the work move forward together. And this is a temporary good-faith solution to do just that, to respond to the concerns that I've heard from colleagues across the political spectrum who want to get to some other bills today. Senator Cavanaugh is giving a lot. Senator Kauth is firm in resolute in her position in this regard, as is the Speaker. And this motion says, colleagues, let's, let's give ourselves an opportunity to continue the work together. If we're serious about wanting to continue the work together, we should support this motion that does nothing to the--

KELLY: That's your time, Senator.

CONRAD: --underlying bill and clears the way for additional debate. Thank--

KELLY: Speaker Arch, you're recognized to speak.

ARCH: Thank you, Mr. President. Again, I want to say thank you to Senator Conrad. I know that she is very sincere in, in what she's doing here, trying to help the Legislature move forward. In my, in my opening comments on this issue, I, I talked about how one of the-- my

perspective changed when I became Speaker and, and had a much greater appreciation for the weight that sits on the Speaker regarding the institution and the protection of the institution. And one of those early days, I, I became very aware of this, of this concept of precedent, setting precedent. And I would say with regards to the rules, I would talk to the Clerk and I, and I would say, well, have these rules ever been used in this way or that way? And it, and it was like you could do it that way, but that would be setting precedent. That-- it has not been used that way in the past. And once you do it once, then, then you have, you have set precedent. And so that was a good, that was a good education for me. I continue to ask those questions with regards to rules, because as I mentioned, the rules, the rules are amazing. As frustrating as they are, the rules are there to make sure that we do not stifle free speech. It is so hard to stop anyone in this body from exercising that free speech. Thank goodness. Thank goodness it's hard to do that because we would at any time in our careers would love to do that to another senator and they would love to do that to us. And that's not right. But the concept of precedent here is real in my mind. There are 49 senators in this room who at some point, and I would say probably predictably within this session, at some point are going to have major issues with another senator. And you just multiply the combinations of those and you can see how many times we could come to this point and set the precedent of passing over. If there was an issue with LB147 where we needed to sit down and talk about let's resolve this, it obviously is not-- you know, this language in this bill does not do what we intend. And I mean those discussions, I would fully support passing over LB147. But, but I'm not hearing that there's issues with the bills. I'm hearing that there's issues with individuals. And, and as real as that is, I think, I think by passing over here, we would be setting a precedent not just for this session, but for sessions to come, that when there are those conflicts, personal conflicts that arise within this body, we just pass over. We don't, we don't resolve those conflicts. We just pass over. And I think that-- and I-- and for that reason, I, I, I just think it is a precedent that we don't want to start. And so those, those are my thoughts on this issue. Thank you, Mr. President.

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

M. CAVANAUGH: Thank you, Mr. Speaker-- or President. So I spoke for, like, almost three hours yesterday about this bill and the introducer. And I told the HHS Committee the night before that if we passed out LB574 that I was going to talk on everything, on everything and slow everything down. And then the first bill up the next day was the

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introducer of LB574's bill. LB574 is a bill that attacks trans children. It is legislating hate, it is legislating meanness. It's not just because that I am targeting this particular senator's bill. I had the intention of taking time on every single bill on this agenda, but this particular introducer was the first bill and there was no way I was going to take anything less than eight hours on this bill. If you want to-- could have moved it to the bottom of the agenda and gotten through everything else and still gotten to this bill and I would have taken eight hours. I don't control the agenda. I'm going to do what I'm going to do with the agenda that's in front of me. I was-- I'm-- was not going to take eight hours on LB4, LB74, LB206, LB47, LB102, LB289, LB395, LB395A, LB98, LB33, LB28, LB81, LB83, LB183, LB300, LB384, LB315, LB78. Only LB147, will I be taking eight hours on. I will take time-- well, if this motion passes I won't because I've committed to you all that I won't. But I was intending to take time on all of those to slow the session down. I am taking eight hours on Senator Kauth's bill, because I don't believe that it is appropriate for us to pass without it taking time, bills for people who are introducing bills that hurt children. The children of Nebraska deserve to have somebody stand up and fight for them. And I really don't care if that makes people in here dislike me, if that makes people uncomfortable, irritated. I want you to be irritated. I want you to be irritated enough that you have some self-reflection on how you want this session to go and what your priorities are. But if you keep putting things on the agenda that you know are going to get me up and talking, that's on you. I don't control the agenda. I'm going to do what I'm going to do with the agenda that's put in front of me. You put things in front of me that you know I'm going to take time on, I'm going to take time on them. I was very clear about that yesterday. I'm very clear about that now. You can vote for this or you cannot vote for this. And I will just go on taking time on LB147. Whenever LB147 is on the agenda, I will be taking it to cloture, whether it's today, next week, a month from now, it does not matter, LB147 will be going to cloture before it passes. So you can motion, you can vote to move it off the agenda and get on with the rest of your bills or you can keep it on here, it won't, we don't have time to get to cloture today anyways, so it'll stay not moving forward. This is all a win for my objectives. All of it is a win for my objectives. And Senator Erdman, if somebody came up and threatened, physically threatened your child, physically threatened your child's health and safety, I don't think you'd appreciate somebody telling you to just get over it. I'm not going to just get over it. I'm not going to just get over legislating hate and meanness against children, against my children, against Nebraska's children.

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KELLY: One minute.

M. CAVANAUGH: I'm not going to get over it. Not a single day is going to go by in this body that I will get over it. You can operate however you want to operate. You know what I'm going to do. Thank you.

KELLY: Thank you, Senator. Senator Conrad, you're recognized to close on your motion.

CONRAD: Very good. Thank you so much, Mr. President. And again, good morning, colleagues. I appreciate everybody who's had a chance to weigh in. I just want to draw the body's attention to the fact that I understand and appreciate that this motion is not a perfect solution. But we shouldn't let perfect be the enemy of good. And we should utilize the tools that we have available collectively to take a breath, to take a beat, and to help accomplish our shared objectives. The common thread and the common theme that I heard from senators yesterday was that we want to, we want to continue our work on the other bills on General File. This provides us an opportunity to do that without in any way harming the underlying bill. It doesn't lose its place in worksheet order, it doesn't amend it, it doesn't kill it, it just removes it from the agenda today in this instance to allow work to happen on the other bills. So I take you at your word when you say we just want to debate the other bills, this gives you a chance to do that. You don't have to utilize this as a proxy battle for other bills. You don't have to utilize this as a personal or political referendum on any of the stakeholders involved. For different reasons across the history of this Legislature when the body has found itself at an impasse for political, personal or policy reasons, leadership usually passes over a measure creating the impasse to allow for additional work to proceed. The Speaker has chosen not to do that. He's been clear about his reasons for doing that. I disagree with those reasons, and that's why I have filed this motion to give us a good-faith opportunity to take Senator Cavanaugh's significant concessions that she has committed to if this motion is adopted and to allow the work to continue. If at any time in recent days or weeks you've been wringing your hands or talked about your frustration with not being able to work on the bills in worksheet order, you should vote green on this motion. It gives us a brief, good-faith opportunity to allow you to continue your work. I'd appreciate a green vote and I'd ask for a call of the house. Thank you, Mr. President.

KELLY: Thank you, Senator. Call of the house requested. The question is, the motion to pass over. All the-- there's a request for a house--

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call of the house. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 18 ayes, 2 nays to place the house under call.

KELLY: 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. Senators Wishart and McDonnell, please return to the Chamber. The house is under call. Senator Wishart and McDonnell, please return to the Chamber. The house is under call. All unexcused members are now present. The question is the motion to pass over. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 10 ayes, 32 nays to pass over LB147.

KELLY: The motion fails. Mr. Clerk, next item. And raise the call, raise the call.

CLERK: Mr. President, Senator Cavanaugh would move to recommit LB147 to committee.

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

M. CAVANAUGH: Thank you, Mr. President. General Affairs Committee members, you can go back to your Executive Session. You got two hours or whenever we adjourn. Thanks to the 32 senators that voted against the motion, I just feel so loved that you wanted to hear me talk for a couple more hours this morning. So I, I abstained from voting. I thought if it was, like, one vote away, I would vote. But I wasn't going to vote, wasn't going to put my thumb on the scale because like I said, I'm fine either way. I wanted the body to decide. And the body decided they wanted to not get to the rest of the votes or bills on the agenda. So, I mean, that's, that's fine. You're complaining about not getting to things on the agenda, and then you have the opportunity to do something about it and you didn't take it, so that's cool. I'm not even sure where I left off yesterday, but one of the things that I talk-- was talking about yesterday was issues that we aren't talking about right now. And yesterday afternoon we had a hearing in HHS for a bill, it was Senator Wishart's bill and the Governor came and testified in support, as did key members of DHHS administration. It was a bill for behavioral health. Just trying to pull it up here. Let's see, hearing schedule. Want to have the right bill number. LB276, adopt the Certified Community Behavioral Health Clinic Act. So

great bill, and really a wonderful opportunity to do something impactful when it comes to behavioral health. I had dialogue with the Governor during that hearing about some of the factors that impact or adversely impact behavioral health, the primary factor being poverty. And so many studies, I don't even need to pull them up, I can if I guess people want me to, but there are lots of studies that talk about how behavioral health or how poverty impacts behavioral health. And we are seeing in Nebraska and across the country an economic crisis. And we have multiple bills sitting in committee that haven't had any hearings yet that address some of those economic factors that also significantly play into behavioral health. We have, I think, three SNAP bills, one that extends the sunset that we currently have upcoming in 2023 for extending eligibility, another one for SNAP that allows for convicted drug felons to have access to SNAP. And this is an interesting one. The convicted drug felon SNAP bill, which I don't understand why but has never been able to make it out of HHS in my four years. And this was part of the war on drugs in the '90s that I think the current President, actually Biden, when he was in the Senate, was a proponent of or helped draft and now has realized that it was not an effective tool in the war, war on drugs. And so walking it back, most states have removed the prohibition for convicted drug felons to have access to SNAP. Nebraska is one of the states that has not. I think it was last year, whenever Senator Hunt brought the bill last, that the committee hearing had the Omaha Police Department, the Catholic Conference, and Senator Megan Hunt all on the same side. Now, to me, that's divine intervention. That clearly shows that this is something that everyone should be getting behind. The police department specifically was in support of it because they know how much poverty plays into crime. And if we can lift more people up out of poverty, we will see a reduction in crime. So yet another reason for us to be looking at these bills that address poverty. We can be addressing crime. We can be addressing behavioral mental health. We can make sure that our children are thriving. But those bills haven't had hearings. Bills that have direct economic recovery implications that we know will help fix intergenerational poverty, not fix it, address it. Intergenerational poverty is such a complex issue that it will-- would take decades of dedicated, diligent policy to fix. But we could address intergenerational poverty with some of these policies. We could be creating a better environment for our children to grow and thrive in. But instead, we are prioritizing-- we the royal we, I, I, not myself, the Legislature is prioritizing bills that do nothing to help children, do nothing to address their immediate needs, the economic crisis that they live in every single day, do nothing to make sure that they have clean clothes when they go to school or shoes that

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don't have holes in them when they're walking in the snow. It's really loud in here. It's like you don't have to listen. You don't even have to be in here. You can leave. It's hard to talk when you have, like, a lot of people talking around you, having conversations directly in front of you, oblivious to the fact that you're on a microphone in front of them. But OK, it's kind of like trying to have floor debate with a blaring TV behind you. So talking about economic crisis and children in poverty, there are some very animated conversations happening around me about other things. Maybe they're having it around the economic crisis in children in poverty. How much time do I have left?

KELLY: Three minutes.

M. CAVANAUGH: OK, I'm going to get in the queue. OK. So the Governor came in front of HHS yesterday for LB276. It was, I think, a good hearing. I didn't stay for the entire thing and I'm sorry to those that came to HHS yesterday for committee hearings in the afternoon. If you watched the floor debate during the day, you might have noticed I was not feeling well. And so I did do something that I rarely do. But I took myself home and took a very long nap and a very long nap that lasted until about 7 a.m. and then got myself back here for this. And I, I plan to be in committee this afternoon. But I did need to take a little, a little time to rest and recuperate. So the Governor was there and acknowledged and agreed that poverty is a huge factor in, in mental behavioral health issues and access to services, access to food, the trauma of, of going to school hungry and, and not knowing where your meals are going to be. And now we have this added trauma of our LGBTQ youth watching what is happening at a national level, watching what is happening at a state level, conversations that are happening around who they are and their rights, their autonomy. And we're just creating more trauma. I don't think we're ever going to have enough money to address behavioral and mental health as long as we are continuing to govern more trauma and as long as we are refusing to address the essential needs--

KELLY: One minute.

M. CAVANAUGH: --of the people. We have a responsibility to the people of Nebraska, to our citizens to use taxpayer dollars not to build lakes, not to build sports arenas, not even-- there's a lot of things, there's a lot of asks in the budget this year, a lot. Yet, I still know that we are going to fight, fight-- a handful of people in this body are going to fight for the Nebraska Legislature, the government

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to feed children. How does that make any sense? How does that make any sense at all? I think I'm about out of time. Am I out of time, sir?

KELLY: That's your time, Senator.

M. CAVANAUGH: Thank you.

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

CONRAD: Thank you, Mr. President. Good morning, colleagues. I rise to continue dialogue in regards to where we are procedurally and in regards to the substantive underlying bill. I'm not necessarily surprised, but indeed disappointed that the good-faith motion brought forward to help the body find an off-ramp from the impasse we find ourselves in was rejected. And I think it's particularly disappointing when you look at the vote count, and it remains to be seen whether or not it was indeed a pyrrhic victory for those who voted to reject that good-faith procedural move forward. Because now people, you know, don't have the right to grumble. Oh, we can't get anything done. Oh, we just want to debate. Because you rejected a good-faith attempt to help us address an impasse and move forward, so now you're complicit. You're complicit in that decision that impacts the agenda and all of the bills therein. I'm going to keep trying to find constructive, thoughtful, good-faith opportunities, strategies and efforts to work together with my colleagues on their bills that I find great merit in with procedural matters that help to advance debate in accordance with what my constituents are asking me to do and will not be dismayed nor deterred from the vote that just took place. But I ask you to look deep in your heart and to say why, why were you more committed to brute partisan force in a nonpartisan body than you were to solving problems, the procedural problem before us? That's something each individual will have to wrestle with. But it does indeed make our work together more challenging when there isn't a good-faith effort to approach good-faith solutions with an open heart and an open mind. So with that, I'm going to turn my attention to the matter pending before us. Senator Kauth's underlining bill, LB147, is in relation to property taxes, and I know that Senator Carol Blood, a senior member of this body who I had a chance to, to give a heads-up to previously this morning has spent a great deal of time trying to address the property tax crises before our state. And she's come up with a lot of different solutions over the years, whether that's in regards to support for circuit breaker measures or homestead measures or addressing a key driver in property tax pressure on our taxpayers, which is unfunded mandates. And I know Senator Blood has another measure related to unfunded mandates that will be pending, I think,

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today before our Government Committee. So, Senator Blood, if you would yield to a question, I'd appreciate it.

KELLY: Senator Blood, will you yield to a question?

BLOOD: Absolutely.

CONRAD: Thank you, Senator Blood. And I know that this is an issue that you've worked on a great deal that impacts so many Nebraskans. But can-- since this underlying measure relates to property taxes, can you tell us about how your unfunded mandate solution addresses the property tax issue for Nebraskans?

BLOOD: Yeah, absolutely. First, I want to say that I'm not the first person to work on the issue, Senator Justin Wayne, Senator Fischer, when she was a state senator, worked on it, Senator Sue Crawford, so it's been an ongoing issue for decades. And the issue when it comes to unfunded mandates is that although we can pass, continue to pass all kinds of property tax relief, until we fix this underlying cause, we will never have true property tax relief, because what we do as a body is we continue to hand mandates down to our political subdivisions like our schools and our counties. And because we are a Dillon's Rule state, we actually limit the tools we have--

KELLY: One minute.

BLOOD: --in the toolboxes to pay for such things. So when we, we don't, when we pass a bill and we don't show how we're going to pay for it, we're just kicking that can down the road because we're putting the cost on local government, which is the underlying cause of why your property taxes are high. So it seems kind of nonsensical that we keep doing this year after year after year without really resolving the issue, which is that if we're going to pass a bill, we should show how we're going to pay for it. We keep saying we want to run the government like a business. Would you buy things for your business unless you knew how to pay for it? Probably not. But yet, for some reason, these bills always get stuck either on the floor or in the hearings. Last year, the Government Committee voted it out 8-0, but it got stalled on the floor half way through.

KELLY: That's your time, Senator. Senator Machaela Cavanaugh, you're recognized to speak.

M. CAVANAUGH: Sorry, I was across, across the way. Can take a few moments to get back to home. Oh, thank you. I just spilled an entire glass of water on my desk. Thank you to my wonderful staff person who

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actually knows how clumsy I am and is at the ready with paper towels. I appreciate that. OK, well, now I'm a little bit flustered on what I was going to talk about. So I think-- I see that Senator Hunt is in the queue. Senator Hunt, could I yield you the remainder of my time, Senator Hunt? Mr. President, I'd like to yield my time to Senator Hunt.

KELLY: Senator Hunt, you have 4:08.

HUNT: Hi, Senator Jacobson. Excuse me. Good morning, colleagues. Good morning, Nebraskans. Thank you, Senator Cavanaugh, for the time. I rise to continue the conversation with respect to the vote that was taken earlier. And having listened carefully to the conversation around Senator Conrad's motion and her motion to reorder the agenda, which I think was a really sincere, good-faith effort after her work over the last couple of days trying to speak to stakeholders on the floor, Senator Machaela Cavanaugh had conversations with Senator Conrad. I know that Senator Conrad spoke to Senator Kauth and to Speaker Arch at length yesterday about trying to find an off-ramp for this filibuster so that debate can move forward. It was, I think, a, a-- not even a creative use of the rules or of precedent, but it was literally looking toward precedent in the past 8, 16 years here in the Legislature of things that Speakers have done out of a sense of leadership to keep things moving forward. I think part of the job of Speaker traditionally has been to recognize when there's a roadblock and bring parties to the table. I mean, there's legendary stories before of, of different Speakers literally putting people in a room and shutting the door and saying don't come out until you have a resolution. That's almost something that I could never even imagine happening. I can't picture Speaker Arch doing that. I couldn't have pictured Speaker Hilgers or Speaker Scheer doing that. But I know that in the past that was a typical practice and that, to me, is a way of exercising leadership that I think is an opportunity that we missed with that vote on Senator Conrad's motion. It would not be setting a bad precedent to pass over a bill that's got people wrapped around the axle a little bit. And I was grateful to hear Speaker Arch share his views about Senator Conrad's motion to reorder the agenda, because as I was listening, I was thinking, I really hope that Speaker Arch responds to this and weighs in on it. And I'm grateful that he did and obviously from a very thoughtful and considered place. I appreciated his remarks very much. And I also, you know, it was not lost on me when he--

KELLY: One minute.

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HUNT: --thank you, Mr. President. It was not lost on me when Speaker Arch read for the first time that passage from the Nebraska Constitution that says, you know, of course I won't get it verbatim here, but paraphrasing that people have the right to free speech and they also have the right to experience the consequences for that speech. And Speaker Arch said that free speech comes with responsibility and sometimes consequences for what those words are. I and probably many people in the body took that as a pointed directive and remark toward Senator Machaela Cavanaugh, basically saying that the consequences of the speech today and over the past few days taking time on certain matters, that she could be expected to experience consequences for that, that she would have to be responsible for that.

KELLY: That's your time, Senator. Senator Hunt, you're recognized to speak.

HUNT: Thank you, Mr. President. The implication clearly being that Senator Machaela Cavanaugh would be responsible for the consequences of her speech today and throughout this past week. But I would hear it a different way. I heard that remark a different way, which is that everything happening in this session to try to reorder the agenda, to try to take time on bills that are problematic for whatever reason, whether it's the content of the bill or the person who is introducing it, or the procedural issues that may come up around the circumstances of a bill, these are three reasons that we've already seen time being taken on the floor on different bills. Either there's a problem with the bill, there's a problem with the introducer, or there's a problem with the way procedurally it was brought to the floor. All of these things are totally valid reasons to use the rules, which we've all agreed on, colleagues, to try to exercise what little power we have over the agenda of this Legislature. And when we talk about consequences of speech and responsibility for speech, colleagues, that is what Senator Kauth is experiencing with this over the past few days. This experience you're having on the floor today and yesterday is a consequence of Senator Kauth's speech, not just a consequence of Senator Machaela Cavanaugh's speech. Early in the session, I, I made an offhand remark that some people mentioned back to me. Don't start none. Won't be none. If you don't start a fight, we're not going to have a fight. The time that's being taken on this bill is because of Senator Kauth's speech. It's because she came in here with the agenda and, you know, with her heart really set on hurting children in Nebraska this year. There are several bills introduced this year that are causing immense pain among Nebraskans. Nebraskans have tried to take the opportunity as much as possible to make that pain known to their lawmakers and their representatives. They've gone through all of

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the channels that we ask them to go through in order to do that. They showed up to committee hearings. They've been contacting your offices, emailing, calling. And Nebraskans reach out to me every day. This morning they did. Last night they did. I've got probably 24 to 30 unread messages on my phone right now from people who all have the same question. What can we do to stop these bills? What can we do to stop Senator Kauth's hateful, bigoted agenda? And what can we do to stop the abortion ban? These are the issues that are causing pain to so many Nebraskans. The time we take on the floor today or any day in this session comes nowhere near to causing you, colleagues, the pain that your votes and actions are causing Nebraskans. One colleague said to me the other day, you know, I don't disrespect you, I don't. I respect you. I, I, I don't dislike you. And it's not your conduct on the floor that communicates respect or dislike or like or whatever, it's your votes. It's your votes. And as long as you're going to vote to police my body, as long as you're going to vote to say if I'm experiencing a medical emergency, you're going to make me lay in bed and, and possibly experience horrible circumstances for my own fertility, perhaps die--

KELLY: One minute.

HUNT: --to gestate a baby, like one of Piller's pigs. Or if you bring a bill that says LGBTQ children don't have the right to be who they are, then that's not respectful. So it really doesn't matter what you say, it matters what you do. And when you introduce bills like this, this is a consequence. It doesn't exist in a vacuum. I want to speak more about how Nebraskans have tried incessantly to reach out to us with their objections to these bills. They have done everything that we ask of them to do in terms of civic engagement. They've come to committee hearings and some of them waiting to speak to their representatives for hours, for six, seven, eight hours, waiting in the hallway, sitting in the hallways. I see all of us in there, you know, stepping over people with--

KELLY: That's your time, Senator.

HUNT: Thank you, Mr. President.

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

CONRAD: Thank you, Mr. President, and good morning, colleagues. The other point that I wanted to inject into this debate is the fact that none of us as individuals are-- have to be content with being passive. We each have the opportunity with each measure put before us and the

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procedural dynamics that you have chosen to remain in to utilize this time. And perhaps it's an opportunity to highlight some key issues on your personal legislative agenda or to draw the body's attention to those. For example, the underlying measure, LB147, is in regards to technical changes regarding property taxes. So I really appreciated Senator Blood taking opportunity to share with us a little bit about her work in recent years and before the body in this session to address an important issue facing Nebraska that has, of course, been a perennial issue. But let's embrace the opportunity to have extended debate on these measures. You have chosen through your procedural choices, which are yours, and you have agency to cast with whatever motive you see fit to say, OK, Senator Kauth's bill is related to property taxes. We're going to have a lot of issues pending before the body this session emanating from the Revenue Committee or from the Education Committee or perhaps Appropriations that are all going to have a significant amount of interplay and intersection with addressing property tax issues in Nebraska. I know I have been looking very, very carefully at measures that Senator Brandt and Senator Hughes and others are working on as kind of a parallel or complementary piece to the education plan that the Governor has brought forward and have been digging into the tables and the data that they've provided in that regard about how that plan actually perhaps does more to address property tax relief while also funding our schools. So I am going to utilize the opportunities that the body have chosen to given each of us. If we're going to make a firm commitment to continuing down this path, I'm going to try and utilize this opportunity to raise up issues and dialogue and debate about the substantive underlying bill. Senator Kauth's measure is in relation to property taxes. I know that's an issue, that's a top issue for many of us in our campaign. It's an issue that has been a tough nut to crack in terms of solutions from a state perspective, because, of course, the state does not levy property taxes. But the decisions that we make through policy and through appropriations, of course, impact those, those, those governmental subdivisions that do levy property taxes and what that means for our constituents. So I would be very interested to hear from members of the Revenue Committee or other members who have measures pending before this body to address property taxes. Perhaps this would be a good opportunity to educate the body about, about how those measures might bring relief to Nebraskans across the state. Thank you, Mr. President.

KELLY: Thank you, Senator. Senator Raybould announces some guests in the north balcony, there are 14 students K-3 from Bluestem Montessori

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and four adults with them in Lincoln. Senator Machaela Cavanaugh, you're recognized to speak.

M. CAVANAUGH: Thank you, Mr. President and colleagues. I appreciate Senator Hunt taking my time on the fly over there. I literally dumped an entire full glass of water on my table, on my phone-- my, my-- we have, we have touch-tone phones here on the floor of the Nebraska Legislature. And I dumped a glass of water into that and into my computer bag. So I'm firing on all cylinders this morning. Mr. President, is this what-- how many more times do I have to speak?

KELLY: This is your third and you'll still have your close.

M. CAVANAUGH: Thank you. OK, so the care that transgender and youth need and deserve. This is from March 14 of last year by Dr. Claire McCarthy, senior faculty editor, Harvard Health Publishing. Some people, including children, feel very strongly that their gender is not the only, is not the only, is not the one they were assigned at birth. It's not even really a feeling. It's something they know for certain. When families, healthcare providers, and others ignore or deny this or try to stop the person from living as the gender they feel is right for them, feels right for them, it's not only unkind, but dangerous. When a child is born, they are assigned a sex or, quote, natal gender based on their body characteristics or chromosomes in cases where the body characteristics are not so clear. Most of the time children are fine with their assignment of male or female, but sometimes that assignment can feel very wrong. Sometimes children truly feel that they are in the wrong body or that they don't fit either sex or that they may move between the two. It's certainly common for young children to explore their identity, but this is different. This is not a phase. This is about who they are, who they know themselves to be. This is more common than many people realize. Data show that about 0.6 percent of adults and 0.7 percent of teens identify as transgender or gender nonconforming. That's about five students in every high school. Too big a number to ignore, but small enough to be excluded and scorned. And that's where the danger lies. Research shows that gender nonconforming teens realize that they feel different at around age eight, but usually don't disclose for about ten years. That's ten years of feeling that they are in the wrong body. And as they do disclose or as people around them begin to sense that they are different, they face bullying and social isolation. This takes its toll. Not only are gender nonconforming youth at much higher risk of depression and anxiety than their gender conforming peers, but 56 percent of them report thinking about killing themselves and 31 percent have tried. That statistic right there, that's the problem.

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That's the problem. We're talking about our kids here. We're talking about a specific group of children, albeit not a large group, 0.7 percent of teens, but six-- that is 56 percent of them think about killing themselves. And here we are trying to make it harder for them to be who they are in our wonderful state of Nebraska. That's the problem. Science has proven that chronic low-grade inflammation-- oh, that's, that's just an advertisement. That's not the next part of the article. It's about cardiovascular disease in case anybody wants to know. To be clear--

KELLY: One minute.

M. CAVANAUGH: --thank you-- to be clear, the research shows that being gender nonconforming is not a result of mental health problems. The mental health problems that are so common in this population arise from how it feels to be in the wrong body and how they are treated by others. That is why the American Academy of Pediatrics and the American Psychiatric Association feel so strongly that gender nonconforming youth need not just, need not just protection, but gender-affirming care. Gender-affirming care is evidence-based, developmentally appropriate care that supports gender nonconforming youth in being who they know themselves to be. This care is grounded in the understanding that diverse gender expression is not a mental health disorder, but rather a part of natural human diversity. We should not be getting involved in families and how they're taking care of their children. We should be lifting them up, helping them with essential needs.

KELLY: That's your time, Senator.

M. CAVANAUGH: Thank you.

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

HUNT: Thank you, Mr. President. We through our decisions procedurally as a body and more specifically committee Chairs and more specifically, Senator Murman and Senator Ben Hansen have removed opportunities for input from the public and removed the ability for the public to weigh in fairly and go through the process through the process that we ask them to go through to weigh in on bills that matter to them. The way this has happened is they've been prevented from testifying in committee even when there was time left to testify. There is no reason that testimony on any of the very controversial bills before us needed to be abruptly halted when there were, in some cases, just a dozen or a few dozen people still waiting to speak. I

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will also say that to my understanding, and I'm happy to be corrected by one of these Chairmen, that it's only people on the opposing side who were waiting to speak. And otherwise, I think everybody else, they got to them. But I might be wrong about that. And I'd be, I'd be happy to be corrected. But when we stymie the ability of the people, the second house to speak to us, to weigh in, to share their experiences and their expertise, to say why something matters to them, they have no other choice but to-- well, they have many choices, but one obvious choice is to go to their representatives and ask us to speak for them. Senator Erdman talked earlier about how many calls and emails he's getting saying, what's going on? I'm so confused, what's happening on the floor? Why are people taking time? If you follow what's going on here, it's not confusing at all. It's very clear. And many of us who have been speaking have been clear and direct about what those motivations are. This is a consequence of bringing forth these very hurtful, very divisive bills that, honestly, never before in the Nebraska Legislature have been made the focus like this. I have never seen such open, bald-faced bigotry brought in and celebrated with, with no conversation about how wrong it is, with no conversation about the real harms that this is doing to Nebraskans, and whether you think it's a personal feeling or an emotion, or if it's backed by science and evidence, or if it's supported by researchers and medical professionals. Whatever your view of the issue is, the fact that we can all agree on is that people of Nebraska have very, very strong feelings and those haven't been heard. The wonderful reporters at the Nebraska Examiner did a story about this, and I, I asked for this to be copied and distributed. And I know that it was only copied on one side. But you can go online and read this article in the Nebraska Examiner from February 21, 2023. And the headline is: Hard Feelings Aired by Citizens Denied the Opportunity to Testify in Nebraska Legislature. Some key parts of the article, I'm not going to read it, but key parts of the article is these reporters went to past members of the Legislature, members of the Legislature from before term limits, Kermit Brashear, Speaker Hadley, Dave Landis, I think several other former lawmakers talking about--

KELLY: One minute.

HUNT: --thank you, Mr. President-- talking about how important it is to hear all of the testimony on both sides and how we really don't have a clear picture of the views of Nebraskans if we cut off testimony, if we cut off the ability of people to share their views and all of this is, well, Speaker Arch, is a consequence of speech. It's a consequence of the decision of Senator Murman and Senator Ben Hansen, who I think you should go talk to and tell them about the

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expectations of a committee Chair in the Legislature instead of letting them, you know, roll over precedent and roll over norms and do things however they want with no consequences, because this is the consequence. The consequence is that the people weren't heard. The people feel like their experiences and the way they live their lives is not being taken into account by their lawmakers. And they reach out to people like us, to people like--

KELLY: That's your time, Senator.

HUNT: Thank you, Mr. President.

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

RAYBOULD: Thank you, Mr. President. I, I want to thank the Chamber for recognizing the Bluestem Montessori Elementary. I just want to commend them. They have been the best behaved five-, six-, seven-, and eight-year-olds ever. And so I just wanted to say thank you and-- for recognizing them. And I want to thank their amazing teachers because they have been so well behaved in the north balcony. Thank you, Mr. President. I yield the rest of my time back.

KELLY: Thank you, Senator Raybould. Senator Hunt, this is your third opportunity.

HUNT: Thank you. I was saying, we've taken away the ability of the second house to reach us through the processes and the means that we ask them to do that. We ask them to take time out of their day, to find childcare, to find transportation, to come down here, to put together something to say. And oftentimes these people don't know if they're going to have two minutes or three minutes or five minutes to speak to us. Oftentimes, this is their first time ever speaking before an elected body. Oftentimes, they're very nervous to do it and they figure it all out. They come down here, they figure out where the room is. They figure out whatever arbitrary rule the committee Chair has made for testimony. You know, am I going to have to wait in a separate room? Am I going to have to wait in line? Can I sit in the room until it's time for me to speak? It's all very-- it can be very intimidating, but it's also very inconsistent. So from committee to committee and even day to day and bill to bill, people don't necessarily know what to expect of them when they come here to testify. And these days, when we heard the extremely bigoted, extremely hateful bill introduced by Senator Kauth, and her bringing that bill is the reason we're taking time right now as a consequence of her speech, people are down here to testify on these things. Maybe

they are a trans kid and we didn't even get to hear from all of them who would be directly impacted by this bill. Maybe they're a parent of a trans child. And this is where I'm at with all of this and I think that this is sort of a generalizable thing that many of you should really think about. I'm not trans despite what Senator Brewer mistakenly said in the newspaper one time. I'm not trans. I don't know what it's like to be trans. Frankly, Nebraskans, I don't get it. I'm with a lot of you who say, you know, how are you born female and you feel male, like, I don't get it. It doesn't make sense to me either. I don't know what it's like to feel female, but that, I guess, is the privilege I have of being born in a body that I do feel comfortable in. I don't know what it's like to be any different, but you know what, it's none of my damn business. It's none of my business. It doesn't hurt me or affect me or impact me negatively in any way if I don't understand why someone else is living their life the way they do. If they're happy, if they feel affirmed, and they feel less depressed, if they're more productive in school, if they're finally making friends for the first time, if they're getting better grades, if they're getting more involved in activities because they're affirmed, they're loved by their families for who they are, and they're in a community that lets them live that way, why the hell is it my problem? It is none of my business. We fall in this trap and it's frankly, you know, a right-wing conservative trap of thinking because I don't understand something I have to stop it or because something doesn't make sense to me that we have to pass a law to, to regulate it. And it's the same thing with reproductive freedom and reproductive health. You don't have to personally want to end a pregnancy. You don't have to have ever gone through that to understand and imagine what that must be like for somebody and to accept that it's none of your business. I don't know what it's like to be trans or to want to be trans. I can't imagine it's not how I am. But if someone else feels that way, that's fine.

KELLY: One minute.

HUNT: It doesn't harm anybody. What we need to do is mind our own business, like some of you conservatives say that you love to do, trust Nebraskans, trust our neighbors and our kids and our community members, our coworkers, our family members who tell us what's best for them. Those among us in this body do not know better what's best for them than they do. And finally, if that doesn't reach you, I think we should trust healthcare providers. We should trust members of the American Medical Association, the American Pediatric Association who say bills like the bigoted, hateful bills introduced by Senator Kauth are not important or needed. We can trust Nebraskans. We can trust the

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experts and the healthcare providers, and we can just back off and say, none of this is our business. We don't get it, but we also don't have to get it. You don't have to get it to do the right thing. There's some things that we just--

KELLY: That's your time, Senator.

HUNT: --don't need to legislate. Thank you, Mr. President.

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

M. CAVANAUGH: Thank you, Mr. President. Do I have five minutes?

KELLY: Yes.

M. CAVANAUGH: Thank you. Just pulling up what we've got on this bill. I have-- we're on MO43 to recommit and then I have another motion to indefinitely postpone and then I have amendments filed and I have amendments refiled so plenty to do. Plenty to do. OK, so why does gender-affirming care matter? When youth receive, receive gender-affirming care, it makes all the difference for their mental health, which makes all the difference for their physical health as well. While gender-affirming care may involve hormone therapy or surgery, its main point is to support gender nonconforming youth and their families with a team of providers that understands their needs. Denying those needs, or even worse, using reparative or conversion therapies to prevent or to dissuade children and teens from different gender expressions is not only ineffective but can cause real harm. This is why not just the AAP, which is the American Academy of Pediatrics, but the Substance Abuse and Mental Health Services Administration and the American Psychiatric Association have all spoken out against it. Who cannot-- we cannot change who we are, nor should we, especially when trying to change who we are comes at such a clear and terrible cost. It is a fundamental human right to be who we are and to get the care we need. That's again from Dr. Claire McCarthy, who's a faculty member at Harvard Health Publishing. So I think Senator Hunt touched on it in her last remarks about the conservative notion of privacy, freedoms, liberties, unless it comes to things that you're personally uncomfortable with or conflict with your moral religious norms, then it's, like, whoa, whoa, whoa, whoa, whoa, we can only have personal freedoms, we can only have liberties if you agree with me. As long as you agree with me, we should all have our freedoms. But if you disagree with me, we should not have our freedoms. And this is something that I think gets misrepresented a lot when it comes to the freedom to own a gun that at least my perspective

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on it gets misrepresented a lot, that, like, I hate guns and want to take everybody's guns away and I do not, I am not comfortable with guns. Like, personally, I am not comfortable with them. They, they give me anxiety because they are in fact a deadly weapon. So they give me anxiety. They're not something that I grew up around. They're not something I enjoy being around. I have shot a gun before. I've gone to a shooting range and, and shot a gun before. That kind of setting, I'm a little bit more comfortable with. I don't want to take people's guns away. I want responsible gun ownership. So next week when we're debating LB77, you will hear me talking about that. You'll hear me talking about how I don't oppose concealed carry and I don't oppose people having access to concealed carry. I oppose the lack of training. I think the training is important. And I last year told the introducer--

KELLY: One minute.

M. CAVANAUGH: --of the bill that I would support creating a cash fund to pay for it. We can do a grant program if, if it's cost prohibitive and that's an issue or area of concern. But I firmly believe in, in the training is important. I don't like guns, but I don't want to take your guns away. You don't like trans kids and you want to eradicate them. That's the problem. That is the problem. So I have less than a minute left and there's a few more people in the Chamber now than when I started speaking, there was, like, 19, including myself, senators. And I've been debating, like, should I do a call of the house or not? Because if I do a roll call vote and there aren't people in the building in the Chamber, then there's going to be a whole bunch of people that are present, not voting. If I do a call of the house, I always think that I go through the, the concern that it's going to fail.

KELLY: That's your time, Senator.

M. CAVANAUGH: All right.

KELLY: The question is the motion to-- there's been a request for a roll call vote on the motion to recommit. Mr., Mr. Clerk.

CLERK: Senator Aguilar voting no. Senator Albrecht voting no. Senator Arch voting no. Senator Armendariz voting no. Senator Ballard voting no. Senator Blood voting no. Senator Bostar voting no. Senator Bostelman voting no. Senator Brandt voting no. Senator Brewer. Senator Briese. Senator John Cavanaugh voting yes. Senator Machaela Cavanaugh not voting. Senator Clements. Senator Conrad voting no. Senator Day.

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Senator DeBoer voting no. Senator DeKay. Senator Dorn. Senator Dover. Senator Dungan voting no. Senator Erdman. Senator Fredrickson voting no. Senator Geist. Senator Halloran voting no. Senator Hansen voting no. Senator Hardin voting no. Senator Holdcroft voting no. Senator Hughes voting no. Senator Hunt voting yes. Senator Ibach voting no. Senator Jacobson voting no. Senator Kauth-- Senator Kauth voting no. Senator Linehan voting no. Senator Lippincott. Senator Lowe. Senator McDonnell. Senator McKinney not voting. Senator Moser voting no. Senator Murman voting no. Senator Raybould. Senator Riepe voting no. Senator Sanders voting no. Senator Slama voting no. Senator Vargas. Senator von Gillern voting no. Senator Walz. Senator Wayne. Senator Wishart. Vote is 2 ayes, 28 nays, Mr. President, on the motion to recommit.

KELLY: Thank you, Mr. Clerk. The motion fails. Mr. Clerk, next items, please.

CLERK: Mr. President, before we continue, your Committee on Enrollment and Review reports LB299 and LB146 to Select File. Additionally, your Committee on Health and Human Services, chaired by Senator Hansen, reports LB286 and LB644 [SIC--LB664] to General File. And your Committee on Urban Affairs, chaired by Senator McKinney, refers LB346 to General File. Your Committee on Government, Military and Veterans Affairs, chaired by Senator Brewer, reports LB111, LB302, LB346 to General File, LB302 and 4-- excuse me, LB302 and LB461 reported to General File, both having committee amendments. Additionally, notice of committee hearings from the Education Committee, the Judiciary Committee, and the Urban Affairs Committee. Amendments to be printed: Senator Fredrickson to LB810 and Senator Raybould to LB77. Senator Kauth has designated LB574 as her personal priority for the session. Mr. President [RECORDER MALFUNCTION] motion. Senator Machaela Cavanaugh would move to reconsider the vote just taken on the recommit motion.

KELLY: Senator Cavanaugh to open on your motion.

M. CAVANAUGH: Thank you, Mr. President. Well, this makes it official, friends. If you were just listening to what was being read into the record, Senator Kauth just prioritized hate in the Legislature and you all voted against reordering the agenda. So I hope my voice has a soothing tone for you, because I am here to talk. And you can decide, you can talk to the Speaker and you can say, listen, LB547 [SIC--LB574] is the priority of this Legislature or it's not. But if this Legislature collectively decides that legislating hate against children is our priority, then I am going to make it painful, painful

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for everyone. Because if you want to inflict pain upon our children, I am going to inflict pain upon this body. The only thing we are constitutionally required to do is pass the budget. And even then, if we do not pass the budget, it automatically goes to the Governor's proposed budget. There is not a single thing that has to happen this year besides the budget, and we even have a failsafe for that. And I have nothing, nothing but time and I am going to use all of it. If people think that they're going to wear me down, if yesterday didn't show you that you can't wear me down, you cannot wear me down. I literally left the floor yesterday, went up to my office and laid down on the floor. I laid down on the floor, hard floor and took a 20 minute nap before going to committee hearings. You can not stop me. I will not be stopped. So if LB574 gets an early floor debate and moves forward, it will be very painful for this body. And if people are like, is she threatening us? Let me be clear. Yes, I am. I am threatening you. I am threatening my 48 colleagues, all 48 of you. There's not a bill on this agenda, on any agenda coming forward that will be spared. Every bill will go to cloture. I will not stand for legislating hate into our statutes. I will not stand for it. I'm so angry with myself, so disappointed in myself that I couldn't stop that bill from getting out of committee. I'm beside anger with those that signed on to it. You can remove your name from a bill, but there are individuals in this body that have decided that they want to go down in history as people who are going to legislate hate against children, who want to actively hurt children. You talk about the sanctity of life, yet LB547 [SIC] is the opposite of taking life seriously. It is mean. It is flippant. It is disregarding healthcare, parental rights, freedoms. And now it's got a priority. I-- again, I hope you're annoyed. I hope you are irritated as all get out with me. And I hope that that irritation leads to some self-reflection that you have the power to end this. Colleagues, you have the power. You have the power to go and talk to the Speaker about how the session is going to go. You have the power to come talk to me about how this session is going to go. You have the power. Each one of you has as much of a voice as I have, and you are refusing not to use it. You refused to not take this bill off of the agenda this morning. Thirty-two of you used your power collectively, 32 of you used your power to give me more power today. I don't know why, because most of the 32 of you oppose what I'm doing, if not all of the 32 of you oppose what I'm doing. But you still chose, you still made that choice to give me the power, including the Speaker. The Speaker gave me the power that I have right now. I do not have this power without you. We would not be on this bill any longer if you all decided we weren't going to be on this bill any longer. You made that choice and you gave me power. And I'm using my power. And

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I'm going to keep using my power. And if you want to actually take my power away, you're going to have to make hard choices, like not go with the flow on things and say enough is enough. We're tired of hearing Senator Machaela Cavanaugh talk. What can we do? How can we approach this? And let me tell you, dilatory motions, ain't it. That's not how you get me to stop, because there's just going to be the next bill and the next bill and the next bill and the next. And the next motion and the next motion and the next motion and the next motion to reconsider and the next motion to reconsider after that. You cannot stop me with dilatory motions. You can stop me with good governance, because that is the only thing I care about, is good governance. You want me to stop, rise up and demand good governance. Take your names off of that piece of poop, LB574. Talk to the Speaker, demand good governance. Be better. Be who the children of Nebraska deserve, because they do not deserve this. How much time do I have left?

KELLY: 3:30.

M. CAVANAUGH: Thank you. You can even put in a sine die motion. I would vote for it. I voted for it last time because of LB574. I voted for the last sine die demotion because of LB574, and I will vote for every sine die motion because of LB574. Thank you for taking my picture, Senator Slama. That's really inappropriate, but OK. I don't expect anything to be done about that, but that's really inappropriate. I'm on TV. You can take a screenshot. I don't know what's wrong with this place. I don't know what's wrong with people that think that it's fun to take pictures of their colleagues on the floor like the Nebraska Freedom Coalition does in committee hearings. It's so juvenile. It's so juvenile to take a picture of a colleague and post it on social media. It's so juvenile. Meanwhile, the Speaker is standing there while she's doing it. Speaker Arch, you are standing there while Senator Slama is filming me or taking pictures of me right next to you. This is unbelievably disrespectful to the institution. I yield the remainder of my time.

KELLY: Thank you, Senator. Senator Arch has some guests in the north balcony, 36 fourth graders and two teachers from Ashbury Elementary, Papillion, Nebraska. Please stand and be recognized by your Nebraska Legislature. Senator McKinney would like to recognize 25 members of RISE on the Nebraska Day of Empathy. Please stand and be recognized by your Nebraska Legislature. Senator DeBoer, you're recognized to speak.

DeBOER: Good morning, colleagues. A lot of you have kids. A lot of you have kids. I don't. I wanted to, I was never able to. I have a niece, she gave me this Valentine last year-- last week for Valentine's Day.

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Or if it was the week before, I can't remember. When we were kids, there's a big-- I'm from a big family. When we were kids and we'd fight, my mom would say to us when we came reporting, oh, well, Johnny started it. Oh, well, Wendy started it. Oh, well, Johnny started it. She'd say to me, I don't care who started it. I don't care who started it. It's going to make me unpopular here, but I don't care who started it. I care that where we are now is a mess. And folks on one side will say, well, if only such and such person will stop doing such and such. Well, if only such and such person wouldn't do such and such. We're in a war here. This is what a culture war looks like, apparently. I am completely uninterested in litigating a culture war. Nebraskans, oh, I think you're over there. Nebraskans, if you are also in-- uninterested in having us as a Legislature get bogged down in a war over culture, let us know. If you want us to do that, let us know that. My email address is wdeboer@leg.ne.gov. Send me a note, because here's what I think Nebraskans want us to work on: childcare, access to healthcare, housing, broadband, property taxes, strong schools. That's what I think Nebraskans want us to work on. But tell me, are those the things that are important to you, Nebraska? Do you want us to work on childcare, access to healthcare, housing, broadband, property taxes, strong schools? I may have missed one. We have a teacher shortage, a nursing shortage, a policeman shortage, a firemen shortage. Do you want us to work on those things? I want to work on those things. A lot of my colleagues want to work on those things. Send me an email, Nebraska, and tell me if you want us to work on those things or if you want us to work on the other things. Those things are hard. Do you know what's easy? Making decisions that says we're going to do this thing or that thing, that's simple. We're just going to say, we're simply not going to allow this. We simply are going to allow this. That's easy. Do you know it's hard figuring out how to get housing into the rural parts of our state. I asked someone how much it takes to get fiber to every home in Nebraska, and they told me \$4 billion with a B. That's hard. That's the hard work that we could be doing. But we're bogged down in culture wars, and I'm not blaming either side for that. Because, and that will make me unpopular, but it's true, we don't agree.

KELLY: One minute.

DeBOER: I don't agree. I don't agree with you guys. You don't agree with me. We don't agree. This is what getting bogged down in culture wars looks like. I want to go to childcare, access to healthcare, housing, broadband, property taxes, strong schools. You tell me the other thing you want. Economic opportunities in our rural areas, which are shrinking. I want to work on that. Do you want to work on that

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with me, colleagues? Nebraska, is that what you want us to work on? Tell us you don't want us to get bogged down in culture wars. Tell us you don't want us to deal with the bills that involve culture wars, if that's what you want. Please email me: wdeboer@leg.ne.gov. Or email any one of these senators and tell us, work on those things. Tell us what you want us to work on instead of getting bogged down in culture wars.

KELLY: That's your time, Senator.

DeBOER: Thank you, Mr. President.

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

HUNT: Thank you, Mr. President. Following up on Senator DeBoer's comments, I'm not even fighting. I'm not in a fight. I'm engaged in a conversation about what our priorities are as a Legislature. I'm not fighting a culture war. I didn't bring any bills in here that filled up the Capitol. I didn't introduce any bills that could have kept people here until midnight because they were so controversial. Look at the list of priority bills that have been introduced by our colleagues. And then tell me what the priorities are of this body. Speaker Arch, Senator DeBoer, you know, Senator Erdman, people who have not had the courage to speak on the mike and speak to their constituents about their feelings, what's going on. Many of you have talked, you know, those of you who have spoken have talked about other priorities that you have: school funding, property tax relief, addressing our teacher shortage. I agree, all of these things are important. But has anybody prioritized a bill around any of those issues? Senator Slama, who is sitting with Senator Kauth under the balcony laughing and taking videos of members while they're talking, she prioritized a bill to say that we can't have boycotts against Israel. Is that really what Nebraskans are asking us to come in here and work on? Senator Hardin prioritized a bill introduced by Senator Brewer to, you know, it's one of those religious liberty bills that's really saying we have to let Christians do whatever they want. And he was in my committee, in Government Committee yesterday introducing some, some bill that was very important to him to bring funding to Kimball, Nebraska, whose-- it's a, it's a city in Nebraska that's going to have a big investment from the Department of Defense. And they're looking for some state funding to bolster their infrastructure. Now, why wasn't that bill prioritized? That seems like a great priority bill to me. I'm sorry, but let's call it how it is. There is only one, you know, segment of people here who's, quote unquote, fighting a culture war. There's only one segment of people

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here who's introducing bills that are keeping us here till midnight. There's only one segment of people talking out one side of their mouth saying, oh, we need to prioritize things that really matter, like school funding and property tax relief and teacher shortage, while out the other side they're prioritizing bills like not boycotting Israel or religious freedom or anti-trans bigotry or abortion bans that go against every medical expert's opinion in the entire country. Senator Kauth is distributing another, another article to flaunt her bigotry and her anti-trans views about transitions for transgender people. Once again, colleagues, you really don't have to understand it. There are no-- there is no even close to majority of Nebraskans who is impressed by the work that we're doing in here around these culture war issues. I think that, you know, Newsmax and Fox News and Tucker Carlson, who has had an eye on the Nebraska Legislature lately, by the way, maybe some of you are going to finally get some of the fame that you've been looking for, carrying some of these anti-trans, bigoted things like this. But it doesn't have anything to do with what Nebraskans are actually asking us to do. So don't come around and say--

KELLY: One minute.

HUNT: Thank you, Mr. President. Don't come around and say we need to get to the important issues and the things Nebraskans are really asking us to work on, when all you have to do is look at the list of priorities to say none of those things that you're ostensibly saying matter are a priority to you. Senator Hardin, why didn't you prioritize the bill to, to fund infrastructure for Kimball, Nebraska? That's a great bill. Instead, you're fighting a culture war. Senator Kauth, why wouldn't you prioritize a bill to readdress school funding? Instead, you prioritized a bigoted bill as you happily pass articles out, but you never put your light on to talk about them. You don't have the courage to speak to why you think you're so right. Thank you, Mr. President.

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

CONRAD: Oh, thank you, Mr. President, and good morning, colleagues. I wanted to continue some commentary when what I felt was a constructive utilization of the time that you collectively chose to devote to this measure when I provided you a good-faith offramp to choose another path. So here we are, I respect the, the will of the body in that regard and will do my, my best to be constructive. I appreciate the comments from my colleagues. And to Senator DeBoer's point, I, I think the people did tell us very quick, quick-- clearly that they don't

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want us to engage in culture war issues. I think that, that was evidenced by the level of opposition that perhaps rivaled any, any measures that I've seen before the body in my eight years and 30 days here. I'm not sure I've ever seen an outpouring of opposition like we've seen in recent weeks come before our committees on measures in the Education Committee, Health and Human Services Committee and Judiciary Committee, and perhaps more so to come. But it seems that the hot-button bills were heard early, were advanced early, now are prioritized early. And it's pretty clear the trajectory that the majority is headed down. So we can't remove that from the debate. But that being said, the underlying measure is in regards to property tax. I was reading pre-session a host of different materials to try and think through some key issues and solutions to prepare for this legislative session. And I was actually reading the Platte Institute's kind of annual legislative overview for some of the issues that they were focused on. And I saw that they had identified a measure to address kind of how we structure funding for community colleges as a potential solution to address property tax pressure that's impacting many of our state-- many of our districts, all of our districts and our constituents. And I thought philosophically, that's kind of an interesting perspective. I'd really like to learn more about that. So I've been watching that measure that Senator Murman, I believe, introduced. And I've had an opportunity to talk with community college representatives from my district here in Lincoln and other board members representing community colleges across the state about their concerns with that proposal. And I'll tell you what really deeply concerns me about that measure that's put forward to address property tax relief is what we're seeing correspondingly in the preliminary budget from the Appropriations Committee. Colleagues, it's hard to get your mind around this, and I appreciate it is just that, a preliminary budget, which has many opportunities to be refined before it's finalized and sent to the body for three rounds of debate. But when you look at the line items in regards to how we're treating higher education, community colleges, state colleges and the university, the proposal from the Governor, the proposal in the preliminary budget actually look worse and are more scary than they were during recessionary periods. And don't forget for a moment, the fiscal picture has changed dramatically. We find ourselves in a place of unprecedented prosperity and fiscal health. And, of course, we need not be wild-eyed about that, we need to be thoughtful and conservative about that. But it's very scary to me that we would have a major structural change--

KELLY: One minute.

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CONRAD: --thank you, Mr. President-- in regards to our community colleges to effectuate property tax relief and shift those, those burdens to the state and we're not keeping our commitment to higher education as it is in a time of unprecedented prosperity. So Senator Kauth's measure LB147 is related to property taxes. I'm going to utilize the time that you have chosen that we focus our time on this morning to continue a dialogue about finding commonsense property tax solutions to benefit our constituents in our state. Thank you, Mr. President.

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

HUNT: Thank you, Mr. President. Colleagues, I wanted to kindly correct the record from the conversation that we've been having today. Senator Machaela Cavanaugh spoke earlier about how helping kids and aid to families and, and juveniles-- juveniles, listen to me. Like, so stupid. Helping kids and helping families is a priority of hers and ostensibly, you know, it should be a priority of all of us. And she was going through several bills that did that, from support for childcare, Aid to Dependent Children, the Earned Income Tax Credit, and also expanding access to food assistance or SNAP, Supplemental Nutrition Assistance Program. She is correct that for several years, I guess four years, I've introduced a bill to allow people with drug convictions to apply for SNAP and receive it if they're eligible, just like everybody else. A lot of people don't know that in Nebraska, we have a prohibition against people who have convictions for drug use, possession or distribution from ever receiving food assistance in Nebraska. And a lot of people in Nebraska realized this for the first time during the pandemic, where maybe they had a conviction from when they were 18 or 19, and now they're in their mid-30s and they're finding themselves system-involved for the first time as adults. And they've lost their job and going through the pandemic like everybody else and they reach out to DHHS to apply for food assistance, a temporary hand-up for the people in need during the pandemic. And many people reached out to my office sharing that they had no idea that they were banned for life from even applying because of a past conviction. Colleagues, we don't have this type of prohibition in place for any other crime in Nebraska. You know, burglary, rape, murder, any, any of those things up and down the line. If you do your time and you pay your debt to society and then you, you know, come back out and retransition into the world, you can live life like anybody else. That's the understanding we have. That's the social contract that we all agree to, is when you do the crime, you do the time, and then you transition out and you have a second chance. It is not so for people who have convictions for drug use, possession or

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distribution. Especially in a time right now when we're seeing cannabis legalization happening all over the country, it's really wrong that we keep punishing people who have past convictions for marijuana use, possession or distribution, especially from even applying for food assistance. Of course, this doesn't even say that people are necessarily going to get food assistance if they apply for it. They would have to be eligible and, you know, abide by the terms of eligibility just like everybody else. And that's reapplying every three months. That's maintaining certain, you know, income requirements, all of these things. And almost nobody is on SNAP for more than three to six months. It's really rare. But for whatever reason in Nebraska, starting in the '90s, we have put that prohibition on people with those types of convictions. So for the past four years, I've introduced a bill to lift that prohibition and just say, look, if you've got one of these convictions and you've done your time, if you had a conviction when you were 19 and now you're a 35-year-old single mom and you're in the pandemic and you need food assistance, we're not going to prevent you from receiving that if you're eligible for it. Senator Cavanaugh said that this bill had never come out of committee, but it did come out of committee last session. It was my priority bill--

KELLY: One minute.

HUNT: --thank you, Mr. President-- it was my priority bill, LB121. And I had numerous, numerous meetings with conservative leaders, with Governor Ricketts, with member-- with him, with members of his staff, with both, with conservative leaders in this body, basically telling them that this bill was my only ask that year. You know, what do you want from me? What can we do to make it happen? You know, I'm not above some vote trading. Like, what can we do to make this come out? There was no deal. It was no-go. It wasn't even like I said no to a deal. There was no deal. It was a firm no from every conservative leader, every step of the way. There was no room for negotiation, there was no room for compromise. It's a nonstarter from out the gate. The bill advanced from General File with 25 votes and 17 opposed, which is kind of rough. You know, you can sort of see the writing on the wall where that's going. And Senator--

KELLY: That's your time, Senator.

HUNT: Thank you, Mr. President.

KELLY: Speaker Arch, you're recognized to speak.

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ARCH: So thank you, Mr. President. So here we are. We obviously have very sharp disagreements in this body, and we're not even debating the bills, the bills that-- I mean, LB147 is not that bill, but we're, we're, we're pretty well declaring where we are on, on some of these bills. We-- I guess as I was reflecting on this, I would say this, that a simple reminder that we all represent constituents. We-- every person in this room was elected by a majority vote of constituents in a district. And during that race, I know for myself, I had a, I had a palm card and it, and it said, well, here's the big issues that I'm interested in. And then as part of that race then I was also asked, well, where are you on this issue or where are you on that issue that wasn't my top five or whatever. But, but so we declared, we said, here's, here's, here's where I am. And, and, and with that information then voters go to the poll and, and vote. And for every person in this room, that was a majority vote then that elected us to this room. So we, we describe these things as culture wars. But in some cases, we have constituents who are very passionate about these issues, one side or/and the other side very passionate. But when we, when we said, here's who we are, when we were elected, there was an understanding of, of then if that's where you are on these positions, then that's where you'll be on your votes. And so, and so we then come and we represent our constituents. And you're, you're seeing some of that. And there's a recognition of that because I'm also watching the prioritizing of bills, those things that are very important to those individual senators who were elected by constituents, majority vote of constituents. Some of you come from districts that are strongly opposed to one issue, and some of you come from districts that are strongly supportive of one issue. And they say you need to go down there and you need to represent us, and that's why we're here. We are a representative form of government. So, yes, an individual senator is the one who drops that bill. An individual senator is the one who decides to prioritize that bill. An individual senator is the one who decides to filibuster a bill, as they represent their constituents as best, as best they can, knowing that it is a majority, not 100 percent unanimous of all constituents will take that same position on that bill. So I guess, yes, we are individual senators. Yes, we are independently-- I mean, you know, Senator Arch is going to take this position. But behind us is our-- is-- are the people who elected us, the constituents that we are attempting to represent. So I just, I-- yes, it's personal. But on the other hand, it's a representative form of government. And, yes, some of these things could be described as culture wars. And we understand that in our society we are having very active debate of that. So if we put, we put ourselves out into position where this is what I support and this is who I am, and you

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understand that and you were elected, then we come here and we represent those constituents. So we may personally disagree with their constituents. We may personally disagree with the senator who represents those constituents, but we aren't their constituents.

KELLY: One minute.

ARCH: We are representing different constituents and we have the responsibility to represent those constituents as best we can, as best we understand. So with that, just thoughts for the morning. We will-- we'll move on at, at noon here. We'll adjourn. We'll be moving on, as I mentioned earlier, we'll be moving on to priority bills next week. And, and we'll see how the rest of the debate goes. But thank you, Mr. President.

KELLY: Thank you, Speaker Arch, Machaela Cavanaugh, you're recognized to speak.

M. CAVANAUGH: Thank you, Mr. President. I'm disappointed that Speaker Arch did not address the incident of Senator Slama filming me right in front of him, off to the side of the Chamber. But I am feeling a lack of leadership today. I'm going to ask some colleagues to yield to a question following up on Senator Arch's comments. And just to give you, in case you want to say no to the question, I'm just going to ask-- if I ask you to yield to a question, I'm asking you what it was that you informed your voters was your priority. Whether it's a broad policy or a specific policy. I wonder, would Senator DeKay yield to a question, that question?

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

DeKAY: Yes.

M. CAVANAUGH: Thank you, Senator DeKay. When you were campaigning, you're new here, what was sort of the premise of your campaign? What was it that you were trying-- wanted to come here to achieve?

DeKAY: When I ran my campaign, I talked about rural broadband, I talked about the tax structure. I talked about economic development and I talked about the infrastructure.

M. CAVANAUGH: Fantastic. Did you feel like it was a priority of your district to talk about healthcare with the LGBTQ youth of our state?

DeKAY: That was mentioned. As the campaign progressed, there was more conversations about specific issues like that going forward.

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M. CAVANAUGH: Was it a priority over those other issues that you were discussing?

DeKAY: I would say it wasn't a priority for me at that time, but it's something that my constituents and myself are still interested in.

M. CAVANAUGH: Thank you, Senator-- I was going to say Dover. I'm sorry, Senator DeKay. Thank you. Senator Ibach, would you be willing to yield to a question? No. OK.

KELLY: Sena--

M. CAVANAUGH: She said no, that's OK. Thank you. Trying to look around, see if there's anybody else that wants to share. Senator Hunt, would you like to yield to a question?

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

HUNT: Yes.

M. CAVANAUGH: Thank you, Senator Hunt. You also were just reelected. Congratulations or condolences, whichever in order.

HUNT: Whatever. [LAUGH]

M. CAVANAUGH: What were some of the things that you talked to your constituents about, either the first time or this time around?

HUNT: The first time it was access to healthcare, funding for public schools and food assistance and expanding food assistance. The second time, honestly, my constituents spoke loud and clear, they want me to stop the abortion ban.

M. CAVANAUGH: OK.

HUNT: And that's, that took up 90 percent of the oxygen of my campaign.

M. CAVANAUGH: Thank you, I appreciate that. I'm just looking to see if there is anybody else around that might want to-- was recently elected. Senator Jacobson, you want to-- you can nod one way or the other. Senator Jacobson, would you yield to a question?

JACOBSON: Yes, I will.

KELLY: Senator Jacobson, will you yield to a question?

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JACOBSON: Yes, I will.

M. CAVANAUGH: Thank you, Senator Jacobson. You're in a unique position. You were appointed and ran.

JACOBSON: Correct.

M. CAVANAUGH: OK. So you got to do the job for a few months before you had to run for the job. What were some of the things you heard about from the folks in your district?

JACOBSON: Well, let me characterize. My district is 76 percent Republican.

M. CAVANAUGH: But 100 percent Nebraskan.

JACOBSON: But, but 100 percent Nebraskan and very strong conservative district. I would tell you that it's been all over the board in terms of several issues. I would tell you that abortion is a very important thing in my district. I would tell you that I called on a couple of people in particular that asked me my position on abortion and told me it was the only issue. It was the single litmus test that they had in voting for someone.

M. CAVANAUGH: Well, I believe you, you have that little lapel thing.

JACOBSON: I wear this pin.

KELLY: One minute.

JACOBSON: And I can tell you I've got a lot of other reasons and you've heard my story last year.

M. CAVANAUGH: I have, yes.

JACOBSON: We lost a 24-week premature baby boy who's buried in Lincoln Memorial Cemetery. I would tell you, it's very-- we think about him every day. We were fortunate to be able to adopt two wonderful children after that. But I was able to see a live human being that my wife was carrying. And in my mind, it's, it's hard to get that out of my mind. And so it has definitely formed my pro-life position. And I think everyone who voted for me knew where I was going to be on that issue. I would tell you that other issues that people had is there is a strong pushback about, about with CRT. I heard that a lot, even though I don't know--

M. CAVANAUGH: What does that mean?

JACOBSON: Critical race theory.

M. CAVANAUGH: But I mean, pushback on it, where, in what context?

JACOBSON: Well, I would say--

KELLY: That's your time.

M. CAVANAUGH: Oh, OK. Thank you, Senator Jacobson.

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

HUNT: Thank you, Mr. President. Senator-- Speaker Arch made some points that I was going to touch on myself, and so I appreciated his contribution to the conversation as a jumping-off point for my thoughts regarding the topic he was speaking on, which is that we all represent constituents. And his implication in what he said was that the actions that we're taking on the floor we should take for granted-- we should expect that the actions we're taking on the floor do represent what our constituents want. And I think we're taking for granted that the work that we're doing is representing our constituents. But did Senator Kauth go door to door and say, please vote for me so I can take away healthcare for kids? No. We all know that that's not how this works. Senator Arch said, we say to our constituents, here's who we are. You can vote for me or not, but we all know that that's not really how it works. I looked at many of your websites when you were running for office, and many of you were very, very vague about your views. And we know that that's a campaign tactic. We know it's a campaign tactic to say something like, I believe in prosperity for all Nebraskans. OK, like everybody does. What do you literally mean? What are you talking about? Oh, well, I'm talking about banning healthcare for kids and passing bigoted bills to, you know, target LGBTQ youth. No one is going to come out and say that. It was very hard to find many of your views on abortion. I mean, I, I am familiar with Senator Jacobson's story, and I respect him for that. And I respect anybody's personal views on abortion. I respect anybody's personal views on, you know, how they feel about LGBTQ people, whatever. What I'm saying is we can't use those views to say that we know as lawmakers, as bankers, as farmers, as small business owners, as CrossFit instructors, as grocery store owners, as mental healthcare providers, as college professors, you know, all of the jobs that we have, which are very important and qualify us through this work, they don't qualify us to make healthcare decisions for kids or

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for women or for anybody in Nebraska. This is a culture war issue. It has nothing to do with evidence or reason or the consensus of experts in these communities. What Senator Arch was saying sounds very nice, Speaker Arch. I wish that's how things went. I wish that that's how things ran. I wish that everybody ran on issues that they really believe in explicitly. You know, not just prosperity for all Nebraskans, but I'm going to ban abortion or I'm going to ban healthcare for trans kids or I'm going to just focus on property tax relief, whatever it is. I wish we lived in a world where campaigns focused on those actual specific issues that we come in and focus on. I mean, Senator Slama didn't run and go, if you, if you elect me, I promise to prioritize a bill prohibiting boycotts against Israel. Like what on earth? Nobody would run for office and act like that. We know that that's not realistic and it's not what actually happens. I would also love to live in a world where all of us are in here, indeed, representing the wishes of our constituents. I've received emails from dozens of Nebraskans who live in Senator Kauth's district who say she hasn't replied to their emails, she hasn't returned their calls. And Senator Kauth, you personally don't even have to do that.

KELLY: One minute.

HUNT: We all have two staffers who can help us with this stuff. We are lucky in Nebraska to have budget for staff. There are many state legislatures that don't get any staffers. We each get at least two, and we can use them to communicate with our constituents. So how is Speaker Arch going to stand up in here and say, well, what's happening we have to accept because everybody's just representing their constituents. Senator Kauth won't even talk to her constituents. And that's common. In my five years here in the Legislature, that's extremely common. I hear from people all the time who say this issue or that issue, I have a strong feeling, but my senator won't talk to me. What should I do? And I have to tell them, I mean, I hear you. Thank you for reaching out to me. I can't force your senator to do anything. We don't just have an elected official problem, we have a pipeline problem.

KELLY: That's your time, Senator.

HUNT: Thank you, Mr. President.

KELLY: And that was the third. Senator Day, you're recognized to speak.

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DAY: Thank you, Mr. President. I just wanted to jump into the conversation because I had a few thoughts. The first thing is the, the idea that somehow those of us that are trying to slow down the train that has been so very furiously moving very quickly with some of these bills are the ones that are causing the issues with the agenda not moving is based on the premise that certain people in the body should be allowed to introduce, get a priority hearing, not put any amendments on bills, not negotiate with any of us and we're just supposed to sit back and let it happen. The solution to the agenda not moving forward is not to double-down on bad bills and just continue to shove them through. The solution is to sit down with your colleagues and have discussions with them about what they would like to see happen to these bills in terms of amendments. We had this same conversation last year on the tax package that was dumped on us as a surprise at the last minute. Senator Mike Flood kept saying, well, we had negotiations. We, we came to an agreement. And I, I asked him, well, who did you negotiate with? And he said the other members on the committee that all supported the bill. That's not a negotiation. These two bills, LB574 and LB626 came out of committee with no amendments after hearing hours and hours of testimony as to how this was going to cause direct harm and suffering to Nebraskans. And somehow those of us who want to slow it down to keep that from happening are the problem? If some of your constituents believe that it's their right to take away healthcare from your other constituents, who do you choose in that fight? What do you look towards to make those decisions? For me, I often rely on data and research, because we did have 3 hours of proponent testimony on both of these bills. We had three hours of opposition testimony on both of these bills. So who do I listen to? Those, those decisions are difficult to make. But ultimately, I will always come back to data and research, legitimate research. And that brings me to my other point is, is we continuously have these, these articles that are passed out on our desks in support of these bills, and there's often arguments about how well, yes, we heard three hours of proponent testimony. And I always go back to the idea that the sides are not the same. The article that was left on our desks today comes from The Epoch Times, which just a simple Google search will tell you here, The Epoch Times is a far-right international multi-language newspaper and media company affiliated with the Falun Gong new religious movement. The newspaper based in New York City is part of the, the Epoch Media Group, which also operates New Tang Dynasty Television. This is not nonbiased, nonpartisan information. Further, in the article, they discuss how, let's see here, the American-- or excuse me, the Association of American Physicians and

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Surgeons essentially made a statement about being antigender-affirming care. Another simple Google search will tell you--

KELLY: One minute.

DAY: --thank you, Mr. President-- the Association of American Physicians and Surgeons is a politically conservative nonprofit association that promotes conspiracy theories and medical misinformation, such as HIV/AIDS denialism, the abortion-breast cancer hypothesis and vaccine and autism connections. The sides are not the same. The arguments are not based in reality. Who do you believe? Who do you make policy decisions on-- based on when you represent people with different belief systems? Because we all do. We have to rely on reality to make these decisions. And when your colleagues refuse to negotiate with you and their decisions are being based in absolutely far-right partisan talking points, it's difficult for the rest of us to just jump on board and let it happen. Thank you, Mr. President.

KELLY: Thank you, Senator. Senator Machaela Cavanaugh, you're recognized to speak. This is your third time, and then you'll have your close.

M. CAVANAUGH: Thank you, Mr. President. I just-- since Senator Day said a simple Google search and some of the things she was saying sounded like this might be a foreign Chinese entity, I thought I am going to do a simple Google search. I was just going to throw it away. And a simple Google search does say, and of course, I haven't verified, so I'll be looking at this, but it does say on the Wikipedia page for this, for their, the Epoch-- so what first says that The Epoch Times, which also operates New Tang Dynasty Television, and the New Tang Dynasty Television is an American television broadcaster founded by the same person, religious movement based in New York has-- it promotes misinformation and conspiracy theories. And then it says that under that heading, NTD or New Tang Dynasty or Tang Dynasty Television, has produced videos about topics such as supposed connection between Wall Street and COVID-19 and a supposed plan by China to destroy America. It's QAnon moon landing conspiracy theories. Well, based on how everyone who is participating in all of these things seems to view QAnon conspiracies as facts, this is not at all surprising. We did have hours upon hours upon hours of, of debate and-- or not debate, testimony for these bills. And we had experts coming in Nebraska, experts coming in and testifying in opposition to LB574, credible associations coming in, healthcare associations coming in and testifying in opposition to LB574. And none of that was discussed in the Executive Session. And, frankly, I have no idea if

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Senator Kauth had always intended to prioritize LB574 or if she just pushed-- felt pushed into it because of my floor debate on her LB147. Regardless, we voted it out of committee 4-2 without a priority, with me informing the committee that this is what was going to happen if we vote it out of committee. So Senator Erdman asked me earlier if I always-- asked me to yield to a question because I said that I would be honest, and I am honest. I am honest about what I'm going to do, what my intentions are. And I was honest this morning and this-- 32 of you decided that you wanted me to continue doing what I'm doing. And so I'm continuing to do what I'm doing. And Senator Kauth prioritized LB574, so just lit that fire under me a little bit more. Not that I really needed the motivation, but I'm certainly taking everything, the full amount of time from here on out because I want the rest of the body to consider what it is that you want to pass. I'm not going to be talked into doing things differently unless the body does things differently. And so if you want me to pivot and behave differently, then you're going to need to do the same. It's going to have to be a group effort here. It's not going to be just me. It's going to be the body making a collective decision about what we want to accomplish this year. I've made it very clear what is my priority to not accomplish. There are a lot of other things in, in the culture war, as it was mentioned earlier--

KELLY: One minute.

M. CAVANAUGH: --of legislation before us this year. But none of it do I feel as adamantly, vehemently opposed to as LB574. I've never been opposed to anything so much in my life, even people who videotape me on the floor of the Legislature. Clearly not a lot of professional respect there, but none of that individual's bills have been things that I have vehemently opposed as much as I oppose LB574. It is my line in the sand. I am not going to let this body destroy the family unit in Nebraska, force families to leave the state because of hate. So I am going to continue fighting. And if this body decides that LB574 is your line in the sand, that we must do it, then we're going to have that fight and that's going to carry over to every single other bill. If this body decides that this is not the fight you want to have, but there are so many other things that you want to get done--

KELLY: That's your time, Senator, and you're recognized to close.

M. CAVANAUGH: Thank you-- there are so many other things that you want to get done, then come together, discuss that. Figure out a path forward and figure out an agenda with the Speaker that will accomplish

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that. Here's my culture war agenda. I'm being flippant with the use of culture war. I introduced again this year a bill that I've introduced numerous times. My first year I prioritized Senator Sue Crawford's LB311, which was paid family medical leave. I decided to run for the Legislature back in 2017 because I want to see paid family medical leave be a reality in Nebraska. It was my driving force. My driving force to run when I did was because my current representative spoke out against the former Governor when he line-item vetoed funding for developmental disabilities. She spoke out against it, left the floor, came back and didn't vote to override the veto. That's when I decided that I wasn't going to wait until it was an open seat. But I would run against an incumbent because I believed so firmly that our most vulnerable populations deserved a representative that would stand by them even when it wasn't convenient. I still believe that. I still believe that all of our most underrepresented individuals in the state deserve representatives that will stand by them even when it isn't convenient. My culture war agenda is a paid Family Medical Leave Insurance Act, providing interpretation services under the Medicaid program, eliminating fees for government IDs so that our new voter ID laws are not unconstitutional, free meals for school children, change the standard of need requirements for Aid to Dependent Children program, that's TANF, the Temporary Assistance program, so that we can utilize that rainy day fund. I have a series of procurement and government oversight bills, that's some real clickbait right there. Again, accountability and disclosure, accountability and disclosure, accountability and disclosure, School Readiness Tax Credit. So this is something that was implemented before I was in the Legislature. It sunsetted without being renewed last year, and it is a tax credit for childcare workers. And I'm very familiar with it because my childcare worker-- the workers at my childcare, they had been able to utilize it. And it was a great tool. They have very low turnover there and they can't pay, like, significantly more than anywhere else. But this tax credit really helps them retain that-- the childcare workers, which again, if we want to recruit and retain a workforce, we need to have childcare. So that hasn't had a hearing. So don't worry, it's not going to go anywhere. It's way too controversial to recruit and retain a workforce. Dula services for incarcerated pregnant women, that's very controversial. Oh, here's one. This probably is a little bit controversial, but I've introduced it several times. It's controversial in that it's a tax increase. And I do not like tax increases, but stick with me. It is a cigarette tax increase and the fee, the, the increase in the cigarette tax goes-- splits between a Medicaid fund and property tax relief. So put that one in your noggin, think about it.

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KELLY: One minute.

M. CAVANAUGH: Don't worry, none of these bills are getting out. Let's see here, my other controversial bills. Tax credit for renters. Oh, yes, because of our property tax/income tax credit fund. I wanted to amend it to include a tax-- income tax credit for renters who pay into the fund but don't get that money trickled down from their tenant-- or their landlord. So the renters who pay income taxes are paying into the property tax/income tax credit fund, but they can't draw any money out of it and their landlord is getting money out of it that they don't have to give to them. So this is an amendment that makes it a little bit more equitable. I think that is all of my time and it is almost 12:00. So let's just vote on this motion to reconsider. Thank you.

KELLY: Thank you, Senator. The question is the, the motion to reconsider. All those in favor vote aye; all those opposed vote nay. There's a request for a roll call vote. Mr. Clerk.

CLERK: Senator Aguilar. Senator Albrecht voting no. Senator Arch voting no. Senator Armendariz voting no. Senator Ballard voting no. Senator Blood voting yes. Senator Bostar. Senator Bostelman voting no. Senator Brandt voting no. Senator Brewer voting no. Senator Briese. Senator John Cavanaugh voting yes. Senator Machaela Cavanaugh voting yes. Senator Clements voting no. Senator Conrad voting no. Senator Day voting yes. Senator DeBoer not voting. Senator DeKay voting no. Senator Dorn voting no. Senator Dover. Senator Dungan. Senator Erdman voting no. Senator Fredrickson voting yes. Senator Geist. Senator Halloran voting no. Senator Hansen-- Senator Hansen voting no. Senator Hardin voting no. Senator Holdcroft voting no. Senator Hughes voting no. Senator Hunt voting no. Senator Ibach voting no. Senator Jacobson voting no. Senator Kauth voting no. Senator Linehan. Senator Lippincott voting no. Senator Lowe. Senator McDonnell voting no. Senator McKinney voting no. Senator Moser voting no. Senator Murman voting no. Senator Raybould. Senator Riepe voting no. Senator Sanders. Senator Slama voting no. Senator Vargas voting yes. Senator von Gillern voting no. Senator Walz. Senator Wayne voting yes. Senator Wishart. Vote is 7 ayes, 29 nays, Mr. President on the motion to reconsider.

KELLY: The motion fails. Mr. Clerk, next item.

CLERK: Mr. President, some items. Your Committee on Banking, Commerce and Insurance, chaired by Senator Slama, reports LB92 and LB214 to General File, both having committee amendments. Amendments and motions

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to be printed: Senator Cavanaugh to LB147-- excuse me, Senator Machaela Cavanaugh to LB147; and Senator John Cavanaugh, amendment to LB753. Notice from Senator Arch that he's designated LB461 as his personal priority. Senator Conrad designates LB294 as her personal priority. And the Banking, Commerce and Insurance Committee have, have designated LB92 and LB214 as the committee priority bills for the session. New LR (LR48) from Senator Blood, that will be laid over. Name adds: Senator Day to LB276, Senator Brandt to LB563, Senator Kauth to LB642, Senator Raybould to LR1CA; and Senator Linehan, name withdrawn from LB562. Notice that the Health and Human Services Committee will hold an Executive Session this afternoon immediately following their hearing. Health and Human Services Exec Session after their hearing this afternoon. Additional notice, the Agriculture Committee will hold an Executive Session Tuesday at 1:30 in Room 1307. Agriculture Exec Session, Tuesday, Room 1307 at 1:30. Finally, Mr. President, a priority motion. Senator Dorn would move to adjourn the body until Tuesday, February 28 at 10:00 a.m.

KELLY: The question is, shall the Legislature adjourn for the day? All those in favor say aye. Those opposed, nay. We are adjourned.