

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate March 3, 2023

**KELLY:** Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the thirty-eighth day of the One Hundred Eighth Legislature, First Session. Our chaplain today is Speaker Arch. Please rise.

**ARCH:** Thank you, Mr. President. In 2021, we were experiencing COVID and we were not allowing pastors, ministers, priests to come to the floor to pray, and so we solicited prayers from constituent pastors in our-- in our district. And this was one that I received and-- and have not read it yet, so I want to do that this morning. This is from Reverend Emily Schnabl, St. Martha's Episcopal Church in Papillion. Let's pray. Creator of all, you have fashioned this beautiful state of Nebraska for us to live, work and be refreshed in. You have filled it with rivers, hills and open vistas for us to be reminded of all that is good, and shaped it with resources that feed many around the world. From streams to the air, from silvery minnow to sandhill crane, our state is filled with creatures that bring us delight. And to us you have given us senses to perceive, minds to reason and grow in understanding, hearts made for love and compassion. Grant that this Legislature, gathered to listen and deliberate, may use all of the gifts we have been given to remember the well-being of all who call Nebraska their home. May this body debate in fairness and equity, work for justice and truth, and provide for the flourishing of all Nebraskans in all stages and ages of life. We ask this in the name of you, in whose image all of us are made. Amen.

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

**LIPPINCOTT:** Please join me in the pledge to our flag and our nation. 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-eighth 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, Mr. Clerk. Are there any corrections for the Journal?

**CLERK:** I have no corrections this morning.

**KELLY:** Are there any messages, reports or announcements?

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**CLERK:** I do, Mr. President. Agency reports electronically filed with the Legislature can be found on the Nebraska Legislature's website. Additionally, report of registered lobbyists from March 2, 2023, is available in the Legislative Journal. Your Committee on Government, Military and Veterans Affairs, chaired by Senator Brewer, reports LB20, LB712, LB731 and LB771 to General File. Additionally, a committee report from the Natural Resources Committee concerning the gubernatorial appointment of Dan Hughes to the Game and Parks Commission. Notice of committee hearing from the Urban Affairs Committee. And your Committee on Business and Labor, chaired by Senator Riepe, reports LB639, LB671, LB282 to General file, LB282 having committee amendments. Notice that the Natural Resources Committee has selected LB565 as their committee priority bill; LB565 is the Natural Resources Committee priority bill. And finally, an announcement: The Revenue Committee will be going into Executive Session under the south balcony at 9:30 today. Revenue Committee, Exec Session, south balcony, 9:30 today. That's all I have at this time, Mr. President.

**KELLY:** Thank you, Mr. Clerk. Speaker Arch for an announcement.

**ARCH:** Thank you, Mr. President. Colleagues, please note, on Monday, this next Monday, we will convene at 9:00 a.m., not 10:00 a.m., so please make note of that. Additionally, please plan on a daily adjournment around 12:30, as opposed to noon. I'm not sure it will be every day, but it is my intention to pick up a little bit of time each week. We'll begin next week with debate of Senator Linehan's priority bill, LB753, the bill to adopt the Opportunity Scholarships Act and provide tax credits. After LB753 next week, we'll return to the debate of the General Affairs Committee priority bill, LB376. A reminder that next Thursday, March 9, is the deadline to submit to me a letter requesting a Speaker priority designation. All letters must be hand-delivered to my office prior to adjournment that day. The deadline for the designation of senator and committee priority bills is Tuesday, March 14, prior to adjournment. Thank you, Mr. President.

**KELLY:** Thank you, Mr. Speaker. Senator Dorn wants to announce a visitor. Anneliese Barga, under the north balcony, is shadowing Senator Dorn today. Please-- she's from Norris High School. Please stand and be recognized by your Nebraska Legislature. Mr. Clerk.

**CLERK:** Mr. President, LB77, introduced by Senator Brewer, it's a bill for an act relating to firearms; amends several sections within Chapter 14, 15, 16, 17, 18, 69 and 28; prohibits the regulation of weapons by cities, villages, and counties; provides for the carrying

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of a concealed handgun without a permit; changes provisions relating to other concealed weapons; provides for requirements, limits, and offenses relating to carrying a concealed handgun; provides an affirmative defense; changes provis-- provisions of the Concealed Handgun Permit Act; provides penalties; change-- changes, provides, and eliminates definitions; harmonize provisions; repeals the original section. Bill was read for the first time on January 5 of this year and referred to the Judiciary Committee. That committee placed the bill on General File with no committee amendments. When we left the bill yesterday, Mr. President, a motion-- excuse me, an amendment, AM55, from Senator Brewer, as well as a motion to withdraw and substitute AM55 for AM640 were pending, as well as M053, Senator Machaela Cavanaugh's motion to bracket.

**KELLY:** Senator Brewer, would you take two minutes to refresh, please?

**BREWER:** Thank you, Mr. President. All right, two minutes it is. Again, LB77, just to provide the carrying a concealed weapon without a permit and then change provisions related to concealed carry weapons and certain regulations specifically on gun registration. More importantly, AM640 to LB77 is to define the crimes of carrying a firearm or destructive device during the commission of a dangerous misdemeanor. AM640 also clarifies the term "prohibited person" and makes a third-offense failure to inform a Class IV felony. Thank you, Mr. President.

**KELLY:** Thank you, Senator Brewer. Senator Cavanaugh, for a one-minute refresh, please.

**M. CAVANAUGH:** Thank you, Mr. President. I am pulling this bracket motion because it's March 3, so I have another bracket motion, so I'll just withdraw this one.

**KELLY:** Mr. Clerk, for a motion.

**CLERK:** Mr. President, Senator Machaela Cavanaugh would move to bracket LB77 until June 9, 2023.

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

**M. CAVANAUGH:** Thank you, Mr. President. So I do-- I have to admit, I feel a little silly putting up another bracket motion. But the reason that I'm keeping a motion on the board-- so we've got the amendment. It's the amendment that Senator Brewer worked on and compromised. I don't-- I don't support the amendment, but that's really neither here nor there. The reason for the bracket motion is that we keep having

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people call the question, especially when there's a queue. That's been the pattern. And so the only way to take this to cloture, even when we have things to be debated on the board, is to keep a motion up there so that when the question is called, the question is called on my bracket motion and not on the underlying bill, ending-- ending debate. So if people are wondering, why does she-- and I'm going to be doing this on every bill because people keep calling the question, so I'm going to make sure that we always have motions on the board so that when the question is called, we're not ending debate on the bill. So, you know, I-- I was advised that perhaps I should stop bracketing things till the next day, so I put the bracket motion up to a future date and that is-- that's kind of the explanation there. I do want to speak about at the end of yesterday. So we-- we went for, I think, three hours on this bill yesterday and the floor was very sparse at the end. And-- and so I asked for a record vote at adjournment and it was ignored. I asked for it three times. It was ignored by the Speaker, who was in the Chair, and this is upsetting because, first of all, it was unclear if there was a quorum in the-- in the room, which is why I was asking for the record vote. The Speaker decided to have us work through lunch, his prerogative, but there were very few people in here, there were very few people on the floor, so I asked for a record vote. And the Speaker didn't deny it; he just ignored it multiple times. It is so inappropriate to deny or ignore recording a vote. We should always record a vote; even if it's a voice vote, we record it, there is a record of it. I am extremely, extremely disappointed in that kind of behavior and that lack of leadership. We passed over an item on the agenda yesterday that was my item, and I don't care that we passed over it. It was not mentioned to me in advance. Totally get why we would pass over it, irritation over me taking time, totally fine-- again, not appropriate behavior to pass over something without even a heads up that it was going to happen. The culture starts at the top. It starts with the leadership. Just because you can do things doesn't mean you should do them. I just wanted to get that into the record this morning. OK, I think-- how much time do I have left?

**KELLY:** 6:20.

**M. CAVANAUGH:** Thank you. We have about two hours left of debate on this bill, and then it's going to go to a vote. It's going to go to a cloture vote, and then it's going to go to a vote. So I'm going to yield the remainder of my time on this round to Senator Raybould.

**KELLY:** Senator Raybould, you have 6:10.

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**RAYBOULD:** Thank you, Senator Cavanaugh. Thank you, Mr. President. Good morning, colleagues, and good morning, fellow Nebraskans. I stand before you in opposition to LB77 and ask my colleagues to please vote no. This concealed carry permitless bill goes way too far in that it also wants to nullify existing gun safety laws and city ordinances that regulate firearms and would require cities to post a public notice alerting residents that previous gun possessions and safe storage laws are now null and void according to one of the amendments that Senator Brewer has filed. This nonsensical pathway with no permits, no training and no fees, puts our children and law enforcement at greater risk, is unacceptable. So once again, here are the facts, quickly. The U.S. has more homicides per million people than any other nation on earth. Australia has the lowest, at 1.4, and the U.S. is at 29.7. On average, there are now more than two mass shootings per day. States with more guns have more gun deaths. States with tighter gun control laws have fewer gun-related deaths. States with more guns have more police officers killed on duty. Americans make up about 5 percent of the Earth's population, but in the United States, we own 46 percent of the entire global stock of civilian firearms. Nearly two-thirds of gun deaths are suicides. The states with the most guns, guess what? They report the most suicides. I wanted to spend time this morning discussing why my suicide risk protection order, LB482, is another tool for both family and law enforcement to help keep our loved ones safe. And I wanted to share with you today and point out that I am not an attorney, I'm not a social worker, and I am not a firearms expert. I am an elected official for the last 12 years and a community member, like each and every one of us here today, who has witnessed an alarming and horrific increase in firearm violence in our country and our state. With that trend, we are also seeing, unfortunately, an increase in suicides in our state with firearms. One would think that the urban areas would see-- would be the ones with a greater incidence of suicides by firearm, but the reality is that our rural communities are experiencing a higher number of suicides per capita. I know firsthand that families who lose someone to suicide spend the rest of their lives wondering what should they have done, what signs did they miss, and why weren't they with their loved one to help them get through this crisis? Families search the rest of their lives for closure as they struggle with the painful loss of never having had the opportunity to say goodbye while holding onto a hope that their intervention could possibly have changed the outcome. And I want to share a personal story. I was a resident advisor at Indiana University while I was in graduate school. I had also been a resident advisor at-- as an undergraduate at Creighton University. We had limited

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training at both universities on what to do if a resident needed help beyond our scope of counseling and who to contact to assist us and the resident. One of my freshman residents, Doug, committed suicide by hanging. Two residents mentioned that they hadn't seen him and I said I'd be happy to check in on him. What I saw haunts me to this day. Doug left no suicide note. I later learned that this impulsive act was triggered by a breakup with his girlfriend and a rejection notice he received. He wanted to transfer to his lifelong dream of attending VMI, Virginia Military Institute. One of the hardest things I have ever had to do was to console his parents and try to help them piece together the why. There is no closure. I still ask myself, what could I have done? What signs and signals did I miss that led to the loss of this young man's life? I have a tremendous respect for our first responders and law enforcement and-- and how they work through the traumas that they have witnessed in the course of their service. The United States does not have higher incidence of mental health issues than any other country in the world. We are actually listed lower. What we do have is a crisis in the lack of--

**KELLY:** One minute.

**RAYBOULD:** --thank you, Mr. President-- a-- we have a crisis in the lack of mental health therapists and facilities. We've also had the recent awful events that occurred in Nebraska that this legislation might have prevented. It could have prevented the tragedy in Omaha if law enforcement had more tools in cooperation with the judicial branch to intercede and save lives. Again, I always fall back on statistics. Here are some: in 2020, Nebraska's suicide rate was 14.9 per 100,000 people, and guess what? That's higher than the national rate of 13.48 per 100,000 people. In 2020, there were 139 gun-related suicides in Nebraska that profoundly impacted not just that life, not the life of the family--

**KELLY:** That's your time, Senator.

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

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

**ERDMAN:** Thank you, Mr. President, and good morning. I rise in opposition to the bracket motion and I am in support of Senator Brewer's AM640 and LB77, always have been, always will be. Senator Brewer has worked tirelessly for six years, at least five anyway, on this proposal. I appreciate his intestinal fortitude to stick with it. He has made numerous adjustments that has gotten us to this point.

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Senator Brewer, I commend you for your efforts. I want to speak a minute about restrictive gun laws. Chicago probably has the most restrictive gun laws of any city that I know of, and it has the most shootings or murders on any weekend in the nation. You're probably almost as safe in the Ukraine as you are in Chicago, and they have the most restrictive gun laws. Criminals are going to get guns no matter what the law says. And so if you think that when we pass this, it's going to increase violence because everybody will be able to get a gun, those people who break the law don't care what the law is. They get a gun. And it was mentioned many times about the suicide rate increasing and I'm here to tell you that is a sad, sad situation when someone takes their life. I'm not downplaying that. But what has happened over the last couple of years is we've placed masks on people, we've disenfranchised them from being involved with others because of masking and some of the social distancing and all the things that we've done, and it has created a situation that people feel isolated, they feel left out, and it puts him in a bad position, puts him in a bad state of mind. So don't blame the guns for the increase in suicide and some of the things that society has placed on people that are more than they can bear. And so we will vote, as Senator Machaela Cavanaugh said, we'll vote on this in a couple of hours. And this is a general rule that I believe to be true, that seldom anyone ever changes their mind on the floor of this Legislature from any debate or conversation or any facts that may be shared during debate. Those decisions were made long, long before we got to the floor on how we're going to vote. And there may be a rare occasion when someone changes their mind, but that would be rare. So we've all decided how we're going to vote; whether we vote two hours from now or two minutes from now, we're all going to vote the same. So no matter what statistics Senator Raybould reads into the record or whatever Senator Cavanaugh does, will not change anybody's vote. But I would encourage-- I would encourage you to consider the rights that are given to us by the Second Amendment that have been infringed upon by some of the things that we do here, and so I'm asking you to support AM640 and LB77. Thank you.

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

**LINEHAN:** Thank you, Mr. President, and good morning, colleagues. I am going to yield my time to Senator Brewer.

**KELLY:** Senator Brewer, that's 4:50.

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**BREWER:** Thank you, Mr. President, and thank you, Senator Linehan. All right. We-- we try and put a-- a record together when we have this debate on bills so that in the future, when you look at this discussion, hopefully, there's substantive, valuable pieces and parts of discussions that can be used so that, if it should come-- under under some type of a court case in the future, they could come back and see some of this discussion. So in that light, I want to go and-- and backtrack to some of the numbers. And to do that, I'm going to ask if Senator Raybould would yield to a question.

**KELLY:** Senator Raybould, will you yield?

**RAYBOULD:** Yes, I certainly will.

**BREWER:** Good morning. Let's see, when you were looking at stats from the numbers you gave us, did you use the CDC or-- or what did you use as a source on this?

**RAYBOULD:** Thank you, Senator Brewer. I want to say that I used a compilation of many sources, Internal Medicine Journal, Vox, CDC guidelines, Stanford University, Michigan University, The Times report, BBC reports, and other journalists report and they also cite a lot of these accredited universities and statistical analysis.

**BREWER:** All right. Thank you. I limited mine to the CDC, and I-- and I burnt copies, not enough for everybody, but there's a pile here if you want to come get one and take a look at it. But if you go ahead and just go to the CDC and you look under the ten leading causes of death in the United States, and then on that, there'll be different categories. Categories are 1 through 4, 5 through 9, 10 through 14, and 15 through 24. If you then click on-- because what's going to have in the top block on all of these is unintended injury or death. You click on that and then what will come up is a graph that will then break out by cause of death. So in ages one to four, the number one cause of death is drowning, 36.9 percent, then traffic accidents, then suffocation, then burning or fire, natural environment. If you move to age five through nine, number one cause of death, motor vehicle accidents; number two, drowning; number three, fire or burning; number four, suffocation. You go on quite a ways to find firearms, and they're at 3.2. Now, it's still not a good number, but the number one cause, at 46.6, is traffic accidents. So move up, 10 through 14, you're getting into junior high, number one cause of death, 54 percent, motor vehicle traffic accidents, then drowning, then other forms of land transport, then poisoning, then fire, then suffocation; go all the way down to 2 percent, firearms.



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**KELLY:** One minute.

**BREWER:** You said one minute?

**KELLY:** Yes, sir, one minute.

**BREWER:** Thank you. Ages 15 to 24-- and I don't know why they have to put 15 and 24 together, but that's the way the CDC does it-- number one cause of death by far, 44.5 percent, traffic accidents, almost identical; 44.1 percent poisoning, that includes drug overdoses; then we go to drowning, then we go to land transport and falls. So if we're going to come on the floor and make claims, let's make sure that it's data that is truthful and accurate because it goes into the record, and that's important in this discussion because we're using this discussion to make decisions about laws. Thank you, Mr. President.

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

**RAYBOULD:** Thank you, Mr. President. And I want to say thank you, Senator Brewer. It is so good to see you in your fitting, fighting form, and there is an irrefutable fact that you are tough as nails. I want to go back to the comment. You know, the data that I quoted is absolutely accurate. The data that I have is from December 14, 2022, and it is working with the CDC, University of Michigan and Gun Violence Archives, and there is no disputing the fact that gun violence recently surpassed car deaths as the leading cause of death for American children. And I mentioned yesterday, one of my constituents sent me a full page ad from The New York Times dated February 26, 2023: Hospital CEOs across America Unite to Fight Gun-- Gun Violence. Guns are now the leading cause of death for kids. This needs to change. As healthcare leaders, we pledge to use the collective power of our voices and resources to curb this epidemic and make our communities safe for everyone. And, Senator, I'm happy to give you copies or anyone else in the Chamber. But my data is current, it's fresh, it's accurate. I-- I pride myself on being a statistic wonk, and I will always share the latest and the greatest statistics with you all and I will never fudge statistics. I want to continue to talk about Chicago. My son is in-- he was in Chicago until just a couple of days ago. They recently relocated to Silver Spring, Maryland. He's an avid hunter. He hunts with a bow, he hunts with a crossbow, and he hunts with a rifle. And he said, Mom, I went through the permit process in Chicago. He goes, I really didn't need to do it because I could just go over at Indiana, cross the border into Indiana and-- and get a firearm without having to go through a background

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check or the permit process. So, yes, Chicago is a mess. They're-- that you cannot deny. That's-- you can't dispute either, they have a mess. But what they see on states that have these horrific issues, and not that they're passing blame-- you can't place blame on that. Chicago needs to get this under control. But the reality is, the surrounding states, if you have ready, easy access to firearms, guess what? You'll have more firearms. The good guys and the bad guys, you'll have more firearms. Now I want to get back to talking about suicide. And as I stated, you know, any loss of a life impacts the community, the children of that individual, families, friends. So let's be clear. Suicide rates are increasing. From 2000 through 2018, rural suicide rates were higher than urban suicide rates, rural. Rural suicide rates increased 48 percent, compared to 34 percent in the urban areas. Firearms were the leading method in both rural and urban areas among males. In Lincoln, there were 34 suicides in 2021, where 49 percent were completed by firearms among males. With women, the use of firearms was listed at 16.7 percent, and I'm citing statistics from the Lincoln Police Department. Mass shootings on which four or more people were killed or injured in the United States are on the rise from 417 shootings in 2019 to 610 in 2020 to 680 in 2021. Part of my comments are from my testimony in front of the Judiciary Committee. And at that time, I cited 40 mass shootings with over 77 individuals killed, including the gunman. Well, guess what? We're up to 59 at the end of February. So here are some of the most recent incidents in Nebraska. On January 4 in Lincoln, we had a woman, she fired a fire gun-- a gun inside her house with her two small children.

**KELLY:** One minute.

**RAYBOULD:** Thank you, Mr. President. The woman had held the gun to her chin, threatening suicide before she fired at the-- the gun at the ceiling and was taken into custody. January 29, 2023, a 35-year-old man threatened his family with a shotgun before law enforcement arrived and disarmed him. January 31, 2023, active shooter was killed inside the Target store in Omaha. Thankfully, OPD responded quickly and no one besides the shooter was killed. The shooter's uncle said on the news that they had repeatedly warned law enforcement that something like this would happen. Law enforcement and family members had taken away the man's gun. But again, they had no legal authority to do so. LB482 could have prevented this tragedy. Thank you, Mr. President.

**KELLY:** Thank you, Senator. Senator Vargas has a guest under the north balcony, Ava Vargas, his daughter. Please stand and be recognized by

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your Nebraska Legislature. Senator Fredrickson, you are recognized to speak.

**FREDRICKSON:** Thank you, Mr. President. Good morning, colleagues. Good morning, Nebraskans. Happy Friday. We've had a great week of debate here. I've really continued to appreciate this conversation. I-- you know, it's funny. I-- I've got a fun story about the second house. So we talk a lot a bit in here about how the second house is the citizens of Nebraska and how the participation of the citizens of our state is vital in our democracy and is vital in ensuring that our Legislature works well. And I got up on the mic the last couple of days and spoke about this bill, and I-- I posed a question on both of those days, which was, you know, has there ever been a law-abiding citizen who has been unable to obtain a concealed carry permit? And yesterday I said I still had not had the answer to that question, but I received an email from a Nebraska resident, and I found this very fascinating. She's not a constituent of mine, but she does live in the state, so she wanted to say she acknowledged my question on the floor and she wanted to share her story. So she talks about how when she moved to Nebraska, she said she wasn't allowed to apply for a concealed carry permit because she needed to live in the state for at least 180 days. She said she had to sit for eight months and wait to be granted a license to exercise a right to protect myself and my family and that as a mother, this was very frustrating. So, you know, that was-- that was interesting for me to hear-- and I-- I kind of wrote-- I wrote her back yesterday. I said, look, I really appreciate your reaching out and sharing your story with me because this is a question that I was posing and, you know, I'd not yet heard of anyone having, you know, an issue of not being able to achieve this permit if they're a law-abiding citizen. So I wrote back and I said, I just want to clarify, the delay was for a concealed carry permit specifically or did it also prevent you from obtaining a firearm, to which she gracefully-- great-- great and very generously replied, saying the delay was specifically for con-- carrying concealed. I then responded, saying, thank you, this is very helpful; to be sure I understand, you were able to eventually obtain the permit, however, that-- the significant delay in the process was the primary issue, and she said, yes, correct. So she was able to obtain the permit. So my question still stands that it doesn't seem like anyone has actually had an issue obtaining this permit. That said, I think another thing-- I'm going to shift a little bit to this morning, the Omaha metro-area senators, we all received an email. I don't know if every one of us has read this yet. It came in at 8:57 a.m. This came from the deputy city attorney of the city of Omaha. So this is as recent of

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information as we have. He says: Dear metro-area senators, today the Legislature will continue to debate LB77 relating to concealed carrying of weapons and the preemption of local regulations on them. The city of Omaha and her leaders, Mayor Jean Stothert, the City Council and Police Chief Todd-- Schamender [PHONETICALLY]? I'm sorry, Chief, I probably am-- Schmader-- Schmaderer? Thank you. Apologies, Chief-- all oppose LB77. So the chief testified on the bill at the Judiciary Committee hearing and stated that, if passed, the bill would make our community less safe. So this came in this morning from the deputy city attorney and, again, I-- I do sort of extend that to all of my colleagues from the Omaha area, that this is something that-- and I spoke about this a little bit yesterday. I-- I truly-- I-- I appreciate the complexity of making a statewide policy on something like this, because we do have diversity in the state. You know, the needs of the western part of the state are not necessarily the needs of the eastern part of the state. The needs of Omaha are not going to be the needs of, you know, other cities and so-- or towns in the state. So--

**KELLY:** One minute.

**FREDRICKSON:** Thank you, Mr. President. So I-- I-- I do want to just kind of underscore I genuinely appreciate that complexity, and I-- I think that that-- that that does make this nuanced and-- and challenging to debate. But as an Omaha area senator, it is-- you know, I-- I-- I feel an obligation to represent my constituents, the-- the-- and also the city I come from, and for that reason I will be opposed to LB77. Thank you, Mr. President.

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

**CLEMENTS:** Thank you, Mr. President. I rise again in support of LB77. An important purpose for this bill is to prevent law-abiding citizens from becoming victims. We have several recent examples of law-abiding Nebraskans needing to defend themselves with guns. September 2014, in Omaha, a man who was home with his four-year-old daughter fatally shot a burglar Monday morning, police said. Officers responded to a radio call at the home northwest of 72nd and Sorensen Parkway about 9:00 a.m. Dispatchers told officers en route that the homeowner had shot an intruder. Officers arrived to find a man lying on the porch with a gunshot wound. The man was transported to Creighton University Medical Center where he died. The intruder, who had an outstanding warrant for his arrest, is the second intruder to be shot and killed by a homeowner during a burglary attempt this year. Douglas County Attorney

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Don Kleine said he had been briefed on the incident and it appears that the homeowner's action may be justified. The county attorney's office will review the police investigation before making a final determination. By law, Nebraska residents are allowed to use deadly force during a home invasion if the person fears for his or her life. A neighbor who lives nearby said she heard the homeowner's daughter tell police that she was in bed when the doorbell rang twice. The girl said she heard the door get kicked in, then saw a man standing outside the bathroom with something in his hand, quote, and my daddy shot him, unquote. You have a right to defend yourself, the neighbor said. If you have to shoot, you should shoot. In March, a similar incident happened in the Fort Redman neighborhood. Mr. Green had been watching the Creighton Bluejays basketball game on TV when an intruder kicked in his front door. The suspect hit Green in the face. Green shot and killed the suspect. Mr. Kleine concluded that the shooting was justified because Green feared for his life. Monday's shooting comes after two recent incidents in which homeowners either shot or held intruders at gunpoint. Last Tuesday, a 50-year-- 52-year-old woman held off a would-be thief who had worked his way into her home near 70th and Farnam. Packing a .45 caliber handgun, she told the man to stay in her bedroom closet until police arrived. The 24-year-old man was taken into custody shortly after 3:00 a.m. August 26, a 73-year-old Omaha man shot an intruder in his home near 34th and Cuming. The homeowner said he spotted a man entering his home through a broken front porch window, picture window. The man said he fired one round that grazed the intruder's torso and the injured man stepped back outside through the window and waited on the porch for police arrive and was arrested. August of 2017, a prosecutor said Friday that a man named Anthony had shown up at the house of his ex-girlfriend and their three children sev-- several times before the night of August 2, when officers found him lying in the backyard, a gunshot wound to his abdomen. The shot was fired in self-defense, said the Douglas County Attorney's Office. It came moments after the man attacked his girlfriend, throwing her to the ground and choking her, then hitting her with a metal pipe as she tried to flee. He's charged with felony domestic violence and four counts of terroristic threats. The attorney said the encounter on August 2 began with him banging on the door of his ex-girlfriend's house where she lived with other women. He had shown up several times to try to talk to the woman.

**KELLY:** One minute.

**CLEMENTS:** They-- let's see, he went upstairs and went to talk to her and he attacked her and threw her to the ground and choked her. She was able to get away. One of the other women had a firearm and told

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him to stop and back away. He continued swinging the pipe. She fired the gun, hitting him, and Evan's [PHONETIC] girlfriend suffered a broken arm and bruising, but survived. These people avoided becoming victims because of their right to bear arms, and I believe it's time for more people to have that opportunity and I support LB77. Thank you, Mr. President.

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

**McKINNEY:** Thank you, Mr. President. I rise in support of LB77, and I rise to continue the conversation that we had yesterday. I don't think people realize that the original Nebraska law on concealed weapons was passed in 1873 after a lot of free men, free black men and women moved to Nebraska during that time, trying to get their families to a better space to get away from former slaveholders and the Ku Klux Klan. Between 1870 and 1890, the population of black people in Nebraska went from 789 people to almost 9,000, and I just want to point that out. Gun laws, a lot of gun laws in this state, in this country, were crafted based out of fear of black people. And let's be clear, like when gun control was invented in Nebraska, it was in response to black people being freed from slavery and moving from the South. And in LB77, it would take away some things that the Omaha Police use to target and disproportionately arrest black men and women. And the chief is arguing, oh, our community won't be safe, but is it-- is it-- will it-- would it be less safe because black people can't be targeted or disproportionately arrested by the police? If-- if that's safety, then I don't want to be in Nebraska. I don't want to be in Omaha. Honestly, I don't. I probably want to go to Africa because who cares about us? Honestly. The racism and-- and I passed out an article yesterday from the Harvard Law Review about racist gun laws, and the racism embedded in so many gun laws reminds us that such legislation enacted, not out of a solemn attempt to police the boundaries of the Second Amendment but in an effort to-- to abuse the law to protect racial privilege and hierarchy, that does not mean that all gun laws ought to be immediately suspect. However, due to the text of the Second Amendment and the tradition of other gun laws that promoted public safety without racist taint, yet the history of racist gun laws also must not be forgotten. If nothing else, it should inspire gun reform advocates and lawmakers to craft efforts to reduce gun violence without racially disproportionate impact. What are you scared of? I'm scared too. I hear sirens all night. I hear shots every night, people getting shot around the corner from where I live. It's-- it's-- it's just funny how it's always a "but" when it comes to, oh, no, but you should wait, don't do this, wait, we're scared, wait, but it's OK if

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you're being disproportionately arrested, convicted, killed, put in prison. We passed a gun law in, like 20-- not-- 20-- 2009 or 2011 that boosted our state's mass incarceration problem. And you know who most of the majority of those people were? They were black. That is the reality that we're facing here. No, I don't want people with guns just going out, killing people and shooting up schools. Nobody does, not one of us. That's crazy. It shouldn't happen. It should never happen. But I'm not going to sit and not try to fight for my community that's being-- that has historically been discriminated against.

**KELLY:** One minute.

**McKINNEY:** The police don't care about black people. If they did, they wouldn't do the things they do, honestly. So when we have this debate, don't stand up and say you care about black kids. If you did, a lot of things in society would be different. But the reality is, it's not, and most people in prison are black. Thank you.

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

**DOVER:** Thank you, Mr. President. I stand in opposition to the bracket motion and support of LB77. I've listened to the various arguments, for and against, and will do my best not to repeat any of those arguments. Many of you probably don't know the common history that District 19 shares with Senator Brewer's District 43, and that is a senator passionately focused on constitutional rights to bear arms. Senator Gene Tyson, who passed away in 2015, spent years of his life here at the Capitol focused on the right to conceal carry, and it is because of his bill that today we have that right as gun owners. I am glad that I, a senator from District 19, can carry on that legacy by voting for-- in support of LB77. And, Senator Brewer, I can't help but believe that Senator Tyson is watching on us-- watching us today with a big grin on his face. Thank you, Senator Brewer, for bringing LB77 and giving back to the people of Nebraska their constitutional right to carry a firearm without government interference. I will probably vote for LB77, and I yield the remainder of my time to Senator Brewer. Thank you, Mr. President.

**KELLY:** Senator Brewer. That's 3:40.

**BREWER:** All right. Thank you, Mr. President. And I would guess that he probably does have a big smile on his face, Senator Dover. All right. I think Senator McKinney did make a-- a good point, but I think we need to take it a little bit farther than that. There is an article that I would-- would like, folks, if you get a chance to take a look

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at, it's by the Harvard Law Review and a gentleman by name of Adam Winkler, and it simply talks about racist gun laws and the Second Amendment. I-- I think if you go back and look at history, one of the things you find interesting is that the gun laws in Nebraska-- I agree with Senator McKinney. And I don't know how you could deny-- if you look at the time that Nebraska became a state, wrote the Constitution and then implemented the restriction on being able to have concealed carry, there are too many dynamics that-- that point to that being the exact-- the exact issue, because all of a sudden there's this influx of folks that look different and make people nervous, and so you're going to make laws to make sure that you can protect those that you think need protecting. But if you go back even further, and this is going back to pre-Revolutionary War, they had a-- a law, because back then it was by state, Laws and Liberties of Massachusetts. All right. So, again, we're going back to these are-- these are part of the-- the Puritan legal code. And this talks about that nor shall any man with any justification, directly or indirectly, amend, repair, or cause to be amended or repaired any gun, small or great, belonging to any Indian, nor shall endeavor to do the same-- keep in mind, this is old-school language here-- nor shall he sell or give any Indian, directly or indirectly, such a gun or gunpowder or letter shot or shot mold or any military weapon or armor or payment of-- or result with--

**KELLY:** One minute.

**BREWER:** --payment of fine of ten pounds for this offense and each offense. So I think the gun laws originally in America were protection from the Europeans, from Native Americans, but I believe that the gun laws in Nebraska were designed for the African Americans, and that's why I think you need to study and understand the history of the gun laws that restrict both Nebraska and the United States. Thank you, Mr. President.

**KELLY:** Thank you, Senator. Senator von Gillern, you're recognized to speak.

**von GILLERN:** Thank you, Mr. President. And good morning, colleagues and Nebraskans. I stand again today in opposition of the-- to the bracket motion and in support of the withdrawal of AM55 and support of AM640. A lot of talk today about-- about suicide, and I do want to echo and thank Senator Raybould for bringing that to our attention. It's certainly a tragedy and-- and I frankly challenge anybody in this body to search through their memory. I'm sure all of us can-- all of us know of a tragic situation of a suicide, whether it was by a youth or an adult, and those are tragic in every case. And I hope none of my



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comments do anything to minimize the-- the pain that families go through when that-- when that happens. So our sympathies and our thoughts go out to-- to anyone who's ever had to deal with that. The means by which suicides happen, obviously, very-- and certainly handguns and-- and guns or rifles or shotguns sometimes are the-- the weapon of choice. And as unfortunate as that is today, I just want to drag us back to the topic and remind us that that has nothing to do with the conversation today. Today's discussion is about LB77, and LB77 is about whether the right that we possess today should be slightly modified to where a permit is no longer required. That's what the conversation is about. Again, we can talk about all the-- the different things, all the different elements and all the different, dramatic comments and scenarios and situations around gun violence, and certainly all of that is tragic within our country and-- and again, don't want to minimize anything about that at all, but I just have this propensity to want to drag the conversation back to the topic at hand and not let it wander any further than we need to-- to-- to let it go. The-- I think-- you know, and kids, kids have been talked about a lot today and-- and they should be, and we need to do everything that we can to protect kids. We need to protect them from lots of things. We need to protect them from video games that are violent. We need to protect them from bullying. We need to tech-- protect them from social media attacks. We need to teach them character and responsibility and, frankly, that's-- that's the multiplier. That's the one that will-- Senator Brewer is-- is incredibly familiar with the term "force multiplier." What can you add to an equation that will multiply its effect over and over again and over more than one topic? And teaching kids about character and responsibility in their lives is one of those force multipliers. I believe that the fear of guns that is-- that is being furthered today and the fear of guns that exists in our society has actually become part of the problem because fear leads to unfamiliarity, and unfamiliarity leads to lack of an ability or a desire to embrace something. And once we embrace it, we want to learn about it and be trained about it, and then that eliminates the fear and then also eliminates the-- the opportunity for tragic accidents and incidents to happen. Now I'm going to-- I just said I want to keep us on topic, but I'm going to step off topic a little bit. The situation that we've all-- that's become very famous about Alec Baldwin and the tragic shooting on-- on the movie scene is a situation where someone who was completely unfamiliar with-- with a handgun did something that those of us that are familiar and have gone through training and-- and do not fear that-- that tool never would have done, never would have happened. And there was a-- a loss of life in that situation, which,

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of course, is incredibly unfortunate. Again, this reminder, just a reminder today, that the conversation over the past few days has turned far from concealed carry. The conversation in this body from those who are opposed to LB77 has turned into an anti-gun conversation. Clearly, if you listen to the words that are spoken, it's anti-gun. Senator Raybould brought up some great facts, and-- and I respect her greatly for drawing attention to a number of things. But--

**KELLY:** One minute.

**von GILLERN:** --one of-- thank you, Mr. President-- one of the comments she made was that 46 percent of the firearms in the world are owned in America. I also would like to call to her attention that America has never had a land attack. The reason that-- that-- that guns are in the Second Amendment that have made it into our constitution was in order to prevent other countries from ever attacking us. And if you don't think that that's a factor, then you're not very familiar with world history. If you look at what happened in Germany and in Poland prior to the start of World War II and the Nazi invasions there, one of the first things they did was collect the guns and neutralize the-- the whole militia. Switzerland, which has never been attacked from a land war, has a standing militia and they have-- per-- per population-- I'd have to look up the figures, but is certainly a very high rate of gun ownership. In fact, at one point the government issued guns to homeowners. So I want to shift this conversation from one about--

**KELLY:** That's your time, Senator.

**von GILLERN:** Thank you, sir. Thank you, Mr. President.

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

**DUNGAN:** Thank you, Mr. President, and thank you, colleagues. Mr. President, I rise today again in opposition of AM55 in order to substitute AM640, as well as, I suppose, in favor of the bracket motion. We're here after a long conversation and a long debate over a number of days, and I actually want to echo Senator von Gillern's points to a certain extent. I also have a tendency to want to bring the conversation back to sort of what we're actually talking about, and I think one thing that a number of folks have tried to discuss over the last few days is, what is it that we're actually debating here? Are we debating whether guns are good or bad? Are we debating whether or not we as a country have firearms as part of our sort of original make-up? Or are we debating the language of LB77 and what it

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does and, even more specifically, are we debating AM640? I've tried very hard to make clear on the mic over the last few days that I understand this is a very complicated issue. I think that Senator Fredrickson actually said it very well when he noted that we all come at this from different perspectives. I was born and raised in Lincoln. I was not born and raised in central or western Nebraska. Guns were not a part of my upbringing. I was a Boy Scout. I am an Eagle Scout. I fired guns as an Eagle Scout, but I did not have them in my home. We did not have them around our household. And so I'll-- I'll admit it, I was uncomfortable around firearms when I first became a little bit more familiar with them. That being said, I have gone to shooting ranges, I have fired weapons. And so I would push back on the notion that if anybody is opposed to this, it's because they don't like guns. I think what we're talking about here is whether or not firearms should be carried without a license, and then again, even more specifically, whether or not we as a Legislature should implement additional criminal penalties and broaden the definition of prohibited person under AM640. Senator Cavanaugh, John Cavanaugh, my row mate here, and I have talked, I think, a couple of times about the language of AM640, and so I don't want to belabor that too much more, but I do want people to understand that, again, we're talking about a substantive amendment that is getting tacked on to a bill that did not go through the committee process in the way that it normally would. And I don't want to speak on behalf of my colleagues, but I do believe there are some in that committee who might have had more of an issue with LB77 making it out of committee had they have known that ultimately here on the floor there was going to be new additional criminal penalties tacked on. It also leads me to a general conversation of why do we impose these criminal penalties. I could go on and on-- and I'll try not to-- about sort of what the underlying penological goals are of-- of adding crimes. What is the purpose of implementing crimes? There's four basic penological goals. And again, I'll try not to talk about this too much, but you have rehabilitation, deterrence, incapacitation and punishment, and those are the four real reasons that we look at adding crimes. And so whenever we talk about, well, let's add this new misdemeanor, I ask myself, what's the point? What is the penological goal of doing this? Is it rehabilitation? Probably not. Is it incapacitation? I mean, it can be argued that if somebody is facing jail time and they are ultimately incapacitated, that could be a problem. But what we're talking about here are misdemeanors and potentially felonies, but it's probably not the actual goal. Is it punitive? Possibly. A lot of times when we implement new crimes, it's meant to be punitive and actually have a punishment. But then I think the fourth one that a lot of times people

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often refer to is deterrence. If we implement these new crimes, will people be deterred from committing the underlying act that they seek to prohibit? I would argue that they're not, and the disproportionate effect--

**KELLY:** One minute.

**DUNGAN:** --thank you, Mr. President-- the disproportionate effect that these potential new crimes may have, I think, becomes problematic when you balance it against what the actual goal of implementing it is. And so I just think it's important that we have that discussion. And as we continue to debate various issues in this body over the next many months, I imagine we're going to have a lot of conversations about what is the actual goal of implementing these laws, what is the actual penological goal that we're looking at when implementing crimes? And that's a conversation that I want to continue having with my colleagues, because I think it's going to be very important. But again, I would encourage my colleagues to look at what we're actually talking about here today. Look at the amendment. Understand that that amendment did get tacked on without the review and ultimate questioning of the Judiciary Committee. And I would urge my colleagues to vote against the substitute of AM640 and ultimately against LB77. Thank you, Mr. President.

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

**BOSTELMAN:** Thank you, Mr. President. Good morning, Nebraska. Good morning, colleagues. Good morning, students who are up in the balcony. I think we-- I'll start off this morning on I think it's important for us to correct the record when I've heard things spoken on the record on the floor that are incorrect. I think it's very important that we correct the record to make sure it reflects current law, what actually we work under when we talk about firearms and purchasing of firearms. And with that, I would ask if Senator Brewer would yield to a couple questions.

**KELLY:** Senator Brewer, will you yield?

**BREWER:** Yes.

**BOSTELMAN:** Thank you, Senator Brewer. There was a comment made earlier on the floor that-- that I can purchase a firearm anywhere and I don't have to have a background check. Can I purchase any firearm-- handgun,

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shotgun, rifle, any of those, can I purchase those without having a background check?

**BREWER:** You cannot purchase without a background check. That's federal law.

**BOSTELMAN:** So if someone is purchasing a handgun, shotgun or firearm from a retail business, from-- from any business and doesn't do a background check, that's a violation of federal law, correct?

**BREWER:** It would, and the-- the business would be obviously violated and charged also.

**BOSTELMAN:** Right, and the ATF Form 4473 is the actual form that a person has to fill out, that the business has to fill out to do that background check. Is that correct?

**BREWER:** That's correct. So the-- the gun dealership, what-- wherever, would need to confirm your identity. In Nebraska, you'd have to, if you're buying a handgun, have the permit or the concealed carry permit. And then once you've completed the check and the form and then are approved, that's how you take possession.

**BOSTELMAN:** Thank you. And-- and just to add to that, in order to get a handgun permit or a concealed carry permit, you have to have a background check, so background check on any purchase anywhere. So the second question I have for you, can I go to another state? In other words, can I go to Iowa, can I go to Kansas and buy a handgun?

**BREWER:** No, that would be a felony.

**BOSTELMAN:** I'm prohibited from only purchasing handguns in the state in which I reside.

**BREWER:** That is correct.

**BOSTELMAN:** Thank you. The other question I have-- one more question for you, Senator Brewer, and I'll-- I'll let you off the hook here. You talked about some specific statistics on cause of-- of death of childhood-- childhood deaths in the United States. Where did you obtain that information from?

**BREWER:** I obtained it from the CDC, and those are the sheets I have here that are available, and that--

**BOSTELMAN:** So that's current--

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**BREWER:** --that was data from 2020-- the last ones that we had available, 2020.

**BOSTELMAN:** From the Center from [SIC] Disease Control, correct?

**BREWER:** Yes, sir.

**BOSTELMAN:** OK. Thank you, Senator Brewer. I want to just make sure that I thought he had stated that on those, but I just wanted to make sure the record reflected that, that the information that he is using is from the CDC itself. What I spoke on yesterday, I think, is paramount. We're talking about law-abiding citizens; we're talking about law-abiding people. The other thing I talked about yesterday quite-- quite a bit was training, about the thousands of tens of thousands of kids who are trained every year. And maybe some of those sitting up in the balcony this morning have gone through hunter's education. Maybe they shoot-- maybe if they're old enough, maybe they're shooting in trap or sporting clays, or maybe they do archery, or maybe they do a rifle or handgun; but all of those students, whether it's through a 4-H, maybe it's through Boy Scouts-- you know, American Legion, I think, also has a rifle competition that they have. High schools do it, public, private, a lot of training that's already being done, a lot of these students, for-- for a number of years.

**KELLY:** One minute.

**BOSTELMAN:** I'd say, and-- and-- and I haven't gone back to look, but it's more than 10 years, maybe 20 years, longer than that, students, kids in school, sixth grade on in some cases specific to short-- shooting trap, go through hunter safety, go through firearm safety, goes through that; they receive it. And if you want to, any-- anybody can take that, those courses, at any time. That's something that happens daily. There's private companies, there's businesses in the state-- I think there's a handout from NFOA-- they're willing to provide that to you for free, to the members here. So you have ample opportunity. People have ample opp-- opportunity. This is a-- what we're talking about is a legal-- law-abiding citizens, the training they receive, the opportunities that they have in the state to provide their constitutional right to go out and--

**KELLY:** That's your time, Senator.

**BOSTELMAN:** --go out and-- go out and shoot sporting clays. Thank you. Mr. President.

**KELLY:** Senator Brewer, you're recognized to introduce some guests.

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**BREWER:** Thank you, Mr. President. Well, it is with pride that I introduced the-- introduce and welcome the seventh and eighth graders from Cody-Kilgore schools, along with their teacher, Ms. Richie, and sponsors. These students worked extremely hard to earn money to come here for a two-day trip to Lincoln and Omaha, and they're here in their first year of competing in the Esports, and they won the championship for the market part of that. And just as a side note, too, the students in Cody-Kilgore run their own grocery store. Thank you, Mr. President.

**KELLY:** Thank you, and those-- will those guests stand and be recognized. Senator Lowe, you're recognized to speak.

**LOWE:** Thank you, Lieutenant Governor. I don't think I can say anything more than students running a grocery store. That's fantastic. As we go into the last hour of debate here on this bill, I stand opposed to motion 54 to bracket until 6-9 of 2023 and I stand in favor of AM640 and the underlying bill, LB77. In the Newsweek magazine dated 7-19 of 2022, in Indianap-- in Indianapolis on Sunday, a law-abiding citizen carrying a concealed handgun stopped another mass public shooting. But these heroic acts happen much more frequently than most imagine because they rarely get national news coverage. A 22-year-old legally carrying man fatally shot-- shot an attacker at an Indianapolis shopping mall. The headline in the Fox News mentioned Good Samaritan, and CNN and The Washington Post mentioned an armed bystander stopped the attack. The attacker was heavily armed and had already murdered three people and wounded three others after fire-- firing 20 shots. If he was heavily armed, he probably had more ammo on him. I stand here because my family has also been attacked, not by guns but by threats. My wife was thrown against a building here in Lincoln and then thrown to the ground and is still recovering. My son was in Nashville, Tennessee, and his car was stolen, along with his keys, and the perpetrators tried to break into his apartment shortly thereafter. He slept for the next two weeks with his feet against the outside door, back up against the inside stairway, and his crossbow in his lap. We are talking about people protecting themselves, and that's what we need to remember. In Nashville, that was not a heavy enough crime for the police to come and investigate. They have too many murders on their hands from those not law abiding. I have been accosted, I've been pushed around, and I have been told that people-- that they were going to kill me several times as a senator. I was carrying at the time, the gun never left my holster. My hand never went to my gun. We are not people that draw our guns randomly out like those on the other side would like you to believe. We are law-abiding citizens. In many of our counties, if something would happen at a church and the sheriff

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was across the county, if there wasn't the concealed carry person in that church or a security force, all would be lost. With that, Mr. Lieutenant Governor, I'd like to yield my time to Senator Brewer.

**KELLY:** Senator Brewer, you have 1:22.

**BREWER:** Thank you, Mr. President. I think that one of the issues that does need discussing, but not here because it's not a part of this bill, but it is part of what we need to deal with in Nebraska, is the mental health challenge. And I'm guessing that Senator--

**KELLY:** One minute.

**BREWER:** --Raybould and I will probably be pretty close on the fact that we need to do more. There's a lot of folks falling through the cracks, and those are the ones we see that are the problems, that are causing a lot of the issues that we're dealing with. The problem is there are those on the floor that want to take every deplorable, every horrible thing that's happened, and bunch it into a pile and then put it on the back of LB77 and say that's it. LB77 isn't about the deplorables, the-- the folks that do the wrong. These are people who want to be able to possess a concealed carry weapon to protect themselves and their families and to follow the law. That's what LB77 is about. Thank you, Mr. President.

**KELLY:** Thank you, Senator. Senator DeBoer-- DeBoer has some guests in the north balcony, 20 fourth grade students and two teachers from Omaha Christian Academy. Please stand and be recognized by your Nebraska Legislature. Senator DeBoer, you're recognized to speak.

**DeBOER:** Thank you, Mr. President. And I'm glad I get to talk in front of the very amazing group of fourth graders that I just met and their teachers. So this is what we do. We were talking about what we do in the Legislature. Right now, we're talking about getting more information, which is what I talked with them about, is that when we do bills, we try to find more information. And one of the things that the very bright students said that we should do to get more information is ask people questions, so I would like to do that for a second, because I've heard that we're talking about a couple of things in here that are related but maybe not exactly on point with this bill, and one of them is the training that currently is part of the concealed carry permit and getting the permitting done. And I'm wondering-- one of the things that really sort of upset me is hearing that that costs a lot of money. And so I was wondering if we could think of a way to come together, regardless of what happens with this



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bill, and make that training freely available to any Nebraskan who wants it. Now that might cost a lot of money, but I think that that's really important because, as I've heard a lot of you talk about in this debate, having the training available for free is something that would help to cause fewer injuries, which are accidents or even sometimes intentional-- being careful with my students up there-- and so we want to be careful that we-- we do the training that's available to do that. So let me ask Senator Raybould. Senator Raybould, would you yield? Senator Raybould?

**KELLY:** Senator Raybould, will you yield to a question?

**RAYBOULD:** Yes, I will.

**DeBOER:** Senator Raybould, would you be in favor of providing, regardless of what happens with this bill, free training to Nebraskans on gun safety?

**RAYBOULD:** Yes, I would. And more importantly, all the responsible gun owners that I have spoken with say training is so important. The answer's yes.

**DeBOER:** Thank you. Senator Brewer, would you yield to a question?

**KELLY:** Senator Brewer, will you yield?

**BREWER:** Yes.

**DeBOER:** Senator Brewer, would you be in favor of a program that would offer free training for gun safety to any Nebraskan who would like it?

**BREWER:** I would. And my next time on the mic, I will talk about that.

**DeBOER:** Thank you, Senator Brewer. Senator Clements, would you yield?

**KELLY:** Senator Clements, would you yield?

**CLEMENTS:** Yes.

**DeBOER:** Senator Clements, you're in charge of our budget. And since my students are up there, I'll tell them he's the man that has all the money. And so, Senator Brewer-- or, sorry, Senator Clements, would you be willing to help or would you consider helping us look for money so that we could provide free training on gun safety for any Nebraskan who would like it?

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**CLEMENTS:** I have been hearing about a number of organizations already who are talking about offering free training, but I would consider some state aid regarding that training. Yes.

**DeBOER:** Thank you, Senator Clements. Nebraskans, whatever happens with this bill in the next days and weeks, I think we've all recognized on this floor that training and safety training for gun safety in Nebraska is something that our people want, it's something that everyone can agree upon, and it's something that is, in the name of public safety, something I think we as a state should prioritize. So I hope that my colleagues and I can work together to provide gun safety trainings available to anyone who would want them in the future, and I think that would really help us as we're trying to think through these problems, so thank you, Mr. President.

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

**IBACH:** Thank you, Mr. President. Good morning, colleagues, and good morning, Nebraska. I stand before you this morning to oppose the bracket and to support LB77. One thing that hasn't been discussed a lot, with the exception of Senator Frederickson's comments just a while ago, are the constituents that we represent and their wishes on this issue. On the door of our church is a sign that reads: These premises are protected by persons bearing arms. And I-- I think that that's important, I think it makes me feel safe, and I think it's a good thing. My point is, when it comes to rural, law-abiding citizens, who I represent, I think they have response-- they're responsible with their habits and their practices when it comes to gun safety. My children even took gun safety classes when they were younger. I'm sure many of you have too. On the subject of my constituents, District 44 is overwhelmingly, overwhelmingly in favor of my support on their behalf of LB77. So today, I will vote for my constituents that are in favor of LB77. And on that, I would thank you, Mr. President, and yield my time back to Senator Brewer so that he can talk about--

**KELLY:** Senator Brewer, that's 3:34.

**BREWER:** Thank you, Mr. President, and thank you, Senator Ibach. All right, I think that is a great topic and we need to talk about the training. Everyone was passed out a memo this morning. It-- it starts off with a line: NFOA Online-- excuse me-- Learning on Firearm Safety and Laws. So when we started this process, we determined there was a need for training, too, and there needed to be a place to go where you could get the training. We needed to make sure that it was online, that it was readily available, but that also ranges were available.

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And so through this process, we were-- we were blessed to have Nebraska Firearm Owners Association team up with us and come up with a way of doing that and doing that at no cost. So if you were to follow the guidance on the sheet, it would take you to a summary, and what would be in that summary would be: firearm safety; introduction to semiautomatic handguns; introduction to revolvers; how to load and unload a revolver; how to load and unload a semiautomatic handgun; handgun firing fundamentals; responsible firearm storage; handgun cleaning and maintenance; methods of concealed carry; methods and techniques for increasing personal safety and risk; conflict avoidance and de-escalation; introduction to handgun ammunition; handgun malfunctions; introduction to the shooting ranges; interacting with law enforcement; interacting with emergency response personnel; prohibited places; Nebraska state laws; Nebraska laws pertaining to the purchase, ownership, transportation, and possession of handguns; federal laws pertaining to purchase, ownership, transportation, and possession of handguns; effects of stress; cover, concealment, and duty to retreat; personal defense laws in the home; setting up a personal training program. So if you then go specifically to these issues, it breaks out and takes you through the very-- what we call a POI, program of instruction, where you can understand that specific topic. Now, so you have the classroom portion in this, and that's a critical part of it. But the even more critical part about--

**KELLY:** One minute.

**BREWER:** Thank you, Mr. President. The other critical part is the hands-on. So the other thing that the Nebraska Firearms Owners Association have-- have done is they have set up ranges across the state so that we had instructors in every county. Now because of limitations, we don't have a range available in every county, but that's part of what we had committed to do, is if there isn't a range in your county, to find a range that would be available to use so that when you go through this training, you've got a place to actually do the hands-on and that you have an instructor, but you're doing it at a cost-- at no cost. And-- and that's the issue I guess I have, is we look at ways of-- of things costing the state of Nebraska. This is being done by responsible gun owners that want to teach others these safety principles.

**KELLY:** That's your time and you're next in the queue, Senator Brewer.

**BREWER:** All right. Thank you, Mr. President. All right. The next thing that I want to jump to is we've been hearing, again, a lot of stats, and I thought that Senator von Gillern had a great point on why we

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have more guns than other countries. We have a Second Amendment. Most countries don't. When I went to the Ukraine this summer, they shared with me their experience on 24 February, when a quarter of a million Russian soldiers invaded their country. They had the strictest gun control laws in Europe because they were part of the old Soviet empire. They went to armories and opened them and they handed out guns as best they could; but because many roads were blocked and there was so much chaos, that there was no way for them to distribute those guns in an efficient way to get the guns where they needed to be. Now, through hook or crook, through the use of Molotov cocktails, they were able to kill enough Russian soldiers so that they were able to arm themselves to survive those early days. But one of the things that they stressed to me over there was that they felt so helpless because they had Russian soldiers who were invading and there was nothing they could do but look at them or put gasoline in a pop bottle and stuff a rag in it because of the laws that they had. Now I understand there's a lot of folks that hate guns. There's a lot of people that hate to hate. But our founding fathers understood that we needed to have the ability to protect our country because at that time we had not much of an army. And some on this floor want to say, well, that's the whole idea behind the Second Amendment, was for a militia. The militia was the people, and it was that militia that protected our country until we established a formal army. But it didn't mean that the people of the United States should not be able to keep and bear arms. That's exactly what the founding fathers in Nebraska were thinking, because you can twist the Second Amendment however you want. But if you read the First Amendment of the Nebraska Constitution, it is clear as day, there is no gray there, what exactly was meant by giving us the right to keep and bear arms, to protect our families, to protect our businesses, to hunt, recreation. So remember that this is what we're discussing here and that, as much as we'd like to take all the problems of the world and dump them on the back of this bill and make it all about that, it is about the ability of law-abiding citizens in Nebraska to constitutionally carry concealed and to do that and not run the risk of becoming a criminal because you travel through a particular town. We will have, I'm sure, a spirited discussion on this as we go on into the second and third rounds, and I will tell you that I have every right in the world to probably become a little weary. I think this is about 37 hours that, either in a committee or on this floor, I have been through filibusters. But I made a commitment and I have fought every day I've been in this body to push constitutional carry through. And if for some reason or somehow there's a maneuver to kill constitutional carry this year, as sure as you're sitting here, it will be back next year. So we will fight this fight--

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**KELLY:** One minute.

**BREWER:** --and we will go through this process. I believe that we're making it unnecessarily painful for the people of Nebraska and for this Legislature to do what we're doing with filibustering everything that comes before this body. But that's the way we're going to do business this year, then that's the way we're going to do business. Doesn't change my passion to fight the good fight. So we will continue. Thank you, Mr. President.

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

**HALLORAN:** Thank you, Mr. President. Good morning, colleagues. Good morning, Nebraska. Six years ago, when I first took office with the class that I took office with, we stood up in the very front up here and we took our oath of office. The most significant part of that oath of office was swearing to uphold the U.S. Constitution and the Nebraska Constitution. Now, when I raised my right hand, I didn't put my left hand with my fingers crossed behind it and say, I swear to uphold the U.S. Constitution except for the Second Amendment. It's upholding the whole constitution. I-- I stand against the bracket motion, in full support of Senator Brewer's passionate effort over the years for constitutional carry, so I'm supportive of LB77 and the motion, AM640, which, while we're on that, it is not unusual. This has been spoken to before, but it's not unusual or extraordinary for motions or for amendments to come up after a bill has been Execed out of committee. It happens a lot and it will continue to happen and it's totally appropriate. And I-- representing my district, I feel very confident that the vast majority of my district is supportive of LB77. There's been a lot of conversation on the floor that I think really has been targeted to create fear and uncertainty and doubt amongst Nebraskans about this bill, about constitutional carry. The effort, I think, has been to try to make Nebraskans afraid that law-abiding citizens, given the opportunity to have their constitutional right to carry, will somehow put the state more at risk, that there will be the Wild West again. That will not be the case. You know who's not really caring too much about this? We're concerned about law-abiding citizens constitutionally carrying, taking the limits off of their Second Amendment rights. You know who really doesn't, frankly, care about that? Criminals. Matter of fact, they would be very much for more restrictions on the-- and limits on the individual to be able to carry or to protect their home or them-- themselves as an individual, because that makes their job a lot easier, a lot easier. I have a permit to carry. I've had it for a number of years. And, you know, one

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of the requirements when you cons-- when you carry, have a concealed carry permit is if you get pulled over by a law officer for, say, speeding-- I'm not saying that that's happened more than a half a dozen times in my life, but when I get pulled over for speeding and it does happen, the first thing I do is I prepare my license before the patrolman comes to the door and my concealed carry permit, because that's a requirement the officer needs to know. And it comes up on his computer in his patrol car, but he needs to know that I have a concealed carry or a permit. Next thing he will ask me is, do you have that-- that-- that-- do you have a weapon in the car or on you? And I will tell them if I do or I don't. So one day I told him when-- when I was pulled over, I said-- he said, do you have a weapon in the car? And I said, sir, I have a-- I have a 9 millimeter on my right hip and I have a .38 revolver in the console in between the seats and I have a .38 revolver in my glove box.

**KELLY:** One minute.

**HALLORAN:** And he looked at me and he said, sir, what are you afraid of? And I responded, absolutely nothing, absolutely nothing. When I go shopping with my wife and she-- and she makes me shop with her, it's against my will sometimes. But when we're shopping, I-- I have my concealed carry. I'm not going to allow myself, my wife, or any bystanders to be unprotected if some fool comes in who is not a law-abiding citizen, does not care a whit about our laws on concealed carry, comes in and tries to do something to endanger my wife, me, or anyone in the store with me. They will be met with fire. They will be met with fire, self-defense. So again, I stand in full support of LB77.

**KELLY:** That's your time, Senator.

**HALLORAN:** Thank you, sir.

**KELLY:** Senator Jacobson, you're recognized to speak.

**JACOBSON:** Thank you, Mr. President. I don't want to be overly repetitive, but I'd like to just get up again and bring us back to what we're discussing. It seems like all too often we get involved in these filibusters, we get way off the beaten path and we talk about things that aren't even remotely involved in this bill. So let's remember what's involved in this bill and specifically what's involved in this amendment that-- that Senator Brewer has brought. We need to understand that we're not talking about reducing the number of guns. That's not in this bill. Nowhere in this bill is there anything about

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reducing the number of guns. OK? So we probably shouldn't be talking about that because that's a different bill for another day, if that's what you want to talk about. What we're talking about is whether or not you can, if you've gone out and gone through the process of getting qualified and purchasing and having a permit to own a handgun, that you can conceal that handgun under your jacket, in your console, in your glove box, and do it legally without having to get an additional permit in the state of Nebraska and get additional training that you would have to pay for. That's what this bill is, nothing more, nothing less. The amendment brings in some higher restrictions that were asked for in-- and particularly in the city of Omaha. So that is part of the amendment, OK, but at the end of the day, we're not talking about reducing the number of guns. The other thing I think we need to remember is we can all talk about we could reduce-- that-- that more guns are a problem or that these things are all a problem. I want to remember-- remember again that more gun regulation, as has been said by so many of my colleagues, more gun regulation only impacts law-abiding citizens who buy their guns generally, as Senator Halloran just spoke to, for their own personal protection. Criminals don't care about the laws. As I said before, that's why we call them criminals, because they don't care about the law. We could pass all the laws we want, but they're still going to break them. So what we're doing here is we're trying to allow law-abiding citizens to exercise their constitutional right to bear arms and do it safely. I don't know about you, but if I walk up to someone who has a carry permit or has a gun permit, they can open carry. I would rather they concealed that weapon, quite frankly, and I think many would like to. Think about someone out there who isn't the size that I am and they're carrying a gun or-- and it's open. Well, what keeps someone from seeing that and saying, I'm a lot bigger than they are, I think I can overtake them, take that gun out of their hands, rob them and shoot them or whatever? But if that gun is concealed-- let's say that it's a female and it's in a purse or a male with a satchel or-- or in a briefcase-- doesn't matter, they could have that gun and nobody's ever going to know it and they don't need to know it. Just like with Senator Halloran, I didn't know that he had the guns that he has. I'm going to keep that in mind. I'm going to make sure I don't accost him anywhere he's-- when he's driving his car, by the way. But-- but-- but I would just tell you, that's what we're talking about here, folks. That's what we're talking about. We're talking about not allowing the law-abiding citizens of the state of Nebraska to exercise that right like 25 other states have already allowed to happen. If we want to talk about more restrictive re-- regulations are going to cause crime to go down--

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**KELLY:** One minute.

**JACOBSON:** --thank you, Mr. President-- go to Chicago. Go to Chicago. Murder rates go up every year in Chicago. Toughest gun laws in the country, in the country, and the answer is, well, we need to work on that. Well, they've been working on that for decades and it doesn't work, folks. We need to give our citizens the ability to protect themselves. I'm going to support-- I'm going to oppose the bracket motion, support AM640 and support the underlying bill. Thank you, Mr. President.

**KELLY:** Thank you, Senator. Senator Vargas, you are recognized to speak.

**VARGAS:** Thank you very much. I-- I keep hearing people talking about Chicago. I just-- look, the-- here's-- here's my biggest concern, is that we're talking about Chicago when I don't think anybody is debating that our state has a lot of different communities. And-- and I think I heard this from Senator Ibach, that she's listening to her constituents, and I'm listening to mine too. I overwhelmingly hear from my constituents that they don't want to pass this bill. That's still the case. That doesn't mean Nebraskans necessarily don't want to. That might mean that Omahans do, that don't want to pass this bill right now in the form that it's in, even with the amendments, I think some even more so with the amendments. And the city of Omaha or the city of Lincoln, its mayors, and also their police chiefs are also in opposition to this. I'm not debating whether or not either Senator Jacobson or Senator Brewer or other people that I've gotten said that this is something that meets their constituents' needs or is solving a problem or is not trying to stand in the way of people's constitutional rights. I completely understand. I'm listening to that. It's whether or not we are allowed to, in our municipalities, make the most informed decision on behalf of the public safety, listening to the individuals that do that every single day in and day out. That's the reason why I remain opposed to this. I did have a concern about some of the mechanics of this, if Senator Brewer would yield to a question.

**KELLY:** Senator Brewer, will you yield?

**BREWER:** Yes.

**VARGAS:** So one of the questions that came up from-- both from the city of Omaha and Lincoln is since the-- the convention centers that they have, they have part ownership of these major arenas, their concern is



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that, if they have part ownership of these major arenas and they're city-- potentially city facilities, that that means that they cannot prohibit concealed carry in these arenas like Pinnacle Bank or the CHI Center. Is that your understanding?

**BREWER:** No. Property owners can establish whether or not you can have concealed carry or not.

**VARGAS:** But these would be city buildings, these would be city-- that are sort of public-private partnerships, so that would-- that wouldn't be subject to this? They could still prohibit concealed carry?

**BREWER:** Yeah, they can prohibit it.

**VARGAS:** OK. Well, that's good to have that in the record that that's still the case for them. I just wanted to make sure, because when we're hearing that from those different entities, I want to make sure that that's still the case. Colleagues, I still remain opposed to this. I've had some other colleagues say they're opposed to the different amendments with some of the additional enhancements on gun charges. I remain more opposed to that because, well, for many reasons, they're disproportionately affecting people in my community. But the other side of this is it's not still getting to the root cause of what we're seeing here, which is, for me, what we're continuing to see, as is the FBI study of 160 active shooting incidents from 2000-2013 found that only one was stopped by an individual with a valid firearms permit. I bring that up because this is not whether or not we are providing the ability for more people that are good people with guns to be able to step in. That is not what we've been seeing with these active shooting incidents. For me, this is about whether or not we're listening to our constituents, and my constituents are different than some of the constituents from the-- the entire of Nebraska, looking at Omaha and my district, and they, including their mayors and their police chief, are saying that they don't want this to pass. I still think that that is important when we're talking about that. If there was a set-aside for that, then-- then that'd be great. You know, maybe there's-- there's a way to put that aside. But until that, I will remain opposed--

**KELLY:** One minute.

**VARGAS:** --to this, and I will yield the remainder of my time to Senator Raybould.

**KELLY:** Senator Raybould, you have 54 seconds.

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**RAYBOULD:** Yes. Thank you, Senator Vargas. Thank you, Mr. President. OK, I think it's been well established I love facts. I love facts. And I know we're always beating up on the city of Chicago, and rightfully so, I must add. The states with the strictest gun laws are Illinois, Connecticut, New Jersey, New York, Maryland, Hawaii, and Massachusetts. But oddly enough, the states with the highest gun-related deaths are Alaska, Alabama, Louisiana, Mississippi, Oklahoma, Montana, Missouri, New Mexico, Arkansas, South Carolina. Illinois is not even in the top ten. Admittedly, the gun-related deaths in Chicago are unacceptable, and it probably skews it, but they're not even in the top ten. And I did want to address one other thing that Senator Vargas had mentioned.

**KELLY:** That's your time, Senator.

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

**KELLY:** Senator Slama, you're recognized to speak.

**SLAMA:** Thank you, Mr. President. And like Senator Raybould said, I love facts, so I'll be sharing some facts, as well, that are in the same vein as what Senator Raybould was sharing, actually. First off, to respond to the question raised to Senator Brewer, when it comes to public-private partnerships, of course they can still restrict; private entities can still regulate; public entities like schools can still be regulated. This bill and its language very clearly does not infringe on that. First off, looking at data, I-- I looked through World Bank data, again, good data, doubly cited, and I looked at our neighbor to the south in Mexico. Mexico has a homicide rate of 28 people per 100,000 in 2020. You might not know this, but Mexico has one of the strictest gun laws nationwide in the world. They have one gun store in the entire country and it's located on a military compound. You legally cannot possess a handgun in the country of Mexico, but they still have a homicide rate of 28 people per 100,000. In the United States, that rate is 6.5 homicides per 100,000 people. Now these numbers get even more interesting as we look towards constitutional carry states. Vermont has a homicide rate of 2.2 people per 100,000 people; Maine, 1.6; and New Hampshire, 0.9. These rates aren't just among the lowest in the country for homicide rates. They're among the lowest in the world. And these are all constitutional carry states and, I think, far more similar to our state in their more rural locales than states with more urban populations. Secondly, to Senator von Gillern's point, when there's misconceptions or miseducation about firearms, that breeds fear and we see in the media all the time these misconceptions about what the

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definition of a firearm is, what bans should be brought. And this happens on the federal level too. You see-- see the same level of ignorance in the halls of Congress, in the halls of the Senate. So first off, as we're talking about AR-15s, it's been brought up several times like it's some scary concept. The "AR" in AR-15 does not stand for "assault rifle." It does not stand for "automatic rifle." It stands for ArmaLite, which is the company that makes the rifle. Moreover, there's been talk of a semiautomatic weapons ban on the federal level. Again, when you're looking back at what an automatic weapon means, if you're ignorant of what guns are, that could make sense; but in practice, semiautomatic weapons make up the majority of handguns in the United States. And how semiautomatic weapons work-- so let's just say you've got a pistol or a revolver. A revolver, you have a number of chambers. You have to cock the gun each time for the gun to fire. Now, with a semiautomatic pistol, on the other hand, you've got one in the chamber and then other bullets that file up from there, so you don't need to recock it every time. That's-- that's the difference between a semiautomatic weapon and a nonsemiautomatic weapon. So if we're talking about a semiautomatic weapons ban, we're talking about banning the majority of handguns in the United States. The overwhelming majority of those are carried by those carrying them for self-defense. Because they have a lower profile, especially for women, they're easier--

**KELLY:** One minute.

**SLAMA:** --to concealed carry-- thank you, Mr. President-- and they're more user-friendly. Moreover, we've talked about on the federal level an assault rifles' ban. There's no firm definition of that. And then, oh, we'll ban weapons of war. What-- there is no definition of what a weapon of war is. A weapon of war is anything you want it to be. Senator Brewer could probably explain how a rock could be used as a weapon of war. And I think in my last few seconds on the mic, I will reference ATF Form 4473. Roger, a constituent of mine from Nebraska City, forwarded me this form this morning, and it-- it really drives home the point of some of the ignorance of guns being raised on the floor. An ATF Form 4473 is required to be completed when a person tries to buy a firearm from a federal firearms license holder, such as a gun dealer, and it ensures that you legally are able to purchase that firearm, that you are not currently facing--

**KELLY:** That's your time, Senator.

**SLAMA:** Thank you.

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

**RAYBOULD:** Thank you very much, Mr. President. So I appreciate this amazing dialogue that we're having, and discussion and debate, on this issue. It is-- it is that important to us. It really is. And so I know we have some concerns. The concerns that I represent, besides my constituents', are raised by the chief of police of my city that I represent, that are raised by my constituents, that are also raised by the mayor of the largest city, Omaha, and also raised by the Omaha Police Chief, so I think these are legitimate concerns. And I'm wondering if, Senator Brewer, would you kindly yield to a question, please?

**KELLY:** Senator Brewer, will you yield?

**BREWER:** Yes.

**RAYBOULD:** So this is a question, Senator Brewer. Does this legislation relate to all firearms, such as a long gun or any explosive, or is it just specifically directed to handguns as handguns are defined?

**BREWER:** No, I-- I mean, it---- the verbiage is "concealed weapons."

**RAYBOULD:** So I could bring in a long gun, and if I can conceal it, I'm pretty short, but it would-- you know, that would be considered--

**BREWER:** Generally, it's considered a handgun who is-- is a concealed weapon.

**RAYBOULD:** And any explosive if it's concealed?

**BREWER:** No, no, it isn't about explosives.

**RAYBOULD:** OK. Thank you very much, Senator. I appreciate that very much. So I-- I recognize that I'm talking about suicide risk protection order, but this is linked with multiple amendments to LB77. It's an issue in our state, it's an issue in our country, and it's an issue with families who've experienced it. Time and time again, family members have raised concerns about a family member struggling with mental illness, mental health issues, or domestic violence. This legislation, LB482, would allow families to work with law enforcement and the courts to safeguard any weapons until such time as their loved one undergoes the court-ordered treatment or counseling they need to be restored to health and is able to require a termination of this order. This legislation gives law enforcement the tools to file, report, and remove firearms for those posing a threat to themselves or

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others. This is not a new law. Laws like this have been enacted in 19 states across the United States, and the case law shows that these laws have and will continue to withstand due process challenges and appeals in the face of constitutional due process challenges, and they're successful. These type of red flag laws are successful. One out of ten-- researchers estimate that a suicide is averted in approximately one in ten gun removal cases brought under Connecticut's extreme risk protective law. And for the record, they were one of the very first states to enact this. Indiana, the state of Indiana saw a 7.5 percent reduction in its firearm suicide rate in the ten years following the enactment of the restrict-- extreme risk law. The University of Connecticut is first in the nation to adopt this law, estimated that, again, for every 20 surrender orders, a life from a potential suicide is saved. As I have stated, I am not an attorney but will try to summarize the essential elements that are going on in this piece of legislation. And I want to refer to something that the former police chief, Chief Bliemeister, Jeff Bliemeister, said when he testified when Senator Adam Morfeld brought a similar bill.

**KELLY:** One minute.

**RAYBOULD:** Thank you, Mr. President. Former Chief Bliemeister said: by my professional experience leads me to believe that some deaths would be avoided, trauma to the family mitigated, and additional time afforded to get everyone the assistance that needed; family and law enforcement, as mentioned by Senator Morfeld, are in a unique position to have detailed knowledge of an individual's struggle. If this crisis is combined with access to a firearm, we currently lack a legal avenue to temporarily remove the weapon absent some type of criminal intervention. This legislation, crafted by Senator Morfeld with input from our agency and broad spectrum of other services-- service entities, provides due process, limits application to those only closest to the person in crisis, is only served after a finding by a judge, and details--

**KELLY:** That's your time, Senator.

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

**KELLY:** Senator Briese, you're recognized to speak.

**BRIESE:** Thank you, Mr. President. Good morning, colleagues. I rise again in support of LB77, in support of AM640, the motion to substitute, and in opposition to the bracket motion. With that, I'd like to yield the rest of my time to Senator Brewer.

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**KELLY:** Senator Brewer, will you yield? Oh, OK. You have 4:40.

**BREWER:** Thank you, Mr. President. All right, let's-- let's go back to Senator Vargas' questions, because I didn't have the bill in front of me then. If you go to LB77, you go to page 18, look at lines 14 to 25. What that establishes is that the property owner or the person renting has the ability to determine whether or not concealed weapons can be allowed on the premises, so that's not an issue. Now, for some reason, we want to talk about the two police chiefs and the mayor of Omaha. And I will give you, they do not support the bill. There's nothing I can do to get them to support the bill, so I don't consider that an issue. What I consider is the Police Chiefs Association, Police Officers Association, the Sheriffs Association. There's the ones we leave out in this discussion. We have constitutional carry in 25 states. Hopefully we're about to have it in 26; 27 and 28 are on the-- on the edge, ready to approve legislation in South Carolina and Florida. So this is not something new. We're not-- we're not being the first here. We're-- we're being down the line quite a ways, so we've got a lot of folks that have tested this. And if a state like Texas-- just stop and pause for a moment and think of all the major cities in Texas and all the issues that they might have, and yet they can pass constitutional carry and life goes on. And in Texas, they're very proud of the fact that they-- they are able to constitutional carry and they do that because they like to be able to have a course of action if things go wrong. Now you want to bring up mass shootings and all? The mass shootings don't tell you is, most of the mass shootings are locations where you can't have guns. So having a-- a law that prevents you from having a weapon available when something happens, it isn't a very fair number to use when we talk about how much or how-- how many were not available in these mass shootings. So your choice is either break the law by carrying a gun into a place because mass shootings are what? They're malls, they're schools, they're places that you're not supposed to have a gun. The only ones that get a gun in these scenarios are the criminals, and that's who we seem to want to use as the standard, the-- the-- the reason why not to do something, because a criminal might. Please, just stop, take a deep breath and understand that, right now in the state of Nebraska, you can open carry. That's the law of the land. You put on your coat and now you become a criminal, or you drive through a town where the rules are different. We're just trying to clean up the laws and make it so that you can protect yourself, your family, and your business. Thank you, Mr. President.

**KELLY:** Thank you, Senator. Senator Ibach has three guests in the north balcony, second, fourth, and ninth graders from Nebraska, Finn, Abby

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and Grace Lagrange. Please stand and be recognized by your Nebraska Legislature. Senator Clements, you're recognized to speak.

**CLEMENTS:** Thank you, Mr. President. I would like to read a couple more examples of law-abiding citizens who did not become victims because of having their gun rights. December 11, 1920-- December 11, 2022, happened to be my birthday. I am glad this isn't-- didn't happen in my home. But it said a masked man entered a Wings restaurant in Georgia demanding money at gunpoint. The robber then jumped over the counter and struck an employee with the gun. The worker, however, pulled his own legally owned pistol and fired at his attacker, striking him twice. The assailant fled, but police soon located and transported him to the hospital, where he died of his wounds. Another one, November 25, '22, not long ago, in St. Charles, Missouri, residents called police to report a disorderly man jumping on a car and yelling. Before officers arrived, the man broke into a nearby home occupied by a woman and two children. Two neighbors, who were concealed carry license holders, rushed to the family's aid and detained the man at gunpoint. Police praised the neighbors' intervention and said the home invader appeared to be under the influence of drugs. He was to be charged with home invasion. And I had another one December 8, December 14 and December 5, last-- this last year, these examples. Rather than reading those, I'd like to yield the rest of my time to Senator Slama.

**KELLY:** Senator Slama, you have 3:15.

**SLAMA:** Thank you, Mr. President, and thank you, Senator Clements. I wanted to quickly respond to another issue raised by-- raised in debate about what the concept of concealed weapon is under this bill. In the concealed carry community, there's this concept called printing. Senator Geist and I have actually had very long discussions about printing with concealed weapons and what that means. It means that when you've got your piece of clothing on over your firearm, if it's leaving a print showing that you have a weapon, technically, you are not concealed carrying, you're in violation, in some circles, of those statutes. So when we're talking about, oh, can I concealed carry a long gun or a missile launcher or a bazooka, unless you've got the flowiest dress on and a cape or a massive Carhartt jacket, you're not going to be able to concealed carry that weapon without printing like crazy and drawing the attention of law enforcement authorities. And with that, I want to use the rest of my time to go back through to the ATF 4473 Form that was sent to me by Roger, one of my constituents in Nebraska City. Quick aside, my district in southeast Nebraska overwhelmingly supports constitutional carry, and they consistently rank Second Amendment rights in my annual survey as one of their

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highest concerns. So these are a few questions that you have to answer in order to buy a firearm from a licensed dealer, and if you lie on any of these, you're in violation of federal law and they do enforce when you lie on these forms. So these are some of the questions. Are you under indictment or information in any court for a felony or any other crime for which the judge could imprison you for more than one year, or are you a current member of the military who's been charged with violations of the Uniform Code of Military Justice and whose charges have been referred to a general court martial? Have you ever been convicted in any court, including a military court, of a felony or any other crime for which the judge could have imprisoned you for more than one year, even if you received--

**KELLY:** One minute.

**SLAMA:** --thank you, Mr. President-- even if you received a shorter sentence, including probation? Are you a fugitive from justice? Are you an unlawful user of or addicted to marijuana or any depressant, stimulant, narcotic drug or any other controlled substance? And then they have in bold the warning on that question: The use or possession of marijuana remains unlawful under federal law, regardless of whether it has been legalized or decriminalized for medicinal or recreational purposes in the state where you reside. Have you ever been adjudicated as a mental defective, or have you ever been committed to a men--mental institution? Have you ever been discharged from the armed forces under dishonorable conditions? Are you subject to a court order, including a military protection order issued by a military judge or a magistrate restrain-- restraining you from harassing, stalking or threatening your child or an intimate partner or child of such partner? Have you ever--

**KELLY:** That's your time, Senator.

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

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

**DUNGAN:** Thank you, Mr. President. Thank you again, colleagues. By now, I'm sure you know that I rise opposed to LB77, as well as the amendment, AM640. I wanted to respond to just a couple of the things that have been talked about here today. When we talk about these statistics, I know we've talked a lot about Chicago or New York or other places, and I think Senator Vargas did a good job of responding to that. I just-- I'd be remiss if I didn't mention that these kind of statistics, whether we're talking about crime or an increase in murder



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rates or the lack of a correlation between the decrease of guns, none of this happens in a vacuum. And even harkening all the way back to Senator Erdman's comments earlier today regarding the increased suicide rates that happened over the last two or three years, I think it's really difficult when you say that these are due to one thing in particular, such as masks or something like that. We as a country have been undergoing collective trauma since about 2020, and that has a major impact on the mental health of individuals across the spectrum. And so I just-- I think it's difficult to look at crime statistics, to look at suicide statistics, to look at gun violence statistics and say this is the reason why it happened. And anytime we try to break apart the complicated, nuanced web of reasons that go into these things, I think we're doing a disservice to ourself and to others. I said it yesterday. I said it before. These things are difficult conversations and they're not simple. And so I think it's important that we keep that in mind when we look at these statistics. I also want to highlight some comments that have been made. We talk a lot about what law enforcement thinks. And I-- I don't mean to beat this drum too much because we've talked about it for days now, but we cannot act as though law enforcement is a monolith. Right? When somebody says law enforcement supports this or law enforcement doesn't support this or law enforcement's neutral, not every member of law enforcement is the same. And just because an organization votes for something, doesn't necessarily mean that they all feel that way. And if an organization says they're going to be neutral on something, we cannot conflate that with support. And so when we talk about AM640, which, again, is what we're actually kind of talking about here besides the bracket motion, and people start saying that law enforcement unilaterally supports that, whether it's intentional or not, I believe that is a misrepresentation of the truth. The reality of the situation is that there is a neutral position by a number of the police officer unions, and there is still an opposed position by actual police agencies, police chiefs and cities. And so we cannot get stuck in the weeds of what does capital "L," capital "E," "Law Enforcement" think, because it's much more nuanced than that. And then finally, I just want to highlight the fact, and we've talked about this before, as well, all rights that we have are not absolute. There was a video circulating the Internet recently that I found to be rather entertaining, and it was a news-- a video news story from the 1980s when they were trying to make laws in some state that you couldn't drink and drive at the same time. It was a video of them interviewing people who wanted to be able to drink beers in their trucks and drive around. And at that point, they were echoing the exact same things that people often say whenever we try to sort of inhibit various rights. They-- oh, this is

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an infringement on my personal freedom. This is an infringement on my rights. But I think we all as a country got together and said you probably shouldn't drive around with a beer in your hand while you're in a truck, and I don't see anybody challenging those laws. And so I just want to point out that there are no absolute rights and we do collectively, from time to time, get together and say, this is important, this is a thing we have to do something about. And, colleagues and ladies and gentlemen watching at home, what I think we've not talked enough about here is that it's the kids, it's the next generation who are getting up and saying enough, who are getting up and saying, I'm sick of doing active shooter drills--

**KELLY:** One minute.

**DUNGAN:** --thank you, Mr. President-- who are sick of saying, why aren't you doing anything? And we're talking about a generation of people who have been raised to believe that they are in danger on a regular basis. I think about it all the time. I come in here every single day and I look around and I say, is today the day we're going to have an active shooter situation? Our kids think that. I was talking to a friend of mine earlier today who talked about his kids having nightmares about active shooter situations, and they haven't even been through that. And so there's a generation of people asking us to do something. I know it's not perfect. I know these laws are complicated, but, please, we're just trying to help people. We're not trying to infringe on your rights. We're just trying to make the world a little bit safer and we'd appreciate some help. Thank you, Mr. President.

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

**LOWE:** Thank you, Lieutenant Governor. We've been talking about guns and about everything else today, whether they're automatic, semiautomatic, mass shootings and everything else. But I carry a pocket knife. In the state of Nebraska, that blade can not be longer than three-and-a-half inches. I carry a pocket knife because occasionally I want to cut something, whether it's an envelope open; it also has a pair of scissors on it, I can cut a thread or something like that. But I carry a pocket knife. Now think of those who work in your communities that also carry a knife for other purposes, those who work on phone lines or power lines or things like that. They're not carrying a little, itty-bitty knife with them. They're carrying a little bit larger knife, and that blade may be four inches. I carry a hunting knife when I'm out hunting. It's strapped on to my belt and-- and even if I'm wearing a jacket this length, it would cover that

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knife. If I walked into some place for lunch, I would have a concealed weapon on me. We're not-- I'm not talking about a gun. I'm talking about just a knife. I'm bringing a knife to a gunfight to have a purpose about it. We're talking about concealed weapons, which could be anything. And we've gone through this before. It could even be an ink pen. A weapon is a weapon, and it all depends on the time and the way it's used. As we come to an end here, I stand opposed to the bracket 54 and I am in full support of AM640 and LB77. There is another article I'd like to read. Another case that attracted national attention was one in Charleston, West Virginia, on May 25. There, a man with an extensive criminal history started firing into a crowd. He was a criminal. He should not have been possess-- possessing a firearm. What are we going to do about that? Oh, we have laws against that. I forgot. Instead of running from the threat, a woman who was carrying engaged with the threat and saved several lives last night. The Charleston Police Department Chief Detective Tony Hazelett said the Associated Press and even the BBC covered the case. On December 29, 2019-- many of you may have remembered this case because it was in all the national press-- Jack Wilson stopped an attack at a church just outside Fort Worth, Texas. It probably got national coverage because the initial news reports, such as CNN, said the church security team member shot the gunman. But what Wilson told the writer said that anyone with a concealed handgun permit should receive this honor. In fact, he estimated that 19 to 20 members of the congregation--

**KELLY:** One minute.

**LOWE:** --thank you, Lieutenant Governor-- 19 to 20 members of the congregation at that time were armed when the attack occurred. The church didn't monitor their congregants. But take some of the many other cases not covered by national media, one can only imagine the national and international news coverage these cases would have received if law-abiding citizens legally carrying guns hadn't been there to stop these attacks. A convicted felon who illegally possessed a gun fired multiple shots into a crowd before a bystander returned fire. When the bystander confronted the attacker, he stopped attacking. He threw his gun down. Fortunately, no one was injured in that attack. Thank you.

**KELLY:** That's your time, Senator. Mr. Clerk, for a motion.

**CLERK:** Mr. President, Senator Brewer would move to invoke cloture on LB77 pursuant to Rule 7, Section 10.

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**KELLY:** Senator Brewer, for what purpose do you rise?

**BREWER:** Call of the house. Roll call, regular order.

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

**CLERK:** 38 ayes, 1 nay 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. Senator Slama, Senator Vargas, please check in. Senators Dover, Bostar and Hunt, please check in. The house is under call. Mr. Clerk. Members, the first vote is the motion to invoke cloture. All those in favor vote aye; all those opposed vote nay. Request for a roll call vote. Mr. Clerk.

**CLERK:** Senator Aguilar voting yes. Senator Albrecht voting yes. Senator Arch voting yes. Senator Armendariz voting yes. Senator Ballard voting yes. Senator Blood not voting. Senator Bostar voting no. Senator Bostelman voting yes. Senator Brandt voting yes. Senator Brewer voting yes. Senator Briese voting yes. Senator John Cavanaugh voting no. Senator Machaela Cavanaugh voting no. Senator Clements voting yes. Senator Conrad voting no. Senator Day voting no. Senator DeBoer voting no. Senator DeKay voting yes. Senator Dorn voting yes. Senator Dover voting yes. Senator Dungan voting no. Senator Erdman voting yes. Senator Fredrickson voting no. Senator Geist voting yes. Senator Halloran voting yes. Senator Hansen voting yes. Senator Hardin voting yes. Senator Holdcroft voting yes. Senator Hughes voting yes. Senator Hunt not voting. Senator Ibach voting yes. Senator Jacobson voting yes. Senator Kauth voting yes. Senator Linehan voting yes. Senator Lippincott voting yes. Senator Lowe voting yes. Senator McDonnell voting yes. Senator McKinney voting yes. Senator Moser voting yes. Senator Murman voting yes. Senator Raybould voting no. Senator Riepe voting yes. Senator Sanders voting yes. Senator Slama voting yes. Senator Vargas voting no. Senator von Gillern voting yes. Senator Walz not voting. Senator Wayne voting yes. Senator Wishart voting yes. Vote is 36 ayes, 10 nays, Mr. President, on the motion to invoke cloture.

**KELLY:** The motion to invoke cloture is adopted. Members, the next vote is on the adoption of the-- excuse me, is on the bracket motion, is on

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the bracket motion. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

**CLERK:** 4 ayes, 41 nays, Mr. President, on the motion to bracket the bill.

**KELLY:** The motion fails. The next vote is on the motion to withdraw and-- and substitute AM640. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

**CLERK:** 35 ayes, 9 nays, Mr. President, to withdraw AM55 and substitute AM640.

**KELLY:** AM640 has been adopted-- has been substituted. The next vote is the adoption of AM640. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

**CLERK:** 34 ayes, 11 nays, Mr. President, on the adoption of the amendment.

**KELLY:** The amendment is adopted. The-- the question is to advance LB77 to E&R Initial. All those in favor vote aye; all those opposed vote nay. Request for a roll call, reverse order. Mr. Clerk.

**CLERK:** Senator Wishart voting yes. Senator Wayne voting yes. Senator Walz not voting. Senator von Gillern voting yes. Senator Vargas voting no. Senator Slama voting yes. Senator Sanders voting yes. Senator Riepe voting yes. Senator Raybould voting no. Senator Murman voting yes. Senator Moser voting yes. Senator McKinney voting yes. Senator McDonnell voting yes. Senator Lowe voting yes. Senator Lippincott voting yes. Senator Linehan voting yes. Senator Kauth voting yes. Senator Jacobson voting yes. Senator Ibach voting yes. Senator Hunt voting no. Senator Hughes voting yes. Senator Holdcroft voting yes. Senator Hardin voting yes. Senator Hansen voting yes. Senator Halloran voting yes. Senator Geist voting yes. Senator Fredrickson voting no. Senator Erdman voting yes. Senator Dungan voting no. Senator Dover voting yes. Senator Dorn voting yes. Senator DeKay voting yes. Senator DeBoer voting no. Senator Day voting no. Senator Conrad voting no. Senator Clements voting yes. Senator Machaela Cavanaugh voting no. Senator John Cavanaugh voting no. Senator Briese voting yes. Senator Brewer voting yes. Senator Brandt voting yes. Senator Bostelman voting yes. Senator Bostar voting no. Senator Blood voting no. Senator Ballard voting yes. Senator Armendariz voting yes. Senator Arch voting yes. Senator Albrecht voting yes. Senator Aguilar voting yes. Vote is 36 ayes, 12 nays, Mr. President, on the advancement of the bill.

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**KELLY:** LB77 advances to E&R Initial. Mr. Clerk, for items. And raise the call, raise the call.

**CLERK:** Thank you, Mr. President. Your Committee on Government, Military and Veterans Affairs, chaired by Senator Brewer, reports LR1CA to General File with committee amendments. New A bill from Senator Wayne, LB787A, it's a bill for an act relating to appropriations; appropriates funds to aid in the carrying out of provisions of LB787. Amendments to be printed: Senator McKinney to LB784. An announcement: The Urban Affairs Committee has selected LB531 as a committee priority bill; Urban Affairs, LB531, as a committee priority. That's all I have at this time, Mr. President.

**KELLY:** Next item, Mr. Clerk.

**CLERK:** Mr. President, next item, LB278A, from Senator Walz, it's a bill for an act relating to appropriations; appropriates funds to aid in the carrying out of the provisions of LB278. Bill was read for the first time on February 16 of this year and placed directly on General File. There are no amendments. Mr. President, I do have one motion pending.

**KELLY:** Senator Walz to open.

**WALZ:** Thank you. Good morning, colleagues. Today I'm introducing the A bill for LB278. As a brief reminder, LB278 directs the Department of Economic Development and NIFA to work to fulfill the housing goal within the Olmstead Plan. This is to help ensure that individuals with disabilities can find safe, affordable, and accessible housing. The bill was voted out of Banking, Commerce and Insurance unani-- unanimously and was moved to Select File two weeks ago. The A bill is allocating dollars to the Department of Economic Development to bring on a part-time economic development business consultant. This person would help in finding and applying for grants for accessible housing. With that, I ask for your green vote on LB278A.

**KELLY:** Mr. Clerk, for a motion.

**CLERK:** Mr. President, Senator Machaela Cavanaugh would move to bracket LB278A until June 9, 2023.

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

**M. CAVANAUGH:** Thank you, Mr. President. Good morning, colleagues. All right. I am putting up a bracket motion on LB278A, not because I have a problem with it. And also, I'll probably be putting one up on the

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next bill as well. Again, I do not have a problem with either of these bills, but I am keeping my word of taking time. So we just had a vote, our first cloture vote of the year, and it was a roaring success for Senator Brewer, 35 votes. That-- normally, it-- a cloture vote can-- is much more of a nail-biter and it's kind of down to like the last handful of votes, but-- so even though I oppose the vote, congratulations, Senator Brewer, on advancing your priority bill to Select File. I look forward to continuing the conversation on it at that time. I have some testimony. OK. Sorry, it's a little loud around where I'm standing. I have some testimony from LB574 that people did not get an-- an opportunity to share, and so I wanted to share some of it. And there-- I was looking through it last night on-- actually, that was on LB626 that there was over-- in just one attachment in the committee files, there was over 224 individuals that signed up to testify that were not able to testify in opposition. There were also individuals that signed up to testify in support that were also not able to testify. Clearly, there was a lot of interest in those bills, and so I'm just going to be taking opportunities here and there to get some of these testimonies into the record. Senator Cavanaugh, I am the mother of a trans son. We were both at the Capitol for the rally against LB574, and I stayed in the Capitol for eight-and-a-half hours hoping to testify. Ultimately, I did not get to testify. I'm grateful that there are legislators in our state willing to stick up for my kid and so many others. That the bill was advanced was devastating. I have lived in Nebraska for almost 20 years. We've made it our home and raised our children here. How to reckon with our home state becoming a place that is willing to put my oldest son's health and well-being in jeopardy is beyond me. I'm writing to thank you, encourage you and support you and cheer you on for doing what you're doing in response to this despicable bill. I'm so proud to have your voice in the statehouse and featured on national news. My friend who has a trans daughter in New York City was the one who alerted-- OK, I'm just skipping over the-- it's very nice things, but not-- not necessarily to have in the record. So here's the testimony. I am the mother of two beautiful and amazing sons. My oldest is transgender; my youngest is cisgender. My oldest writes fiction, loves TikTok and musical theater, performs poetry, and has been suicidal. As you likely know, transgender youth are much-- are at a much higher risk for suicide than their peers. According to research done by the Trevor Project, LGBTQ youth are not inherently prone to suicide risk because of their sexual orientation or gender identity but, rather, placed at higher risk because of how they are mistreated and stigmatized in society. This has certainly been true for us. My son has been barked at, videotaped, laughed at and pushed by peers at his high school. Despite

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all this, and how much easier it would be to identify with the gender he was assigned at birth, he is trans. His mental health has struggled-- struggled in part because he does not feel at home in his own body. And we know that delaying hormones to 19 or later is that it has a severe detrimental impact on transgender youth people's mental health. The bill you are proposing doesn't take into account the lived experience of my son or trans youth like him. It treats the question about the kind of care kids need as though it were simple, a black-and-white conclusion as to what is right and wrong. But after almost 17 years of parenting this child, I can tell you, nothing is black and white about this. There is nuance. If my son had not had access to gender-affirming care, he might not be with us today. Fortunately, our child received care in a gender-affirming, residential setting and school 24 hours a day, seven days a week, for seven months. During that time, he participated in both individual and family therapy once a week, group therapy every day. He was observed and cared for by therapists, psychiatrists, recreational and milieu staff. These professionals, who spent countless hours with him, recommended hormone therapy as part of his treatment plan. This was not in my plan. But after trying everything else-- therapy, acute hospitalizations, intensive outpatient programs, psychological testing, and long-term treatment-- the lesson is this: My child is trans. My child is wonderful. My child's life is worth saving. Until you kick down the door of a bathroom, call the ambulance, live without your child for seven months, and hear from professionals, with whom he has lived, that not putting him on hormones is likely riskier for his mental health than the risk of putting him on them, then you do not know the nuance of this situation. Just as he had cancer-- just if he had cancer, I am trying to save his life. I beg you not to limit my opportunity to do that by pursuing this bill. Thank you, Jodi [PHONETIC]. I'm sorry I didn't get to testify. You may read my-- my testimony. Thank you again. Thank you, Jodi, for sharing your story, for sharing your son's story. I hope that he is doing well today. How much time do I have?

**KELLY:** You have 3:20

**M. CAVANAUGH:** Thank you. The Nebraska Chapter of American Academy of Pediatrics has a letter from Dr. Laura Mas-- Lauren Maskin. I'm here before you. As an inpatient pediatrician who has been in practice for over ten years, and as a member of the Nebraska Chapter of American Academy of Pediatrics, to share my experience and perspective in opposition to the Let Them Grow Act in LB574. I have cared for a large volume of children, predominantly teenagers, who have ceased being able to cope with maltreatment or mental health problems and therefore



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attempted to take their own life. I fortunately usually see the ones that survive their ingestion, drowning, hanging, but not all do. In the state of Nebraska in 2021, according to the Youth Risk Behavior Survey, a Nebraska high school survey, 36.5 percent of adolescents felt sad or hopeless and 19.2 percent considered attempting suicide, a plan was made by 14.3 percent, and 10.1 percent actually attempted. I see the 3 percent who attempted, leading to injury, poisoning, or harm by overdose, that needed to be treated medically. We know that these rates nationally have risen during COVID-19 pandemic and expect regionally we will see that in the next survey. I share these statistics because I know we can all agree that it is a public health priority to provide more mental health services to our youth and decrease the rate of attempted and completed suicides. LB574 is therefore a threat to Nebraska public health efforts because the rates of mistreatment, depression, self-harm, and attempted suicide are even higher in the transgender and gender-diverse, TGD, population. Based on the 2015 U.S. Transgender Survey from the National Center for Transgender Equality, 39 percent of TGD respondents reported serious psychological distress in the month prior, compared to only 5 percent of the general population. Staggeringly, 40 percent of respondents had attempted suicide in their lifetime, compared to 4.6 percent in the general population.

**KELLY:** One minute.

**M. CAVANAUGH:** Thank you. The TGD individuals also have high rates of reporting maltreatment, 77 percent combined, including physical and sexual abuse, verbal assault, and more harsh discipline at school or pro-- prohibition from dressing according to their gender, and some even experienced mistreatment from medical professionals. With those numbers, any bill that compro-- compromises the ability of a TGD individual to seek physical care that supports their identity increases the risk of depression and suicide in that population. LB574 is not about growth. The bill reinforces one viewpoint of the appropriate or "typical" physical attributes of a gender. It only supports the growth of adolescents who look, act, and want the same things as the status quo. It is not about supporting children in discovering their identities and growing to their full potential. This bill is about suppression. This is about restricting those children who are seen as different.

**KELLY:** That's your time, Senator.

**M. CAVANAUGH:** Thank you.

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**KELLY:** I recognize Speaker Arch for a message.

**ARCH:** Thank you. Colleagues, I want to remind you of a memo that I put out on February 10 of this year, and it-- it was regarding what full and fair debate guidelines are. I want to read you a section here that applies to what we're experiencing right now with this appropriation bill, the A bill. And I'll quote here: The full and fair debate guideline for appropriation bills accompanying substantive bills, A bills, will be 30 minutes of debate at each stage of debate, unless, in my estimation, additional time is needed to debate a substantive issue with the A bill, in which case the time for full and fair debate will be one hour. I don't consider this to be a substantive issue, so the full and fair debate guideline will be 30 minutes on this A bill. Thank you.

**KELLY:** Thank you, Senator. I recognize Senator Wayne.

**WAYNE:** Thank you, Mr. President. Colleagues, today is De La Soul day. If you don't know what that is, you should look 'em up. It's a great, great group who influenced our culture in a lot of ways. And so I'm just going to read a quote line-- a short quote in their-- in their honor from one of their songs. It was: Focus is formed by the Florence [SIC] to the soul / Soul who flung [SIC] styles gain praises by pounds / Common and [SIC] our speakers who honor the scroll / Scroll written daily create a new sound. I'll yield the rest of my time to Senator Cavanaugh.

**KELLY:** Senator Cavanaugh, that's 4:15.

**M. CAVANAUGH:** Thank you. Thank you, Senator Wayne. I actually saw De La Soul in concert when I was living in the U.K., and it was very fun and they have a lot of great messages in their music, so thanks for sharing that. Going back to the letter from the Academy of Pediatrics: It is not about supporting children in discovering their identities and growing to their full potential. This bill is about suppression. This is about restricting those children who are seen as different by interfering with their ability to have candid conversations with their medical professionals and explore therapies that support their mental and physical health. LB574 threatens the sanctity of the patient-physician relationship and it systematizes discrimination against TGD individuals. Again, TGD is trans and gender-diverse. The decision to utilize gender-affirming medical therapies is a very personal one. It should remain between patients, their guardians, and their medical professionals. There are many challenges that TGD and their family-- children and their families already experience on a

regular basis. According to the American Academy of Pediatrics' policy statement, ensuring comprehensive care and support for transgender and gender-diverse children and adolescents, those patients often lack adequate healthcare and mental health resources. TGD youth experience a significant amount of stigma, feelings of rejection and isolation. This bill would contribute to compounding those experiences for many young Nebraskans and can compromise their civil rights. I implore you to oppose LB574. This is from the Nebraska Chapter of the American Academy of Pediatrics, and that was Dr. Lauren Maskin's testimony. This is a letter from Dr. Lacroix, Amy Lacroix, from OneWorld Teen and Youth [SIC] Adult Health Center: I am a pediatrician who practices adolescent and young adult medicine and has been working in Nebraska since 1994. I grew up here. My children did as well. I've been providing care for children, adolescents, and young adults during the past 29 years, and providing education to the future physicians, PAs, and nurses of Nebraska, as well, during that time. I care-- have cared for many, many young persons over the years with many health and mental health problems. No matter what their age, gender, race or ethnicity, the people who are most important to their well-being are their family. For the state to take away a parental right to decision-making when it comes to the medical care of their minor child, nothing-- is nothing short of criminal. I'm going to repeat that statement. For the state to take away a parental right to decision-making when it comes to the medical care of their minor child is nothing short of criminal. This is usually only done in a court of law when a child's life and safety are threatened. Providing support to children and young adults who have gender identity issues should be taken careful-- of-- care of carefully by their family and with support from a caring medical team. There is--

**KELLY:** One minute.

**M. CAVANAUGH:** Thank you. There is nothing astonishing or frightening about the medications or counseling used at times to treat gender-nonconforming youth. They have been used for years in children with precarious puberty and other medical conditions. Their risks have been well studied and are always carefully considered, as are all medication risks when dealing with children. Is it suddenly OK to alter an adult's sexual function with medications or counseling but not allow treatment for sex-- sexual gender-related health concerns to a child or adolescent? Usually ageism and discrimination against the old, but I see it reversed here and it makes me brokenhearted. Keep the safety of children and health of children in the care of their parents, who know them and have their best interests at heart. Lack of understanding should not be a reason to prohibit what may be

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lifesaving care for some persons. Thank you, Dr. Amy Lacroix. I think I'm-- am I almost out of time?

**KELLY:** That's your time, Senator.

**M. CAVANAUGH:** Thank you.

**KELLY:** Senator Jacobson, you're recognized to speak.

**JACOBSON:** Thank you, Mr. President. I wanted to rise this morning to just kind of speak more to those that are watching and try to bring them up to speed on just what's going on right now. I think it's important for you to realize that, as was pointed out by the Speaker, this is an A bill. This is a bill that was brought by Senator Walz on a bill that passed 8-0 through the Banking and Commerce Committee. For those of you might thinking that this has something to do with politics, it doesn't, because Senator Walz is a registered Democrat, and-- and obviously the bracket motion was brought by a registered Democrat. So it's not a political issue. What-- but I-- I think it's important for you to understand what's in the bill that just has gotten the bracket motion. LB278 states that the Department of Economic Development and the Nebraska Investment Finance Authority shall, to the best of their ability, obtain grants to build safe and affordable housing for individuals with disabilities in accordance with the Olmstead Plan. That's what this bill is, 8-0 out of Banking Committee. This is to help individuals with disabilities for safe and affordable housing. That's the bill that's currently being held up. Let that soak in. There are many, many senators here who have priority bills and they will be designating priority bills. Many of them will not be heard this year, and many of those bills will be just like this bill, that are out to help constituents for funding projects and-- and opportunities that are important to them, but those bills will not get heard because of what's happening here by one senator. I hope everyone at home understands that because I think it's important for you to realize just exactly what's going on and understand that, and perhaps you need to reach out to your senator and express any concerns that you may have. With that, I'll yield the rest of my time to the Chair.

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

**DUNGAN:** Thank you, Mr. President, and thank you, colleagues. I guess technically I rise opposed to this bracket motion. I spoke when this bill, or the underlying bill, LB278, came up previously. And I-- I just wanted to get up briefly to echo my comments that I made then, to also to echo some of the comments made by Senator Jacobson with

regards to the importance of this bill. So I sit on the Banking Committee and had an opportunity to hear some of the testimony regarding the Olmstead Plan and regarding what we're talking about here. As a very brief refresher, this is the overarching plan that we have now implemented as a state to try to increase integration for people in the DD, or developmental disabilities community, into essentially society as a whole. I had talked about previously on the mic that there's a number of components to the Olmstead Plan, many of which include access to community-based services and supports, serving individuals in appropriate integrated settings, so on and so forth. But what Senator Walz's bill does, and I think very appropriately, is it focuses on the housing aspect. As was already highlighted, we have a huge issue here in Nebraska with access to safe, affordable housing in general. But what we know is that individuals who are in the DD community have an even harder time having access to that housing. Whether it's because of actual accessibility for people with physical disabilities or whether it's people with intellectual or developmental disabilities having trouble navigating the system due to a lack of supports, we know for a fact that folks in the DD community are disproportionately harmed by a lack of access to safe and affordable housing. So I rise today in support of LB278 because the-- the goal that it tries to achieve is not just to increase access to affordable housing for folks in the DD community, but really all it's doing is demanding that we apply for federal money that right now we're leaving on the table. And to put that another way, this bill doesn't essentially appropriate large chunks of money or anything like that to a fund. It says there's grants out there that we need to be applying for, that we're not currently doing that, and that's a huge problem because we're leaving money on the table. We recently had an update or an evaluation of how our Olmstead Plan is going, and when we talked specifically about accessible housing, they even admitted progress is limited. So we've not been succeeding in our promise to those in the DD community to try to create that more integrated housing. And I think it is integral that we as a Legislature actually do everything we can to help these folks because, as I said before, they are not getting the support they need from us in this body or in this room. Another thing that I want to highlight is the money that we're talking about here is not just for the development of affordable housing. We're not just talking about building homes. There is rental assistance for folks in the DD community as a part of what we're seeking to add to the pool for here in the Olmstead Plan. And the reason I highlight that is this is not a long-term problem. This is not simply something where we say we have to build these houses and sometime down the road we'll maybe eventually get there a couple of

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years from now, 18 months from now. This is money that, if we have access to, creates immediate impact in the form of rental assistance, and rental assistance is something that a lot of folks need, because what I know from my work, both at the public defender's office and as being a adjacent friend to a lot of the DD community, they are disproportionately harmed in a number of ways. And one thing I think that we don't talk about enough in this Legislature or in society in general is the intersectional way with which people are harmed. And-- and what I mean by that is we all bring to the table different parts of who we are as a human being, right? We have our race, our religion, our socioeconomic background. We have all of this and--

**KELLY:** One minute.

**DUNGAN:** --thank you, Mr. President-- and the problem with not taking into account the socioeconomic factors on top of everything else is that the DD community is disproportionately harmed in any kind of marginalized population. And so, colleagues, I would just urge you to support LB278. I would urge you to support Senator Walz's efforts to further not just work with the Olmstead Plan, but do everything she can to make sure the Olmstead Plan is fully funded, and that's exactly what this A bill does. So I suppose I oppose the bracket motion. I'm not going to comment at all on what Senator Cavanaugh's goals are here because I think many of them are incredibly valid, but I also understand frustrations. But I do think the underlying bill of LB278 is important and we should do everything we can to support it. Thank you, Mr. President.

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

**M. CAVANAUGH:** Thank you, Mr. President. I am going to continue reading, but I knew that there was only going to be 30 minutes on this, but I appreciate Senator Arch reminding the body of that. And I've been very clear on what I'm doing, why I'm doing it, and nothing has changed, not-- like literally nothing has changed, so I appreciate frustration. That is really my underlying goal, is to agitate and frustrate, so if you all are frustrated, then I'm doing something right, because if I'm not, if you're not getting frustrated with me, then I'm-- I'm clearly not working hard enough. My intention is for you to be agitated. My intention is for you to be frustrated. My intention is for some self-reflection on what we as a body want to do and want to accomplish. And I have said over and over again that I am going to slow this down as much as humanly possible so that you do those things. That's the intention. I welcome the conversations on the

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microphone about your frustrations. They are not going to shame me into stopping because nothing you do and nothing you say is more important to me than protecting these children, nothing. Protecting these children is my number one goal and until they are safe from hate being legislated, I'm gonna keep doing this. Until this body makes some choices, I'm gonna keep doing this. This is what I am doing. This is what I am here for. I want to be doing other things, just like everybody else does. I've talked about those things so many times. But it doesn't matter. It does not matter what I say I think the priorities of the body should be. It doesn't matter how much time I take unless you are frustrated and angry and agitated and you collectively rise up and say, what do we want out of ourselves, what do we want out of our legislative session, but you're not doing that yet. And so it's going to take more of this. It's going to take more of this because you are not doing it yet. You are not having those conversations. You are not challenging yourselves. You are not rising to this occasion. Colleagues, what do you want to see happen? What do you want? What do we want to do for Nebraska this year? I'm here to push us, to challenge us. I am irritating everyone. I am irritating Senator Walz. I am irritating Senator Jacobson. I am irritating the Speaker. I am irritating everyone around me. But nobody is irritated enough because we aren't talking about what we want to accomplish as a collective body, and that is what I keep saying and I will keep saying it until you hear it. I am here on a mission to stop us from legislating hate and to force this body to come together as a group and decide what it is we want to do--

**KELLY:** One minute.

**M. CAVANAUGH:** --for the state of Nebraska. What do you want to do for the state of Nebraska, colleagues? I want to financially help people. We have a boon. We have lots of money. I want us to be fiscally responsible, purposeful and diligent in how we spend that money, and I want to make sure that we are positively impacting the greatest number of people in the most need. That's what I want. More than anything else, that is what I want-- well, not more than anything else. More than anything else, I want to make sure that we are not legislating hate. And if we don't legislate hate, then that is the next thing that I want. I want to help people. I want to help people in the state economically. I want to help people thrive and survive. I do not know what this body collectively wants, and I don't think that this body knows what they collectively want. So I'm going to keep on keeping on and--

**KELLY:** That's your time, Senator.

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**M. CAVANAUGH:** Thank you.

**KELLY:** Senator Cavanaugh to close on the motion.

**M. CAVANAUGH:** Thank you, Mr. President. I have an-- I think I've said enough on this bill, so I will pull my motion. Thank you.

**KELLY:** The motion has been withdrawn. Senator Walz, no one in-- in the queue, you're recognized to close.

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

**KELLY:** You waive closing.

**WALZ:** Thank you.

**KELLY:** The question is the advancement of LB278A to E&R Initial. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

**CLERK:** 33 ayes, 0 nays, Mr. President, on the advancement of LB278 [SIC--LB278A].

**KELLY:** The bill advances. Mr. Clerk, next item.

**CLERK:** Mr. President, next bill, LB298A from Senator Linehan, it's a bill for an act relating to appropriations; appropriates funds to aid in the carrying out of provisions of legislative 2-- LB298. Bill was read for the first time on February 28 of this year, placed directly on General File.

**KELLY:** Senator Linehan, you're recognized open.

**LINEHAN:** Thank you, Mr. President, and good morning, colleagues. So this is the A bill that goes along with the dyslexia bill, which I think everybody voted for, if I don't-- or maybe somebody wasn't here and didn't vote, but it's for \$129,285 for the Department of Education to be able to-- remember, we're going to have-- keep track of children who are dyslexic and they have to report to the Department of Ed. So we know that they're actually doing the bill that we passed four years ago, they're actually implementing the law, so I'd appreciate very much your green vote on this--

**KELLY:** Thank you.

**LINEHAN:** --LB298A. Thank you much.



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**KELLY:** Mr. Clerk, for motions.

**CLERK:** Mr. President, Senator Machaela Cavanaugh would move to bracket LB298A until June 9, 2023.

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

**M. CAVANAUGH:** Thank you, Mr. President. Colleagues, I lost my place. OK. This is another testimony on LB574. My name is Dr. Shannon Haines, and I am from Papillion, Nebraska. I'm a pediatrician who has cared for children and adolescents in Nebraska. I am writing in opposition to LB574. My viewpoints are my own and do not reflect those of my employer. I come to inform you a unique position of both a medical doctor and a parent of a trans child. Through my training, I have seen firsthand the positive effects of child-- of children receiving gender-affirming care. There are some opponents of gender-affirming care who claim that trans children are mentally unwell. However, it has been shown that trans children are-- who are supported in their identities have levels of depression and anxiety equal or less than their peers. In fact, numerous studies have shown that receiving gender-affirming care reduces depression, anxiety, and suicidal thoughts. Gender-affirming care also reduces suicide attempts by almost 40 percent. This bill would interfere with the lifesaving treatment and the sacred fa-- physician-patient relationship. If this bill were to pass, it would hurt the children of Nebraska. I have a 16-year-old son who is trans. He came out to me almost three years ago and we have been so fortunate to have a-- a PT-- pediatrician and other health professionals who support his gender identity. He is now completely socially transitioned and beginning the process of medical transition. Through this journey, I have seen him go from the shell of a human to a thriving young adult. He is in five honors or college-level high school courses, in addition to being involved in five after-school activities, three of which he holds leadership positions in. These successes in life are possible because he has received gender-affirming health services from his medical team that validates his experience as a human being. As a pediatrician, my focus is on helping patients raise their children-- parents raise their children to be the happiest, healthiest, best versions of themselves they can be. As a parent, my focus is on raising good, upstanding, healthy members of society who have a chance to reach their full potential. Enacting LB574 would be harmful to the children and families of Nebraska. Enacting LB574 would be harmful to my 16-year-old who just wants to live his life like any other kid. Please oppose this bill. Thank you for your time. Next testimony.

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**KELLY:** Senator Machaela Cavanaugh, you're next in the--

**M. CAVANAUGH:** Ten minutes? Yeah.

**KELLY:** Please proceed.

**M. CAVANAUGH:** Thank you. As a parent of a transgender-- gendered child, I, William Manhart, District 5, oppose LB574. Before this bill moves forward, I would like the committee members to consider that this action is potentially creating a law for a problem that does not exist. This is a copycat bill that comes from a conservative lobbyist group that has presented this type of bill in other states to create distraction from real issues that exist. There are already safeguards in place to prevent what this bill proposes to enact into law. This bill distracts from the real problems in this state. For example, on January 31, a man walked into a Target in Omaha with a loaded AR-15 and three additional magazines. We are one of the two states that led the nation in nursing home closures-- closures. We have a nursing shortage and hospitals in rural areas on the brink of closing. I hear about these issues regularly, but I don't hear about children being nefariously given hormones or gender-affirming treatment in some type of cabal because gender-affirming care is not a problem. This is simply political bullying by members of our legislative body against a marginalized group of people in our communities. Additionally, if parents have the right to decline vaccinations for their children, particularly the COVID-19 vaccination, a virus that has killed millions of people in this nation alone, why do the senators who support this bill believe they should limit the rights of parents to seek gender-affirming care for their transgender child, care which, according to the federal Department of Health and Human Services, "improves the mental health and overall well-being of gender-diverse children and adolescents." Finally, do your research. There are many studies and pediatricians that would provide evidence and facts about the benefits and-- of gender-affirming care. This bill should not be based on opinions, religious beliefs or bias. Hello, members of the HHS Committee. My name is Elizab-- Is-- Isabella Manhart. I live in District 5 and I'm speaking today in opposition of the so-called Let Them Grow Act. Let's be clear. This act is anything but supportive of the healthy development of transgendered young people. This is purely a political attack with no basis in science or psychology that is designed to harm trans kids and their families, families like mine. I'm nonbinary. My little brother is trans. I'm here today for him. I'm here today for my family and my friends and my community, who shouldn't have to fight to ensure we have access to healthcare. It's clear to me that those of you who introduced and plan to support this

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bill have never met a trans child. Trans kids are kids. They are students and siblings and members of loving families. They shouldn't have to worry about whether they can get the care they need, whether they can play on teams with their friends, or where they have to use the bathroom. They should be free to play and learn and be children. They don't need misinforma-- informed politicians taking away their bodily autonomy and their freedom to be children. My brother is ten years old. He's known he was a boy since he could speak. He plays soccer and basketball. He does robotics and Reading Olympics. He plays the cello and bass in a local youth orchestra, and he loves to read and make his own movies. He loves animals and he wants to be a zoologist when he grows up. He's smart and funny and kind and he's trans. Every day I worry that he will get bullied or hurt by kids his age because they don't see past the bigotry they have been taught. I shouldn't have to worry that the real bullies are our elected officials. The fact that anyone could look at my baby brother and think he deserves anything less than the basic human right to access healthcare that supports his needs absolutely breaks my heart. How much time do I have?

**KELLY:** 3:00.

**M. CAVANAUGH:** I'm writing to express my strong opposition to the proposed law that discriminates against transgender children. This law would have a devastating impact on a vulnerable population and goes against the principles of equality and justice that our so-- society should uphold. Transgender children are already facing numerous challenges in their lives, including harassment, bullying and discrimination. This proposed law would only exasperate [SIC] these problems and send a message to these children are not valued or accepted in our society. It is imperative that we support and protect all children, regardless of their gender identity, to ensure they can lead happy, healthy lives. Furthermore, denying transgender children access to medical care and resources that are crucial to their well-being is not only unethical, but it can also have serious long-term consequences. Denying these children access to the-- to care ali-- that aligns with their gender identity can lead to negative physical and mental health outcomes, including depression, anxiety, and suicide. In conclusion, I urge you to reconsider this proposed law and instead work towards creating policies that promote inclusiveness and support all our children, including transgender children. Thank you for your time and consideration. How much time?

**KELLY:** 1:43.

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**M. CAVANAUGH:** I'd like to withdraw my bracket motion. Thank you.

**KELLY:** The motion is withdrawn. Senator McKinney, you're recognized to speak to LB298A.

**McKINNEY:** Thank you, Mr. President. I don't think I'm against LB2988-- LB298A. But Senator Machaela Cavanaugh said, what do people want? And I started thinking about it. Let's engage. You know, number one for me is the passage of LB531, which is a bill to address the things that came out of the coordination plan that took place over the interim that came from LB1024, but also getting more resources to fund more projects to help with, you know, much-needed transformational changes in north and south Omaha. I also want criminal justice reform. Last year we didn't get that passed, and this year we have money being appropriated to build a new prison between, most likely, Omaha and Lincoln, and that's like \$340-plus million. And I'm against it and I'm against building a prison because it doesn't address the issues. I think we need criminal justice reform, real reform, whether it's parole, sentencing, on the front end and back end. We need police reform. We need juvenile justice reform. Those are the type of things I-- I-- I want this session, and I hope everybody wants that. I also think that if anything is built, it should be specific to addressing the mental health issues that individuals have inside. We need to address the substance abuse issues that individuals have. We need to, you know, start building their skills and workforce development so when they are released, they're not going back. We also need parole reform because, if any of you have read any of the studies over the last couple of years, admissions have been going down, but the length of stays have increased. There is a logjam. So no matter what, if we build two prisons, they-- they're gonna be filled and we're gonna spend a billion dollars and we're still going to be overcrowded. So we need to make some changes, especially in parole. And if anybody watched the bill-- the hearing on my parole bill yesterday, LB631, you'll realize we need to make changes to the Parole Board. We need to add people who were formerly incarcerated. We need that perspective. We need the perspective of people that work with families and individuals that are incarcerated on the Parole Board. We need to make sure the Parole Board is going to hearings. We need to make sure that they are culturally competent and not biased to individuals. Those are the type of things I want this session. So, Senator Cavanaugh, I'm with you. Everybody, let's stand up and say what we want. We're here. We got time. I don't know when we adjourn. I think maybe 12:30. But since I'm here, I felt it was important to stand up and say what I want. I want LB531 to pass, with more money for north and south Omaha. I want criminal justice reform. Thank you.

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

**JACOBSON:** Thank you, Mr. President. And thank you, Senator McKinney, for your comments. I think we all want to get to that debate. I think we all would like to have that debate, not only on that, but all kinds of other issues that are out there that'll provide funding for children, to work with low income, to provide better housing. Those are the issues this body would really like to debate. And you know what? We're gonna end up running out of time and instead we're gonna talk about the issues that-- that are-- that the reason that this is all being held up. We're going to hear those bills. Those bills will get heard. OK. I don't know what the final outcome is going to be, but we're going to hear these other bills. But this stuff that you're talking about here, Senator McKinney, and many others who are concerned about bills that will have an impact on children, will have an impact on education, will have an impact on affordable housing, many of those, unfortunately, will not get heard this year, even though they're committee priorities, because we're wasting time. So, again, I would just remind everyone again what's going on here. I'm going to yield my time. I see Chair-- Speaker Arch, if you're looking for any time, I would yield it to you or I'll-- then with that, I'm going to turn it back to the Chair. I'm-- thank you, Mr. President.

**KELLY:** Thank you, Senator. No one in the queue. Senator Linehan to close. She waives closing. The question is the advancement of LB298A to E&R Initial. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

**CLERK:** 33 ayes, 0 nays, Mr. President, on advancement of the bill.

**KELLY:** The bill advances. Mr. Clerk, for items.

**CLERK:** Mr. President, amendments to be printed: Senator von Gillern to AM805 [SIC--LB805]; Senator Dover to LB718; Senator DeKay to LB766; Senator Albrecht to LB635. Motion from Senator McKinney, MO57, to withdraw LB55. Name adds: Senator McDonnell to LB20; Senator Walz to LB44; Senator Conrad, LB114; Wishart, LB169; Linehan, LB562. Announcement: The Executive Board will hold a meeting in Room 1525 following their public hearing. Additionally, the Health and Human Services Committee will have an Executive Session on Friday, March 3, 2023, in 1510 immediately after their hearing. And the Government Committee will hold an Executive Session Monday, March 6, at 10:00 a.m. under the south balcony. Finally, Mr. President, a priority

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motion: Senator Lippincott would move to adjourn the body until Monday, March 6, 2023, at 9:00 a.m.

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