

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 11, 2023

KELLY: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the fifty-ninth day of the One Hundred Eighth Legislature, First Session. Our chaplain today is Pastor Gary Bennett, Red Cloud Bible Church, Red Cloud, Nebraska, in Senator Murman's district. Please rise.

PASTOR BENNETT: Let us pray. Almighty God, we thank you this morning for the day that you have given us. I come before you in accordance to your word of 1 Timothy 2:1-2 to give thanks for all men and for those in authority. I humbly seek your compassion and grace upon our state and seek your protection. Father, I ask that you would be with Governor Pillen, our leaders and the senators as they look for the best way to lead our state. Give them the wisdom to do so. Father, I, I thank you and bring this great assembly of men and women before you, for your word says in Romans 13:1: let every soul be subject to the governing authorities, for there is no authority except from God and the authorities that exist are appointed by God. Therefore, I know you have placed these people in leadership for such a time as this. That they would seek you as Moses did when he wrote in Psalms 90:17: let the beauty of the Lord our God be upon us, and establish the work of our hands for us. Yes, establish the work of our hands. So I pray for guidance in the issues that are brought forth today. Lord, may they labor together with respect and unity. May your hand guide their way as they work through the many complex and complicated issues for the good of the people of Nebraska. So we ask these things in the name of Jesus Christ. Amen.

KELLY: I recognize Senator Lowe for the Pledge of Allegiance.

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

KELLY: Thank you. I call to order the fifty-ninth 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 do have one correction. On page 1026, line 32, strike "LB910" and insert "LB183." That's the only correction today.

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

CLERK: I do, Mr. President. Communication from the Governor concerning the resignation of Senator Geist and the appointment of Senator Carolyn Bosn to the Nebraska Legislature. Additionally, Attorney General's-- report from the Attorney General to-- addressed to Senator Danielle Conrad. That's all I have at this time, Mr. President.

KELLY: Thank you. While the Legislature is in session and capable of transacting business, I propose to sign and do hereby sign LR79, LR80, LR81, LR82, LR83 and LR85. Senator Raybould would like to recognize our physician of the day: Dr. Christi Keim of Lincoln, Nebraska. Please stand and be recognized by your Nebraska Legislature. Senator Murman has a guest under the south balcony: Brenda Bennett of Red Cloud. Please stand and be recognized by your Nebraska Legislature. I recognize Speaker Arch for a message.

ARCH: Thank you. Colleagues, as we begin the week, I'd like to remind senators that when you leave the floor and do not plan to be readily accessible to return to the Chamber for a call of the house, you need to ask to be excused with Jenny [PHONETIC] or other staff at the front desk before you leave. Once we, once we are under call, you or your staff are not allowed to call in to excuse you. So more than once last week, we were waiting on senators who were not excused to return for a call of the house, and the Sergeant at Arms were unable to easily locate the person and ask them to return to the Chamber. So please keep that in mind if you're going to leave the Chamber for an extended period of time. Last, if you have not had a chance to welcome Senator Bosn, welcome. Welcome, Senator Bosn. I'm sure you'll all take some time to personally greet her. That's end of my announcement. Thank you.

KELLY: Mr. Clerk, for items.

CLERK: Mr. President, the first bill on the agenda. First of all, Senator Clements, I have a motion, MO920, to indefinite postpone pursuant to Rule 6, Section 3. I have a note you wish to withdraw. In that case, Mr. President, LB815 introduced by Senator Arch at the request of the Governor. It's a bill for an act relating to appropriations: appropriates funds for the payment of salaries of members of the Nebraska Legislature and payments made as provided in Chapter 68, Article 6 for fiscal year '23-24 and fiscal year '24-25; provides an operative date; and declares an emergency. Bill was read for the first time on January 25 of this year and referred to the Appropriations Committee. That committee placed the bill on General

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File. There are no committee amendments. I do have other amendments, Mr. President.

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

CLEMENTS: Thank you, Mr. President and colleagues. LB815 is the first of the budget bills to be debated this year. It was introduced by the Speaker at the request of the Governor and it is part of the Governor's biennial budget recommendations. This bill makes appropriations each year of the biennium for the salaries of we state senator-- we 49 state senators. This separate appropriation bill is required by the state constitution, and it funds the \$12,000 annual salary of each senator plus the corresponding 7.65 percent employer contribution for Social Security and Medicare taxes. This legislative bill contains the emergency clause and becomes effective July 1, 2023. LB815 was heard in the Appropriations Committee on February 13, 2023. It was advanced to General File with an 8-0-1 vote. Please vote green to advance this necessary budget bill to Select File to fund your salaries for the next two years. Thank you, Mr. President.

KELLY: Thank you, Senator Clements. Mr. Clerk, for an item.

CLERK: Mr. President, a few motions. Senator Clements would offer MO918 to bracket the bill with a note he wishes to withdraw. Additionally, MO919 from Senator Clements to recommit LB815, also with a note he wishes to withdraw. Mr. President, first item. Senator Cavanaugh would move to amend LB815 with AM1266.

KELLY: Senator Machaela Cavanaugh, you're recognized to open on your amendment.

M. CAVANAUGH: Thank you, Mr. President. Just grabbing AM1266. OK. Thank you. Good morning, colleagues. Welcome to our new colleague. And this is just going to be more of the same. So I filed I don't know how many amendments so far this morning. I appreciate that Senator Clements filed his motions and withdrew his motions. I did not file any motions on the budget bills. I honestly was a little confused by this bill and the next one and the next two, actually. So we have the salaries for the Legislature, then the salaries for the constitutional officers, the claims against the state and the judges' salaries. And the claims against the state is sort of a separate one here. But the three salary bills, I don't recall voting on those as separate bills in the past. We do? We always vote on them separately or are they usually bundled together? Oh. We always vote on them separately. They seem like they could be something that was bundled together to save

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time or be done separately to give me an opportunity for more time. So-- you know. I guess that's, that's fine. So the first one is our salaries in AM6-- AM1266. And lines 1 and 2 strikes "\$632,982" and inserts "\$630,000." So it's, you know, rounding it down to \$630,000, which just lowers-- I guess it wouldn't lower our salaries, per se. I suppose it would cause some mucking up if we were to adopt this amendment with the Social Security match. So I wouldn't recommend voting for the amendment, but. I mean, it's a change of \$2,982. Probably not worth the accounting frustration to adopt this amendment. But you're certainly welcome to vote for it if you want. So I think it's interesting to have this conversation about our salaries because we make \$12,000 a year. We don't get health insurance. You can, you can participate in the state health insurance plan if you pay for it 100 percent out-of-pocket, which I know some in the body do because, as small business owners, it's actually more feasible for you than otherwise buying it on the market or independently, so many people do buy it through the state, which is really more than our salary. So then you end up paying the state money. But we make \$12,000 a year. And there was-- during this last election cycle, there was a lot of attacks for members of the Legislature that voted for a bill that changed our salary. And we actually can't change our salary because it's in the constitution. It's a constitutional amendment. So when we vote on changing our salary, what we are actually doing is voting to put it to a vote of the people to change our salary. And there was a lot of attacks on members who voted to allow the people of Nebraska to vote to change our salary, saying that we were trying to double our salary. Well, let me just tell you, I would love it if we doubled our salary. You know what? I'm going to be bold and say I would love it if we tripled our salary. It still wouldn't be a livable wage. If we tripled our salary, it would be \$36,000 with no health insurance. That is not a livable wage. And I would definitely vote for that. So part of the problem with getting a representative body in the Legislature is the salary. It is a barrier to entry for everyday Nebraskans who might want to run for office. You have to have the financial means to do it. And you notice that all of the people that have children in the body that are under grade-school age, we'll say-- all of the people in the body who have grade-school age or younger children live within an hour of the Capitol because we can't afford, we can't afford to, to live further away. And we also are pretty much the low-wage, wage earners in the body as well. Most of us that have children, I think, most, are, like, trying to do jobs on the side, whether it's real estate or lawyers or taking care of your professional clients and trying to balance that workload because we can't afford to not work outside of the Legislature and we can't afford to be further than an

hour away from our children. It's-- it is a huge barrier to entry. And so here we are. We're making \$12,000 a year. I'd say it's purely for the love of it, but I'm not sure that that's even accurate anymore because it's certainly not the most fun job I could have. It's a very important job, but it's not really an enjoyable job at this point. It was enjoyable my first, my first year. My first year, I really enjoyed the Legislature and I got to do some really cool things, accomplished some really great things, did a lot of bipartisan work because, inherently, in the minority party in the Legislature, everything you accomplish has to be bipartisan because you need a minimum of 25 votes to accomplish anything. And there are currently 17 Democrats. So, clearly, you cannot accomplish anything as a Democrat unless it is bipartisan. And I always loved that about the Legislature. I loved the bipartisanship of it. My first year had a lot of that. I've talked before about how Senator Robert Hilkemann used his personal priority my freshman year to-- for my bill. And it to this day is one of the most consequential things I'll have done in the Legislature. And it's really in a lot of ways just an administrative bill, technical bill for protection orders. What was happening was that people were seeking protection orders and they were filing for the incorrect protection order. And as such, it was automatically thrown out, dismissed. I'm probably getting the terminology wrong. And so what my legislation did was made it so that the judge could essentially say, you filed for this type of protection order. What you meant to do was this type of protection order. So we're just going to switch it to that instead of just dismissing it outright. A small but very consequential change. There were other pieces to that piece of legislation, but that was the main thing. Another bill that I passed my first year was the Healthy Pregnancies for Incarcerated Women's Act. And the bill--

KELLY: One minute.

M. CAVANAUGH: --created, the bill created a policy that you cannot shackle a pregnant, incarcerated individual without reason, documentation, a whole process. It established a process. You can still be shackled, but there has to be clear reasons, guidelines, and it has to be documented. And one of the, the things that was a big obstacle for that bill was that everyone kept saying to me, well, they don't do this. We don't need this. They don't do this. I'm like, well, they don't document it. There's a difference. It's not documented, so we have no evidence as to whether they do it or don't do it because they don't have to write it down anywhere. And without documenting it, we are not giving individuals who are pregnant and incarcerated an avenue for--

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

M. CAVANAUGH: Thank you, Mr. President-- an avenue for recourse. If we do not document it, then we don't have an avenue for recourse. And sometimes an avenue for recourse is necessary. And so it is important to document things like that. So it took a lot of haranguing. But eventually, I convinced my colleagues that this was a good thing to do. And I worked with the, the counties and the state and the YRTC's, and we got this enacted. Then, lo and behold, we had the YRTC, the Youth Rehabilitation Treatment Center, tragedy where the youth that were at the Geneva campus refused to go back into their cottage because the quality of the space had deteriorated. It was so uninhabitable. It had black mold. It was disgusting. It was inhumane. So they were transported and they were shackled, which, first of all, is a whole nother problem, the fact that we shackled a bunch of teenage girls to transport them. Really not appropriate. But because of that bill, Healthy Pregnancies for Incarcerated Women, which encompassed the YRTC, the teenager who was pregnant was not shackled and was transported separately. And that was, like, two months after that became law. Extremely consequential. And everyone said, we don't shackle pregnant women. But that teenager would have been shackled if we had not passed that law. It was traumatic enough for the teenagers that were shackled, but to-- imagine being a pregnant teen living in a government housing that had black mold, the ceiling on the floor. You were being locked in your rooms because the staff couldn't handle you. And then the police, the sheriffs come and then they shackle everybody and put them in vans and take them to the boys' campus in Kearney. Imagine all of that happening and you're pregnant. How terrifying. So LB815 is our salaries. And I definitely think that we, we earn our, our \$5.27 an hour. That's what it works out to be. We get paid \$5.27 an hour. How that is allowable under minimum wage laws, I don't know. We should probably have our salaries at least tied to the minimum wage. If we're not going to increase our salary, maybe that's something that we can do, is tie it to the minimum wage. And then we don't have to take action. When the minimum wage goes up, legislative salaries go up. And that can be in the state constitution. And then we don't have to worry about it. But right now, we are not paid even the minimum wage. We are paid \$5.27 an hour, and that's assuming that we work 40 hours a week, which, I don't know about the rest of you, but I certainly work a lot more than 40 hours a week at this job. I'm scared to even calculate what my salary would be if I kept track of it based on the hours. Pennies? Yes, probably. Tens of cents. Yeah. So--

KELLY: One minute.

M. CAVANAUGH: --I definitely would encourage against voting for AM1266, not because it's, like, a huge, consequential change, but it would really be a pain in the butt for staff to have to figure out the accounting side of that because we have to be paid the \$12,000 a year. And then there's the Social Security and the other matching things. And so I don't know if that would end up meaning that if we lowered the amount by \$2,982, maybe then we all have to pay slightly more out of our income to Social Security. It's an interesting question what the implications of AM1266 would be. But, yeah. I am seeing-- I'm just going to acknowledge-- I see that our, our dear colleague, Senator Aguilar, has changed seats again.

KELLY: That's your time, Senator. You're next in the queue, and that's your last time before your close.

M. CAVANAUGH: Thank you. Senator Aguilar, it's nice to see you back up front. I like that I can-- now I don't have to turn around to see you, so it's nice to be able to see you again in my sight line. I'm glad to see that you're well and back in your regular spot. So AM1266 changes it by \$2,982. So I was just speculating as to the implications of that. If we were to adopt this amendment, would that mean that we then have to pay more individually for the Social Security versus the state match for the Social Security? And so I'm actually trying to find the underlying bill here. It's placed on General File. We got all the motions. Introduced copy. So it's on page 2, lines 1 and 2. Oops. So I'm just going down here. OK. So the General Fund legislative program, payment of salaries, members of the Legislature and the payments to be made as provided by Chapter 68, Article 6, total expenditures for permanent and temporary salaries and per diems from funds appropriated in this section shall not exceed \$588,000. Huh. Total expenditures for permanent and temporary salary-- salaries and per diems. Interesting. Don't really understand what that means. Oh, so the total salaries. I see. So it's the salaries themselves can't exceed. So if we take \$12,000 a year times the 49 of us. A-ha. So \$588,000 is just our salaries. So the additional 100-- well, let's see here. Not 100. Minus \$632,982. The additional \$44,982, that must be the Social Security matching funds that Senator Clements mentioned in his opening. So this is separate from our per diems, which I wonder where that money is appropriated. You would think that it would be in LB815 because this is the salary bill, but perhaps it's in the underlying budget. I mean, the Exec Board really approves our legislative per diems. So we, we make \$12,000 a year. But when we are in session, we do get a per diem and we get a mileage reimbursement. And that certainly makes it slightly more possible, though not great, but slightly more possible for us to do the work while we're in session to have the per diem and

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the mileage reimbursement. It helps cover our, our basic costs so, so, you know, we can eat and stay here when necessary. And the mileage reimbursement changes kind of based on what the federal mileage reimbursement is. But again, it's up to the Exec Board to authorize that change. So it went up for a short while when gas prices were really high, and it's gone back down a bit. I don't remember what it is now, \$0.56 a mile maybe.

KELLY: One minute.

M. CAVANAUGH: Thank you. Yes. So the mileage reimbursement, very helpful. And your reimbursement is dependent upon how far away you live from the Capitol. So you have to be over 50 miles away to get the higher reimbursement rate. And-- so if you live within 50 miles, you get a smaller per diem, but you get mileage reimbursed every day. If you live over 50 miles, you get a higher per diem, but you only get once a week round trip mileage. The idea being that if you are-- the further away-- you're staying here during the week, so you don't need the mileage reimbursement going back and forth every day-- you get a higher per diem to help cover costs for staying here. You do get mileage when we are not in session when you come to the Capitol for, for business. You do get mileage on those days, as well. And--

KELLY: That's your time, Senator. And you're recognized to close on AM1266.

M. CAVANAUGH: Thank you, Mr. President. So you do get mileage on nonlegislative days when you come to the Capitol to work. You don't really get mileage if you're doing work other places unless it's approved. So, like, when I was doing the YRTC-- Youth Rehabilitation Treatment Center Oversight Committee and we were traveling around to Kearney and to Hastings and to Geneva, we did get pre-approved that we would get the mileage reimbursement for the-- that specific work. But if I had just decided to go and visit those locations outside of the scope of that work, I would not get mileage reimbursement for that. Interesting distinction and an important distinction. So you really have to get things sort of pre-approved. Same thing with, like, hotels. If you're going to travel to a further part of the state for some work-- if it's committee, special committee, select committee work, it needs to be pre-approved by the Executive Board in advance in order for it to be reimbursable. And then you have to keep all your receipts and all of those, those things. You can get reimbursed-- I don't know if it's going to be this year. Last year, the Exec Board did allow reimbursement up to-- I can't remember the dollar amount-- for conference travel. My first two years, two years, three years, we

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did not have that. So you-- if you traveled for a conference, it was not reimbursable at the state level. I appreciate the reimbursement because it makes it helpful to go to some of these sort of-- there's a couple of them, legislative-- there's the NCSL, National Council of State Legislators, and CSG, Council of State Governments. And those are two sort of professional groups that we, as a Legislature, collectively belong to. And they have conferences that are very helpful. My first year, I went to the NCSL conference. And I remember very specifically the sessions on Medicaid expansion. We had just passed Medicaid expansion at the ballot here in Nebraska. And so going to that conference and hearing about how other states were implementing it and as a freshman who was on HHS, who was trying to learn about Medicaid expansion and all of the ins and outs of, of the waivers and the SPA, state plan amendments, et cetera, that was very, very useful and very helpful to hear how other states were doing it, what some of the restrictions were, what were some of the, the things that-- different states were testing models of, of levels of coverage. So it ended up really being one of the best learning experiences that I've had as far as the Legislature goes. So I appreciate that the Executive Board now, in the past year, has approved expenses for traveling to conferences. So LB815 is our salaries. And I believe-- I think it was Senator Clements that spoke about the additional \$44,000 on top of the \$588,000 of our salaries is the state matching into our Social Security. Very much appreciate that. AM1266 changes the amount from \$632,000 to \$982,000-- sorry. \$632,982--

KELLY: One minute.

M. CAVANAUGH: Thank you-- to \$630,000. And that's a \$2,982 difference. Don't really recommend that you vote for it. It's kind of just a change. It's arbitrary. It might mess up the accounting, but I don't know. Maybe vote for it. See what happens. Maybe we all have to pay a little bit more in our Social Security tax if the state is paying a little bit less. The state can't pay us less than the \$12,000 unless we don't appropriate the money at all. Then I suppose that would be a whole nother interesting exercise. If we don't appropriate our salaries, do we not get paid? And we're currently getting paid. So when-- if we don't move LB815, what happens with our salaries?

KELLY: That's your time, Senator.

M. CAVANAUGH: Thank-- [MICROPHONE MALFUNCTION]. Sorry. Do I have a--

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

CLERK: 14 ayes, 6 nays to place the house under call.

KELLY: The house is under call. Senators, please record your presence. Those unexcused senators outside the Chamber, please return to the Chamber and record your presence. All unauthorized personnel on the floor, please leave the floor. The house is under call. Senators Wishart, Armendariz, Walz, Slama, Dover, McDonnell, Brewer, Hansen, please return to the Chamber and record your presence. All unexcused members are present. The question is the adoption of AM1266. There's been a request for a roll call. Mr. Clerk.

CLERK: Senator Aguilar voting no. Senator Albrecht voting no. Senator Arch voting no. Senator Armendariz voting no. Senator Ballard voting no. Senator Blood voting no. Senator Bosn voting no. Senator Bostar. Senator Bostelman voting no. Senator Brandt voting no. Senator Brewer voting no. Senator Briese voting no. Senator John Cavanaugh voting no. Senator Machaela Cavanaugh not voting. Senator Clements voting no. Senator Conrad voting no. Senator Day. Senator DeBoer voting no. Senator DeKay voting no. Senator Dorn voting no. Senator Dover voting no. Senator Dungan voting no. Senator Erdman voting no. Senator Fredrickson voting no. Senator Halloran voting no. Senator Hansen voting no. Senator Hardin voting no. Senator Holdcroft voting no. Senator Hughes voting no. Senator Hunt. Senator Ibach voting no. Senator Jacobson voting no. Senator Kauth voting no. Senator Linehan voting no. Senator Lippincott voting no. Senator Lowe voting yes. Senator McDonnell voting no. Senator McKinney. Senator Moser voting no. Senator Murman voting no. Senator Raybould voting no. Senator Riepe voting no. Senator Sanders voting no. Senator Slama voting no. Senator Vargas. Senator von Gillern voting no. Senator Walz voting no. Senator Wayne. Senator Wishart voting no. Vote is 1 aye, 41 nays, Mr. President.

KELLY: The amendment is not adopted. I raise the call. Mr. Clerk.

CLERK: Mr. President, first an announcement. The Committee on Committees will meet in room 1525 at 10:00. Committee on Committees, room 1525, 10:00. Mr. President, Senator Machaela Cavanaugh would move to reconsider the vote just taken on AM1266.

KELLY: Senator Machaela Cavanaugh, you're recognized to open on your motion.

M. CAVANAUGH: Thank you, Mr. President, colleagues. You can go back about your business. So I appreciate-- Speaker Arch made an announcement this morning about call of the house, and I appreciate what he's saying. If you're-- if you-- if your intention is to be checked in so that you don't miss a vote, then you should definitely do that. Even, even if it's going to take a few extra minutes, I think that's important. But if you just are in the building and you're OK with not voting on whatever it is we're dealing with at the moment, then you probably should check out. But I'm always OK to wait. If you, if you want to vote on something, I am happy to sit here and wait until you are able to be here. Because I understand. People are going to walk out of the room because, I mean, otherwise, you're just sitting here listening to me all morning. So-- OK. So this is a motion to reconsider the vote on the amendment, AM1266. AM1266 just changes the salary-- or, not the salary. It does not change our salary. To be clear: cannot change our salary. That is in the constitution. It changes the amount appropriated for our salary and the state match to Social Security. So just reconsidering the vote. And I'm looking-- now I'm looking at the, the committee statement. And I see, I see that there was an opponent to this bill. The committee statement says that it's a request of the Governor. It's part of the Governor's biennium-- biennial budget recommendations. This bill makes appropriations each year of biennium for the salaries and benefits of 49 senators. The separate appropriation bill is required by the state constitution and funds the \$12,000 annual salary of each senator and the corresponding employer payroll contributions for Social Security. This legislative bill contains the emergency clause and becomes operative July 1, 2023. I am intrigued by the opposition testimony. I wonder if there's anyone from Appropriations that could-- would Senator Clements yield to a question?

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

CLEMENTS: Yes.

M. CAVANAUGH: Thank you, Senator Clements. So there's a-- there was one opponent to this bill. It was OpenSky. Do you know why they opposed the bill? Do you recall?

CLEMENTS: No, I, I don't really recall. It--

M. CAVANAUGH: We get paid too much?

CLEMENTS: I think it might have been that we're not paid enough to attract some people who couldn't afford to be here at this price.

M. CAVANAUGH: OK.

CLEMENTS: That's my recollection, but I wasn't sure about that.

M. CAVANAUGH: OK. Well, that makes sense. But we can't change that in this bill.

CLEMENTS: Right. It needs to be a vote of the people to change the senators' salaries.

M. CAVANAUGH: It does need to be a vote of the people. Thank you, Senator Clements.

CLEMENTS: And one more thing.

M. CAVANAUGH: Oh, yeah.

CLEMENTS: The last time an increase in salary was proposed on the ballot, I voted no.

M. CAVANAUGH: What? Was that in the '80s?

CLEMENTS: Sometime back then, yes.

M. CAVANAUGH: That's the last time I think we had an increase in salary.

CLEMENTS: So what goes around, comes around.

M. CAVANAUGH: I guess it does. Oh my goodness. Well, I hope that karma doesn't stick with us much longer.

CLEMENTS: Me too.

M. CAVANAUGH: Thank you so much, Senator Clements. Appreciate the answer to the question. I always tell people when they complain about their politicians that they should vote for a salary increase because we only make \$12,000 a year. If you want better politicians or elected officials, you got to, you know, pay us a livable wage, right? Thank you, Senator Clements. Maybe, maybe next year, Senator Clements will be the main introducer of a salary increase for the Legislature. We can get it on the ballot and he'll vote for this time, I hope. OK. So, yes. So there was one opponent to-- it was OpenSky Policy Institute, which-- not asking them yet, but I'll ask them later. I-- that does make sense that they would oppose, oppose the salaries because the salary is set so low. Unfortunately, we can't do anything about that through this bill because we do need a constitutional amendment, which

is a different type of bill altogether. I learned that important lesson/distinction my first year. So I have introduced a felon voting rights bill every year that I've been here. And my first year, I introduced a felon voting rights bill, and it was written completely wrong. And I think it was Civic Nebraska, Westin Miller, who came and-- he, he moved away. But I remember whenever Westin has come and testified that he and, and the Chair of the committee, Senator Brewer, always had very interesting and in-depth kind of conversations about the voting rights bill. So that was a loss to us-- to the state to have Westin not here any longer, but. But-- so I, I introduced this bill-- and I remember distinctly Westin coming to my office. And he was a little nervous to tell me this, but that I had-- my bill was wrong. It was written wrong, that it needed to be a constitutional amendment. So lessons learned. I think they actually opposed the bill as a result. So the next year, I introduced it as a constitutional amendment, and I continue to introduce it as a constitutional amendment, which is a-- just a different type of bill. So when you see "LB" and then a number, that's a legislative bill. If you see "LBCA," that's a legislative bill, a constitutional amendment. And the constitutional amendment then must go to a vote of the people. So I continue to introduce my constitutional amendment, which is a voting rights bill. However, if we want to talk about-- I don't know if there's any salary increase bill this year. But does that go to Government? If it does, Senator Brewer, we should talk about doing a new hearing on my constitutional amendment for voting rights and maybe making it a constitutional amendment for salary. We could kick that out and, and maybe get our salaries on the budget. I'm always looking for an interesting conversation. But we can't do that on this bill because this is not a constitutional amendment. It is a bill about our salaries, but it is not a constitutional amendment, so it would not make sense to attempt that here. OK. How much time do I have?

KELLY: 2:22.

M. CAVANAUGH: And this is my opening?

KELLY: Yes, it is.

M. CAVANAUGH: And then I have two times and a close.

KELLY: Correct.

M. CAVANAUGH: Thank you, Mr. President. OK. So we've got our salaries. This changes the salary amount-- not the salary amount. This changes-- essentially, what this changes is the state match for Social Security.

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And so I've made a motion to reconsider our vote on the amendment. I do anticipate that the motion to reconsider will fail. And then we'll go to the next amendment, which I'm not actually sure what the next amendment is in the queue. View details. I'm on the UniNet, which helps with knowing these things. So we're on my motion to reconsider. The next amendment would be AM1267, I believe, which is sitting right on top here. This one, the next amendment-- well, I don't want to, I don't want to spoil it. We'll get to that later. We'll get to that next. OK. So I'm not sure what year our salaries were last increased--

KELLY: One minute.

M. CAVANAUGH: --but I do believe it was in the eighties. And I think even if we had enacted-- if we had put on the ballot the last salary increase bill from last session, I think we still wouldn't have kept up with the inflation rate on that. So, Nebraska legislative salaries. Legislative. So-- but it did go to a vote of the people the last time it was, I guess, ratified? No, not ratified. Increased? Not sure what the right way to say the-- but it would be interesting to know if we had-- when we increased our salaries last, if we had tied it to inflation or--

KELLY: That's your time, Senator.

M. CAVANAUGH: Thank you.

KELLY: Senator Bosn has some guests in the north balcony: fourth graders from the Lincoln Christian School. Please stand and be recognized by your Nebraska Legislature. Senator Machaela Cavanaugh, you're recognized to speak.

M. CAVANAUGH: Thank you, Mr. President. It looks like, in 2010, there was a state senator salary increase act to increase our salaries from \$12,000 to \$21,000. Just flip the two numbers, right? Super easy-- including an annual adjustment based on the consumer price index. I think that's the CPI. And there was an opinion piece. 1988. The last time Nebraska legislators received a salary increase, increase, according to the Omaha Daily Record, was 1988. So of all the policies a state legislator could possibly advocate for, there are perhaps none that seem as shameless as trying to raise their own pay, yet, yet there may also be no other budget item that costs the state so little money while having such a major impact on the citizens' reputation. Nebraska state senators are currently paid \$12,000 each year for their service. In addition, legislators residing within 50 miles of the Capitol receive a per diem during the legislative session, while those

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living more than 50 miles receive a greater per diem. For comparison, Nebraska Governor Pete Ricketts earns \$105,000 each year, while the Douglas County Board of Commissioners will make at least \$60,000 per year beginning in 2024. The last time Nebraska legislators received a salary raise? 1988. A proposal in 2012 to increase legislative salaries to \$22,500 was soundly defeated by Nebraska voters. Well, Senator Clements, maybe you voted against the 2012 one. You did. OK. Little did you know you'd be here not too long after that. Oh, you could, you could be making twice as much money if you had only voted for that. So that was defeated by Nebraska voters by 68 percent to 31 percent margin. In other words, public support has to come a long way in order for Nebraska to prove a raise for legislators any time soon. However, hope-- however, I hope public support eventually comes around because it is well past time-- oh, I need to get back in the queue. It is well past time-- sorry. I lost my place-- time the state begins paying its lawmakers more. If this were only a matter of giving a raise to the current legislators in office, I may passively support such a method-- such a measure, but I would not necessarily be passionate about giving state tax dollars to a group of people who are most likely college-educated lawyers and business owners who happened to be doing pretty all right for themselves. I take issue with that statement from the author because that is not me. Instead, raising the salary is about who isn't in the Chamber-- more specifically, the working class Nebraskans who would be unable to make ends meet, ends meet under a legislative salary alone. And if this talk of working class involvement sounds like a left-wing affair, it's important to note that even fiscal conservatives are on board with the increased spending. Doug Kagan, president of Nebraska Taxpayers for Freedom, said in a 2018 AP News article that the people want to run as conservative-- the people we want to run as conservatives, they have real jobs and can't run for Legislature because they can't afford it. According to the U.S. inflation calculator, \$12,000 in 1988 would be worth more than \$28,000 today. It would serve both the legislators and the state well to enact an increase.

KELLY: One minute.

M. CAVANAUGH: Thank you. The National Conference of State Legislatures classifies the Nebraska Legislature as a gray legislature, meaning that the job of a state senator is not quite a full-time affair but it would be nearly impossible to take on another job during session. The NCSL estimated that the average gray-- senator in a gray legislature works 74 percent of a typical full-time job on their legislative work in session, constituent service, interim committee work and election campaigns. I'm going to pause there until my next time. And I would

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say that I, I think that the interim work can be just as intense and laborious as the regular session work. And we should be a full-time Legislature, not a part-time Legislature because the work of the state is never done and it is important and should have our dedication and attention. But it is very difficult to do that when you make \$12,000 a year.

KELLY: That's your time, Senator.

M. CAVANAUGH: Thank you.

KELLY: Thank you, Senator Cavanaugh. Senator Conrad, you are recognized to speak.

CONRAD: Thank you, thank you, Mr. President. And good morning, colleagues. Sorry I've got a little bit of a sore throat this morning after a joyous holiday weekend with friends and family. So, apologize for the scratchiness. But just wanted to weigh in this morning on a couple of key components in regards to this measure and how it relates to where we are in debate. Of course, this salaries measure is a requirement, a core component of our overall budget package at each stage of the biennium-- each stage of the first stage of the biennium, first year of the biennium. So it's noncontroversial. It absolutely must move forward. It is required of us, as is the obligation to pass a budget. But since we have an opportunity this morning with a little extra time, it's good to think about how this fits into the overall budgetary package, how this fits into our overall fiscal bottom line. And we know that we have a couple of key issues hanging out there that we need to learn more about before we finalize matters in the coming weeks together. So first, we have the budgetary decisions. We're all waiting very, I think, excitedly to see exactly what the Appropriations Committee puts forward in regard to the overall budget package. We have an additional Revenue Board forecast coming soon, I believe at the end of April, that will provide a bit more clarity about where we are in terms of our overall fiscal health and bottom line. And then we have a host of bills that are moving their way through the Legislature with fiscal notes of varying size-- some small, some larger. And I wanted to draw the body's attention in regards to how this bill, LB815, fits into our overall budgetary picture and fiscal picture with a story that I found really compelling this morning in the Nebraska Examiner. And to Senator Linehan and Senator Briese's credit, we've all been hit with higher than anticipated fiscal notes as our measures, as our bills were working their way through the legislative process. So I know that, that's definitely a position I found myself in before. And you have to work

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with fiscal and work with your colleagues to, to try and see what adjustments you need to make there to ensure fidelity to the nonpartisan Fiscal Office and to making everything work as the bills move through the process. But there was some interesting reporting on an updated fiscal note that showed that the income tax package that we had advanced recently came in \$900 million more than anticipated. \$900 million, with an M. So as people on this floor get up and wring their hands and talk about, well, gosh, maybe we can't afford something for \$400,000 or \$1 million fiscal note is too big. Not only did we pass a huge tax package on to the second round-- which I was providing tentative support for, for a variety of reasons. I like the Social Security component. I like the childcare components. I am very concerned about the sustainability and equity in the corporate tax and the income tax proposals that benefit the wealthiest in the state much, much more than the middle class and working class. But now we have that huge fiscal note that's been increased by \$900 million-- \$900 million-- that we're going to have to grapple with together.

KELLY: One minute.

CONRAD: I have no doubt that-- thank you, Mr. President-- that talented leaders like Senator Linehan and Senator Briese will be able to figure out how to make that work. But make no mistake, some of that reporting, that initial reporting on the increased fiscal note said some of the most attractive pieces of that income package which benefit working families, providing a first-of-its-kind childcare tax credit in Nebraska might be on the chopping block. Number one, that's not going to address the fiscal imbalance. Number two, that further deteriorates the equity in terms of the overall package. So just look at LB815 and how that fits into the budget train and how that fits into the bottom line. I wanted to draw the body's attention to that important issue that we'll have to grapple with together as well and make clear my position that we cannot do any additional damage to the equity components in that important measure. Thank you, Mr. President.

KELLY: Thank you, Senator Conrad. Senator Raybould has some guests under the north balcony: they are her daughter, Clara Herrero; her husband, Pepe Herrero; and her granddaughters, Paloma and Leni Goldman. Please stand and be recognized by your Nebraska Legislature. Senator Machaela Cavanaugh, you're recognized to speak, and this is your last opportunity before your close.

M. CAVANAUGH: Thank you, Mr. President. So, OK. I was reading this article from the Omaha Daily Record about salaries. So if a full-time job is assumed to be 40 hours, a 40-hour week, the senators who are

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getting paid \$12,000 per year are only getting paid just over \$8 an hour for their service, below the Nebraska minimum wage. We are actually getting paid \$5.27 according to our monthly statements. We make \$5.27 an hour. So, well below minimum wage. And while there may be-- this may be all right for those with law practices or other sources of income, this system makes it nearly impossible for anyone without other means of personal funding to consider running for the Unicameral. I'd also push back on that concept because I know those that have law practices or have-- or who are realtors, which are sort of the more flexible jobs, you are giving up a significant amount of your time to work in your business, to grow your business, but also just to bring in that income that you would otherwise be doing if you weren't here. And so, yes, you might be bringing in a larger income in your slightly more flexible job. But assumedly, you have some fixed costs in your life, like mortgage, if you got kids. Like, everything about a kid is a fixed cost, and it's a growing fixed cost every single day, week, year. So, yes. It is more feasible, but it still is a financial hardship to some degree to take away from your own business that you are working on. So if you don't draw just, like, an annual salary from whatever it is you do and you really-- your salary or your income is based upon your work product, your clients, et cetera, being in the Legislature is a, a sacri-- a financial sacrifice for pretty much most of us. Oh, I just accidentally went back on the page. So just-- OK. So-- OK. With only 49 senators in one house, Nebraska has the fewest elected officials to pay in its state legislative branch. So such a change would be cheaper to enact than a similar measure in other states. Raising the salaries of each of the legislators to \$28,000, for example, would only cost the state an additional \$784,000 each year. This may seem like a lot to the average household, but for a state with a budget of \$12.5 billion, this would account for just over 0.006 percent of the state's spending. However, the ultimate impact of enabling more people to feasibly run for office without having to worry about their personal economic future could make a major difference in the rest of the state's spending. On Tuesday, the Nebraska Legislature fell one vote short of overriding Governor Ricketts' veto of a bill that would force Ricketts to join the other 49 states and apply for \$120 million in federal pandemic rental assistance. With the current salary in place, it would be difficult for anyone renting to find themselves in the Chamber. And a lack of representation from the lower class could have a major impact on votes such as these. There are other barriers to overcome beyond lower pay for people of different backgrounds looking to get into politics--

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KELLY: One minute.

M. CAVANAUGH: Thank you-- but raising the salary of Nebraska legislators is a good idea without much of a downside. Even though the optics of a raise for elected government officials may not look great, this only makes it all the more important for everyday citizens to lead the charge in making the change. If the state is willing to spend \$700 million on water projects throughout the state, as I believe it should-- this is the author-- then surely a legislative raise shouldn't come as too much of a burden to overcome. So this was an article produced by the University of Nebraska, Lincoln. You can find more at news.unl.edu. And it was in the Omaha Daily Record. The Daily Record-- I, I believe it's a legal publication.

KELLY: That's your time, Senator. And you're recognized to close on your motion to reconsider.

M. CAVANAUGH: Thank you, Mr. President. So the Daily Record that I'm looking at-- that's what I was reading this article from, about legislator salaries-- it has a cute little picture of a cow standing on the state of Nebraska holding a newspaper. Just kind of a silly logo. OK. So we are back to the motion to reconsider the vote on AM1266. And AM1266 changed the amount we were appropriating by \$2,982. It reduced it by \$2,982, which really wouldn't result in a change in our salary directly, although indirectly it probably would since that would reduce the amount of the state match for Social Security, which I think would then result in us having to pay more in Social Security out of our, our income. So, ultimately, we would be being paid less now if we were to reconsider the vote and to adopt AM1266. So I guess do with that what you will. Yeah. So we are going to have-- I think the next amendment is going to be AM1267. And we will just keep on going on. So I'm just going to sit down and ask for a call of the house and a roll call vote. Thank you.

KELLY: Thank you, Senator. 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: 14 ayes, 16 nays to place the house under call.

KELLY: The house is not under call. The motion is-- motion 933 to reconsid-- the question is the motion to reconsider. All those in favor vote aye; all those opposed vote nay. Request for a roll call vote, Mr. Clerk.

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CLERK: Senator Aguilar voting no. Senator Albrecht. Senator Arch voting no. Senator Armendariz. Senator Ballard. Senator Blood. Senator Bosn voting no. Senator Bostar voting no. Senator Bostelman voting no. Senator Brandt voting no. Senator Brewer voting no. Senator Briese voting no. Senator John Cavanaugh voting yes. Senator Machaela Cavanaugh not voting. Senator Clements voting no. Senator Conrad voting no. Senator Day. Senator DeBoer voting no. Senator DeKay voting no. Senator Dorn voting no. Senator Dover voting no. Senator Dungan voting no. Senator Erdman voting no. Senator Fredrickson. Senator Halloran voting no. Senator Hansen voting no. Senator Hardin voting no. Senator Holdcroft voting no. Senator Hughes voting no. Senator Hunt. Senator Ibach voting no. Senator Jacobson voting no. Senator Kauth voting no. Senator Linehan voting no. Senator Lippincott voting no. Senator Lowe voting no. Senator McDonnell voting no. Senator Moser voting no. Senator Murman voting no. Senator Raybould. Senator Riepe voting no. Senator Sanders voting no. Senator Slama voting no. Senator Vargas. Senator Vargas voting no. Senator von Gillern voting no. Senator Walz voting no. Senator Wayne. Senator Wishart voting no. Vote is 1 aye, 37 nays, Mr. President, on the motion to reconsider.

KELLY: The motion to reconsider fails. Mr. Clerk, for items.

CLERK: Mr. President, next amendment: AM1267 from Senator Cavanaugh.

KELLY: Senator Machaela Cavanaugh, you are recognized to open on your amendment.

M. CAVANAUGH: Thank you, Mr. President. Legit don't care if you vote against the call of the house. It is a courtesy to the rest of you that I do a call of the house when I'm going to do a roll call vote. So if you want to be rude to your colleagues-- and Senator Bosn, you are brand new here. You voted against the call of the house. The Speaker voted for it. Chairs of the committees voted for it. You might want to take a cue on day one of maybe not being uncollegial immediately, but you can do you. That's fine. I'm going to do a call of the house every time I do a roll call vote because I think it's rude to do a roll call vote and not give you all the opportunity to vote. If you all want to not give each other the opportunity to vote on roll call votes, that's totally up to you. Totally up to you. If you want to be rude to each other-- you're not being rude to me. I'm here. I'm here. I'm going to vote. I'm here. So if you want to be rude to one another, be rude to one another. OK. So AM1267. It is a striking of the same amount, \$632,982, and inserting \$642,982. So it is an increase of \$10,000. How that works, I have no idea. Hypothesizing: if we were to adopt AM1267, maybe the state would put

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in a higher percentage match for Social Security. They can't pay us more than \$12,000, so maybe they would do nothing. Maybe if we adopted AM1267, nothing would happen because we're really authorizing the money but we don't have-- that doesn't mean we have to use the money. So, again, an interesting concept. If we authorize an additional \$10,000, do we-- are we required to use it? Or can we be like our state agencies where we appropriate funds and they refuse to use them and our government becomes dysfunctional because they refuse to use the funds that we've appropriated for them? I don't know. It's certainly something to consider. So I don't know what time we started this bill, 9:15-ish, 9:13. So it has eight hours because it's General File. And it, I don't believe, has any more motions pending. Senator Clements filed motions and then withdrew the motions, I think. Got to go back to the UniNet home page. So let's see here. He withd-- he filed a motion to recommit and, and to indefinitely postpone. Withdrew 1, 2-- 2 motions have been withdrawn. And then I filed a motion, which we just had, that failed, so. Is that motion still pending? Well, OK. So then we've got a few more amendments. I think I've got 1, 2, 3, 4, 5, 5-- nope. More than that. 6, 7, 8. No. Minus this one and the last one, I have six more amendments and six more motions to reconsider. Which kind of goes back to what I said, I don't know how many weeks ago, when we had our rules debate, that filing a motions change-- or, a rules change mid-session does not hinder me. It just changes my approach. And that is just something that seems to-- I mean, everything here seems to be very directed towards, towards me, which is strange. Like not voting for a call of the house, that's directed towards me. But you're not hurting me. You're hurting each other. Rules change, directed towards me. But you didn't hurt me. You just kind of hindered each other again. You kind of gave-- not kind of. You did. You gave a lot of power and authority to whichever senator got motions filed first. And then they control the motions. They control whether motions go up for a vote or whether they get pulled immediately. So-- and I can do other things other than motions, clearly. I can do other things. So why am I spending time on LB815? Well, obviously, it's important. We want to be good stewards of taxpayer dollars. It is an appropriation of funds and it is an appropriation for paying ourselves. But the real reason I'm taking time on LB815 is because I made a commitment to take time on everything to slow things down until LB574 goes away. And as far as I am aware, nothing has changed on LB574. No one has come up to me and said that they have reconsidered their position on LB574. So here I am. And I would really love to be going for a walk outside right now because it is a beautiful day. And yesterday was a beautiful day. And Sunday was a beautiful day. But, unfortunately, that is not the option

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available to me. And, yes, I am making a choice. I am choosing to do what I am doing, and I am going to continue to choose what I am doing because I refuse to fail transgender children of Nebraska. I refuse to allow this body to legislate hate without it coming at a cost. There was an article-- I think it was this weekend. Maybe it was in last week and I just saw it this weekend-- about LB574. And it quoted-- I think it quoted Senator Hughes, Senator Jacobson, Senator Kauth and talking about this amendment, benign amendment. I guess it's only benign if it doesn't impact your life. So this amendment is really the epitome of the discrimination of the bill. If you are a teenager-- if you are a teenage boy and you develop breast tissue, you can get surgery. Under the age of 19, you can get surgery to address that. And no one in your Nebraska Legislature is trying to stop you from doing that. It is permanent. It is surgery. It is removing breast tissue. And no one in here wants to stop that from happening for you. No one. But if you were born a girl and you have breast tissue and you want to have it removed--

KELLY: One minute.

M. CAVANAUGH: --no one is going to do anything about that in here. No one wants to stop that from happening. If you were born a girl and you want to have your breast tissue removed, we are not going to stop you. However, however, if you were born a girl and you want to live as a boy and you want to have your breast tissue removed, that's what this amendment stops. Bananas, right? Ba-na-nas. Bananas. That's what that amendment on LB574-- that everybody is just dying to get to because it's the grand compromise of discrimination and hate. That is what we are here fighting for. God bless us. We are bananas. We are bananas.

KELLY: That's your time, Senator. Senator Wayne has some guests in the north balcony: members from three chapters of Alpha Kappa Alpha Sorority in Lincoln and Omaha. Please stand and be recognized by the Nebraska Legislature. Senator Machaela Cavanaugh, you're recognized to speak.

M. CAVANAUGH: Thank you, Mr. President. So why am I doing what I am doing? It all comes down to boobs. It all comes down to breast tissue: whether or not you should have it, shouldn't have it based on how you identify. Purely based on how you identify. It is literally the most discriminatory part of the entire bill, and it is the part that my colleagues have dug in on as is the most important part. They are not trying to take away breast augmentation for teenagers. If you are a girl and you want to live as a girl, we are not trying to take away your ability to have breast augmentation under the age of 19. If you

are a boy and you want to live as a boy, we are not taking away your ability to have breast tissue removed if you are under the age of 19. We are literally only trying to discriminate based on how you identify and we are saying we are doing it to protect you. To protect you. We're not trying to protect the teenager who wants to have breast reduction surgery or breast implants. We're not trying to protect that teenager. That teenager doesn't need our protection. That teenager is just fine. That teenager and their parents and their surgeon can make those decisions. We are trying specifically to protect the teenager who is transgendered. Why are we doing that? Why are we doing that? Why is that amendment the linchpin to people being OK with discrimination? Again, if you are a boy and you want to live as a boy and you have breast tissue and you are under the age of 19, LB574 does not stop you from having that removed. If you are a girl and you want to live as a girl and you want to have breast implants or breast reduction surgery, LB574 does nothing to stop you. However, if you are born a girl and you want to live as a boy, then those two-- that surgery that we allow for a boy and a girl that's under the age of 19 miraculously becomes illegal. Miraculously becomes illegal because of how you identify. And Senator Hughes and Senator Jacobson and Senator Brandt are OK with that. And I am not OK with that. And it makes no sense to me. It makes no sense to me that they are OK with that. It makes no sense to me that any of you are OK with that. Because it is discrimination, pure and simple. You are requiring a doctor to perform or not perform a surgery based purely on how the individual identifies as a human being. And you are OK with that. As a compromise. That is the worst part of it all. That is the clearest, most transparent discrimination of it all. But that is a compromise. That is not a compromise. That is discriminatory. That is targeting a population because of how they identify. You are not trying to take away breast surgery for teenagers. You are trying to take away breast surgery for trans teenagers. That is discrimination.

KELLY: One minute.

M. CAVANAUGH: I shouldn't have to spend hours upon hours upon hours telling you that over and over and over again. You are discriminating against children because they are trans, not because you care about them, not because you want to protect them. Because they are trans, you are discriminating against them. I want to sit down. I am tired of talking about salaries and budgets and taxes. I don't want to talk at all anymore. But as long as you want to discriminate against a teenager because they are trans, I am going to talk, and I am tired of talking. I am tired of it. This is not a hard concept to grasp. You want to discriminate against teenagers purely because they are trans

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and for no other reason. Because you're not trying to take away top surgery for nontrans children. No one in here is trying to take away top surgery for nontrans children.

KELLY: That's your time, Senator.

M. CAVANAUGH: It is discrimination.

KELLY: Thank you, Senator Cavanaugh. Senator Linehan, you're recognized to speak. Senator Linehan waives. Senator Erdman, you're recognized to speak.

ERDMAN: Thank you, Mr. President. Good morning. We've been sitting here listening to basically LB574 for about the 60th day. Senator Machaela Cavanaugh, the louder you get doesn't help persuade us to change our mind. I want to tell you a story. One time, when my son was about 10 years old, we were working with some people that were going to take weeds out of our sugar beets. And they didn't speak English. And so, as I was trying to describe them what I wanted them to do and negotiate a price, I began to get louder and louder and louder. Pretty soon, I was yelling. And my son was 10 years old and he said, dad, these people aren't deaf. They just don't understand English. So, Senator Cavanaugh, we hear you when you speak. You don't need to yell at us. But the point is, we don't agree. And these puberty blockers and the things you're doing to these young people are harmful and those are irreversible. So it's a situation we're going to deal with. And we will vote on LB574 again. And it is my prayer and hope that it passes to protect young people. Because we've been sold a bill of goods by the medical people that this is good for young people, and it's not. And I seen a cartoon yesterday that said the guy goes into the bank and tells the bank he identifies as a millionaire and he wants to withdraw \$1 million. And the teller just laughed at him. Just because you want to identify as something else doesn't change who you really are. And we're going to have those discussions about LB574. And I'm sure we're going to hear more about that the rest of the day. But this is a very simple bill: to advance the payment of us who work here, who are selected to be here. That's all this is. Let's move on and vote on the issue that we came to do. Thank you.

KELLY: Thank you, Senator Erdman. Senator Machaela Cavanaugh, you're recognized to speak, and this is your third time before your close.

M. CAVANAUGH: Thank you, Mr. President. I appreciate Senator Erdman's steadfast consistency. For me, every bill is about LB574, which is why I talk about LB574 with pretty much every bill. And I'm yelling

because I'm angry. I'm yelling because I'm tired. I don't think that me yelling or talking softly is going to matter to anybody in here. So I'm really just talking to the people at home more than anything else. And I'm angry. So, yeah, I got a little worked up. I did get a little worked up. I mean, conversation would be totally different if the amendment was to ban surgery for teenagers. You'd take a lot of steam out of my sails if you want to ban top surgery for all teenagers regardless of their gender identity. But that's not what you want to do. That's not what you want to do. I would still oppose that because, again, parental rights and medical decision making. But at least you wouldn't be discriminating. And I know that that's not what you want to do because that's not what you did. You want to ban a specific medical procedure for a specific population. That's what you want to do. You don't want to ban top surgery for minors. You want to ban top surgery for transgendered minors. That is discrimination. That is discrimination. We have, as an institution-- the royal we, the greater, the generational we-- we, as an institution, have systematized discrimination, racism, sexism, ageism. We have systematized those things. I have been very clear and active since I first walked into this Chamber that I had every intention of intentionally working to undo those systems, to undo systems of intergenerational poverty, to undo systems of systemic racism and sexism and transphobia, LGBTQphobia. That is one of my main goals. And what I do when I am here is to be intentional in getting rid of the systems that perpetrate harm on vulnerable populations. LB574 does the opposite. It codifies into law discrimination because of your gender identity. And no one should be OK with that. No one should be OK with voting for codifying discrimination based on gender identity. It doesn't matter if you are a Christian conservative, an atheist, Jewish, Islamic. It doesn't matter. Your religious beliefs should not--

KELLY: One minute.

M. CAVANAUGH: --make it OK to discriminate. And as a Catholic, which is part of the Christian faith and tradition, I know it is not OK. I know it is not OK to discriminate. My faith does not allow for it. And for Christians to stand up here and say that it does is wrong. You can discriminate if you want to, but my faith does not allow for it. So don't say that it does because that is wrong. That is wrong. I think I'm about done. I have my next time to close, so I'll just yield my time and go to my close.

KELLY: Thank you, Senator Cavanaugh. Senators, the question is--

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M. CAVANAUGH: My close.

KELLY: You're adopted-- you're-- excuse me. You're recognized for your close, Senator.

M. CAVANAUGH: Thank you, Mr. President. I know. It's, it's already a long morning. It's only 10:48. OK. So we are on the budget, and this is our salaries. Our \$12,000 a year. This amendment adds \$10,000 to the appropriation. That will not increase our salary. Maybe it will increase the state match to our Social Security or maybe it will do absolutely nothing. We will appropriate the money. And there's no plan for the money, so it will just sit and be reabsorbed at a later date. I don't know. I mean, basically, I would say that you probably don't want to vote for AM1267, and that's fine. Neither here nor there for me. So, all right. Going to do something different. Just going to ask for a roll call vote. Thank you.

KELLY: Thank you, Senator Cavanaugh. The question is the adoption of AM1267. There's been a request for a roll call vote. Mr. Clerk.

CLERK: Senator Aguilar voting no. Senator Albrecht voting no. Senator Arch voting no. Senator Armendariz voting no. Senator Ballard voting no. Senator Blood voting no. Senator Bosn voting no. Senator Bostar. Senator Bostelman voting no. Senator Brandt voting no. Senator Brewer. Senator Briese voting no. Senator John Cavanaugh. Senator Machaela Cavanaugh not voting. Senator Clements voting no. Senator Conrad voting no. Senator Day voting no. Senator DeBoer voting no. Senator DeKay voting no. Senator Dorn voting no. Senator Dover. Senator Dungan voting no. Senator Erdman voting no. Senator Fredrickson. Senator Halloran voting no. Senator Hansen voting no. Senator Hardin. Senator Holdcroft voting no. Senator Hughes voting no. Senator Hunt. Senator Ibach voting no. Senator Jacobson voting no. Senator Kauth voting no. Senator Linehan voting no. Senator Lippincott voting no. Senator Lowe voting no. Senator McDonnell voting no. Senator McKinney. Senator Moser voting no. Senator Murman voting no. Senator Raybould. Senator Riepe. Senator Sanders voting no. Senator Slama voting no. Senator Vargas voting no. Senator von Gillern voting no. Senator Walz voting no. Senator Wayne. Senator Wishart. The vote is 0 ayes, 36 nays, Mr. President.

KELLY: The amendment is not adopted. Mr. Clerk, for items.

CLERK: Mr. President, some items quickly. Your Committee on Revenue, chaired by Senator Linehan, reports LB606 to General File. In regards

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to LB815, Mr. President, Senator Machaela Cavanaugh would move to reconsider the vote just taken on AM1267.

KELLY: Senator Machaela Cavanaugh, you are recognized to open on your motion.

M. CAVANAUGH: Thank you, Mr. President. I'm probably not going to do any more calls of the house because the call of the house failed. And I just kind of decided if you all want to be rude to each other, that's on you. So you can just miss votes. Yeah. OK. So this is a motion to reconsider the vote that we just took. The vote that we just took, AM1267, is-- would increase the appropriation by \$10,000. Don't really know what that would do. Probably nothing. So, yeah. There we are. So we got a big week. We have a very ambitious agenda on, on the floor today with a lot of General File bills. Let's see here. 1, 2, 3, 4. Then an A bill. 5, 6. Another A bill. 7. Seven General File bills. Two of them are A bills. One, however, is Senator Bostelman's bill, LB565, which we started last week. So I'm kind of intrigued that it's not up first this week. It seems to be sort of-- I honestly don't understand how our schedule is working because sometimes bills are up, and then the next day they're not up anymore and there's not any conversation about why that-- they are not just carrying over in schedule order. I would-- I'd say worksheet order, but worksheet is a different thing. That's on the, the white-- the long, white page behind your sort of pale yellow page. But, yeah. So I assume at some point we'll get back to Senator Bostelman's bill on the hydro-- hydrogen hub designations. Sorry. Just getting in the queue. OK. So we've got this one and then the next one is salaries of constitutional officers. Ooh, Mr. President, that's your salary, I think, coming up on the docket. I support having these pieces of legislation. That's part of the function of doing government. And I do think that people should be compensated for their work. Even though this is a public service job, we are all still human beings, and it is a job. I've worked in nonprofit for a greater portion of my adult life and I-- though it felt like it, I did not work for free. I never made a lot of money, but that's kind of part of the whole thing, is that, like, nonprofit. It doesn't mean that the employees are supposed to be not making any money, but that's how it works out, is that it-- they don't really make any money. An interesting thing about sort of the nonprofit landscape in Nebraska is, as we continue to cut things from our state budget, our nonprofit community has grown out of necessity to provide services that used to be provided at a state level. And-- so that's sort of my commentary on nonprofits. While I appreciate so much of the work that our nonprofit community does, I do think that we have become negligent as a state entity in our responsibility to the

people of the state because we have created this enormous culture of nonprofit, basically services to replace the government. And then we have this enormous philanthropy in family foundations and just massive foundations and nonprofit giving. Money that would be taxed goes into those entities instead of being taxed. And they, the few, are determining how tax dollars are being spent on services. It's just fine if you agree with what they're doing, but it does call into question, you know, the, the common good and a public good. So this is when I get into sort of the sticky points that I have in Omaha about the library and deep-rooted concerns over the privatization of the library because the library is a public good and should not be run as a business and should not be privatized. It should be there to serve the people. It is one of the most important and essential things in communities. Our libraries have so many resources. And-- he, he doesn't like when I do this, but I'm going to talk about Senator John Cavanaugh for a second. And I don't think he's immediately visible, so he might, might not even know that I'm talking about him. So this will stay between all of us. Senator John Cavanaugh is the biggest consumer of public library. I have learned so much from him about what you can get through the public library system. One of my favorite things to discover was the seed library, which was started in Omaha. I don't know if it's just in Omaha or if other libraries have the seed library. But it was a grant that was written and approved. And so we now have a seed library in Omaha. And you, you just basically you go to the library and-- the old card catalogs that they don't use anymore because everything's digitized-- but the old card catalog, like, actual card catalog drawers, you go to those and they are card catalogs of seeds. And you check out-- you don't return the seeds. But you check out. They have them all separated into little envelopes, and you check them out. And that's a great thing. Colleagues, for those of you, if your public libraries in your communities don't have seeds, a seed library, I-- it might actually be-- and I would say check with Frank Daley. But it might be something that your campaign can donate to to help start seed libraries in your communities, which is a great thing to help with food insecurity. And, you know, seeds, seeds are not, like, hugely expensive if you're buying them on a small scale for just a community garden type of situation. But they are still-- it is still a cost. And, like, one packet of seeds can be, you know, \$2 or \$3. And if you want to plant more than one item, you're going to have to buy a variety of seeds. And so, you know, if you're buy-- if you're planting-- I think Senator John Cavanaugh said we bought-- we checked out 17 seeds. And so 17 times 3. 1, carry the 2. \$50. That'd be, like, \$50 worth of seeds. That is a substantial amount if you are trying to grow your own food because you can't afford food. That is a

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significant thing. And I have no idea how I got on to the seed library, but here we are. And I'm going to-- I saw that somebody got in the queue. I think it's Senator John Cavanaugh. And I was next in the queue, so I got out so that he could speak because I'm pretty sure he's going to talk about how happy he is that I'm talking about him yet again. His favorite thing is for me to talk about him. So I don't know how I got on the subject of seeds, but let's just roll with it. Yesterday was a gorgeous day. It was a recess day. And I was able to work in my front garden. I think "garden" is probably a generous term for my front yard. But I was clearing away all the, like, debris and brush and things. And I have some plants that I actually transplanted from my parents' yard. I have some hosta and some sedums. And I love both of those because they're pretty, but also they're very hardy and they don't take any effort on my part.

KELLY: One minute.

M. CAVANAUGH: And as much as I love gardening, that's just something I don't have the time to do. I do have raised beds in my backyard that I actually got when my middle child was a baby. And she was born in June 2015. And I constructed them while I was, like, nine months pregnant. I really like a project and especially one when I'm, like, super crazed. But I'm looking up at all the students up there and I'm wondering if any of them are planting gardens this year. I'm sure we're going to recognize you all in a minute. But right now, I'm just talking about planting seeds in my garden. And we're-- the bill that we're talking about right here is about our legislative salaries. Super, super exciting stuff, right? I'm looking forward to hearing what school you all are with. They're going to announce you, I'm sure, in a few minutes. So I think you said I had one minute. So I'm about done. I'll yield the remainder of my time. Thank you, Mr. President.

KELLY: That's your time, Senator. Thank you, Senator Cavanaugh. Speaker Arch announces some guests in the north balcony: members from Leadership Sarpy, Sarpy County Chamber of Commerce. Please stand and be recognized by your Nebraska Legislature. Senator Blood announces some guests in the south balcony: fourth graders from Peter Sarpy Elementary in Bellevue. Please stand and be recognized by your Nebraska Legislature. Senator John Cavanaugh, you are recognized to speak.

J. CAVANAUGH: Thank you, Mr. President. For the record, I was here and I did hear the beginning of Senator Cavanaugh's-- other Senator Cavanaugh's remarks about the library. And I am a lover of the library. It's a great community resource. And we have a good library

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in Omaha and in Lincoln. And to tie it to the, to the legislative pay, we're paid \$12,000 a year. And I heard Senator Cavanaugh read an article earlier that 74 percent is what a part-time Legislature does. So not 50 percent of the time. 74 percent. And then, of course, a lot of us are putting in more time than that. And I'm sure most of us are really doing something every day for our constituents in our districts, including going to community events, which I did this weekend. I went to an event celebrating the 10th anniversary of the community seed share in Omaha, which Senator Machaela Cavanaugh talked about last week and just talked about today. And at that event, they were very excited to have a senator there. And they were very happy that we talked about it on the floor of the Legislature. And they were happy that I was picking up seeds for one of my fellow senators to share the Cherokee Purple Tomato, which was the seed of the year several years ago, from the seed share, to share with my friend, Senator DeKay. After we talked about it, he was interested. And so I got him that seed packet and brought it here. And they were very excited that we talked about it and that it had led to that sort of sharing. But, you know, we only make \$12,000 a year. So we, of course, have to be frugal as well. And the library is a great place for anyone to be frugal. You get access to books. I use it for physical books. I use it for digital books. I use it for audiobooks. I even use it to take some classes. I started teaching myself the piano last year by getting a series of-- I guess it's called "Great Courses" or something like that-- videos from the library. And I'm not there yet, but I am, you know, working on playing a few songs, just self-taught piano playing. But through the Omaha Public Library and Lincoln Library, you have reciprocity. So you can come down. There's a library just a few blocks from the Capitol here. You can walk over your lunch hour and get a Lincoln library card with your Omaha library card. And then you can check out books online there as well, or physical books. And last week, I walked down to the library and got a physical book for one of my kids that we've been reading at bedtime in the last couple weeks. So there's lots of that kind of stuff. There's community spaces. This event I went to was at the Benson Public Library in Senator Hunt's district. And they actually did come up and talk to me about Senator Hunt and how excited they are to have her representing them. So all positive feedback in your community, Senator Hunt. But the, the Omaha seed share was started 10 years ago at the Benson Public Library just by some enterprising library staff member thought about this and wanted to start it. And they started with something like, you know, a thousand seed packets were handed out that year. And now 10 years down the road, I think they're at-- 67,000 seed packets get handed out. And they-- you go and you check them out from the library, but you don't

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have to return them. And so you can check out-- you can check out a packet. I think the packet I gave to Senator DeKay of those Cherokee Purples has five seeds in it. So if you go to a store and you buy a packet of seeds, sometimes they'll come with, you know, 20, 30, 70 seeds, which, of course, is way more than you're going to use in your garden. And so this is a great way-- efficiencies to split up those seeds and make sure more people get access to them. And they put them in these little packets and have pictures and some directions on them. And so gives people an opportunity to experience more seeds.

[INAUDIBLE] I have started-- I think it's about 120 seeds so far. I've got a few more I need to start that I just got this weekend. And it's, I think, 17 different varieties of tomatoes, okra, spinach, things like that. And then I usually do--

KELLY: One minute.

J. CAVANAUGH: --do share those with other people. And then you can grow-- I grow my own tomatoes, cucumbers, other things like that. I know I'm not a farmer like a lot of people around here. I live on a plot of land that's about 50 feet wide. I know that's smaller than most people around here are familiar with. But it gives me an opportunity to grow some of those things that my kids really like, and that saves money and-- which is a, a good thing when you're on a legislator's salary and you're down here for 74 percent of the time for the whole year and 150 percent of the time during the legislative session. So I thought it'd be good to contribute that to this conversation. And I, of course, would love to talk to-- about the library a lot more to other people if it comes up in conversation here or off the mic. Thank you, Mr. President.

KELLY: Thank you, Senator Cavanaugh. Senator Hunt, you are recognized to speak.

HUNT: Thank you, Mr. President. I have a couple thoughts to share about the, the matter at hand that we're discussing. I rise in support of the motion to reconsider. I'll oppose the amendment. And I rise in support of LB815 to appropriate money for our salaries. I think it should be said that the reason Senator Erdman yells at people who don't speak English as their first language is probably not the same reason that Senator Machaela Cavanaugh has ever raised her voice or shown passion or modulated her pitch or volume. And isn't this-- I'm sorry to do this. I'm sorry to be this way. Isn't this so like men to be like, "you're being emotional" and "I can hear you just fine" and-- but at the same time, relating this by telling a story about yourself yelling at a person who doesn't speak English. Like, man, you are not

talking about the same thing. But I need advice, actually. I learned about the seed library too. There's a couple people in Omaha who I go to for advice about the library. One of them is Senator Sara Howard. She is actually-- she might rival Senator John Cavanaugh for "Library Patron of the Year" award. There was a long-time-- I'm not-- I will, I will cop to this. Admittedly, I am not checking out as many books these days as I typically would. When we are in the interim and we're not here in session, I'm checking out a lot of books. But right now, I'm reading this book by Elie Mystal called A Black Guy's Guide to the Constitution. It is incredible. And I found it through a friend of mine, Jordan Delmundo, who used to run Nebraska AIDS project. And it's such a good book, full of really well-reasoned arguments about just basically how the radical right has gone too far in a really extreme reading of the amendments of the Constitution. And it's great. But I've been reading that book for, now, couple months, you know? Last night, I read, like, three chapters and fell asleep. But that's probably the most I've read in a row since we started the session. And it took, like, a four-day weekend for me to even get there. But I used to go to the library really often, and I will again once we get back into, you know, a little break here after this session. And Hunt and Howard for Sara Howard and Megan Hunt in the, the holds section are right next to each other. And so what I would often do, with the permission of the library and the permission of Senator Howard, is grab her books or grab her mom's books and, and, you know, try to get those to her when I'm getting my own books. And she's done the same for me, so. She's a huge library patron. Another one is Micki Dietrich. She's a former librarian. And, like, 10 years ago, when I was running a dress design business, I made her wedding dress-- or, I didn't do her dress. I did her flowers. And so I originally met her through my small business and have followed her career as a librarian because it's incredible how much education you have to get to be a librarian. People-- I mean, maybe people realize. I think a lot of people don't realize just how educated you have to be to be a librarian. And it's incredible. And it's a lot of hard work. And the people who end up becoming librarians are usually so passionate about, about record keeping, about archiving, about libraries, about literature. These are the people where, when we were growing up-- I grew up in a town with a, you know, a librarian who had been a librarian for 70 years. And her name was Mrs. Rembold [PHONETIC]. And when I was little, I thought it was "Rumbles." I was having trouble understanding her name, so I remember her as Mrs. Rumbles, but it was Rembold [PHONETIC].

KELLY: One minute.

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HUNT: Thank you, Mr. President. And it's also where I learned to say the Pledge of Allegiance because every couple times a week they would have story time in the morning and Mrs. Rembold [PHONETIC] would start every story time with the Pledge of Allegiance. And I also didn't understand the words in the Pledge of Allegiance. I thought they were saying "and to the Republic for witches stand." And I thought it was kind of wild that, like, this, this nice, old lady was, like, pledging allegiance to witches. But maybe that explains some stuff about me. But she was a woman who, when you come in with a kid or you are a kid, you describe the kind of book you're looking for, she knows exactly what you should read. And we have the same types of librarians at the Benson Library, at the Dundy Library in my district. And I've never been to a library in Omaha where it wasn't staffed by people who were so passionate about reading and books--

KELLY: That's your time.

HUNT: Thank you, Mr. President.

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

M. CAVANAUGH: Thank you, Mr. President. Senator Hunt, that is so funny, with the witches. There's, like, a whole thing about song lyrics and, like, not knowing song lyrics. I think there's a lot of fodder for how poorly I know a lot of song lyrics. But the motion is to reconsider the vote on the amendment to add \$10,000 to the appropriation. That's what's on the board here. I'm watching these students walk in and it's awesome to see them. Hello, everyone. I am wondering if there was a memo that went out that said you must wear black, white or red because I'm noticing that most of you are in black, white or red. But I did see someone in the front row with the puffy sleeves. I love your top. It's not black, white or red, but it's super, super cute. I look forward to when you're announced and we can find out where you all are from, but it's nice to see you up there. So I'm glad I started this conversation about libraries. I genuinely have no idea how I got on that track. It was a journey, I'm sure. And if I were to rewatch the footage, it would be very confusing, but here we are. And I am sorry that I missed the seed event this weekend. I guess I didn't know about it, or I probably did. I feel like Senator John Cavanaugh tells me all of these things, but I'm not always great at retaining them, so. I did, however, spend some time this weekend with Senator John Cavanaugh because it was Easter. Well, also, it's the weekend. We, we see each other all the time. But it was Easter this weekend. And so we celebrate Easter in our family. And we had an

Easter egg hunt at my parents' house. And my kids have way too much candy. And now I-- you know, Easter eggs-- the Easter Bunny hides the Easter eggs. And then after Easter, the parents hide the candy from the kids. But we're better at hiding it than the Easter Bunny is because we legit don't want them to find it because then they're just sugar monsters. And I should have brought it with me. Darn it. I could have just turned you all into sugar monsters. Dang it. That, that was poor thinking on my part. But the Easter Bunny-- I don't know-- the Easter Bunny probably has different traditions with different families. But our family, the Easter Bunny usually brings kites. And they brought kites to my house. And we brought them over to my parents' house and we went to the park to fly kites. And I don't know how Senator Cavanaugh did with the kite flying. It was not super windy, so it wasn't, like, great kite flying weather. But I did manage to get the kite that I had that I think was a chicken or a rooster. I'm not really sure. I did get to get up in the air and fly. And my niece, Callaghan, was not there for-- oh, I was looking at one of the pages who knows my niece, but she-- oh, do you know my niece? You do. Oh, OK. I was thinking Chrissy. But, yeah. I didn't know that. OK. Well, Callaghan wasn't there for flying the kites. She left to go to her other grandparents, but she was there earlier. She was there for the Easter egg hunt. And she hid the hardest egg to find. And she took a lot of pride in the fact that she hid the hardest egg to find. But Senator John Cavanaugh's daughter found the hardest egg to find, which-- it ended up being in an outdoor light fixture that was up high. So it was kind of hard for the little kids to find it. Does anybody else know Callaghan? No? OK. Like, how many pages know my niece? OK. So-- apparently two. So, yeah. We had the Easter eggs, the Easter Hunt--

KELLY: One minute.

M. CAVANAUGH: --kite flying. I talked a lot last week about cheesy potatoes. And I did not make cheesy potatoes for Easter. It was disappointing. It was disappointing for me, as I'm sure it is for all of you to hear this, that I didn't make cheesy potatoes. But as I have previously discussed, my gallbladder-- so having things like cheesy potatoes is not great for me right now. So why have the temptation? Instead, I had asparagus and salad. And it was fine. It wasn't great, but it was fine. And, yeah. So that was Easter. And now I think I'm about out of time, so I will just get myself back in the queue. Do I have one more time after this? Yes.

KELLY: Yes.

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M. CAVANAUGH: Thank you, Mr. President.

KELLY: Thank you, Senator Cavanaugh. Senator Linehan has some guests in the south balcony: 11th and 12th grade-- graders from Elkhorn High School. Please stand and be recognized by your Nebraska Legislature. Senator Hunt, you are recognized to speak.

HUNT: Thank you, Mr. President. Senator Machaela Cavanaugh, I remember why you got on the topic of the library. You were talking about public funds for public services and the importance of funding public services. And you were lamenting the privatization of libraries. And then we got on the seed library and then John Cavanaugh spoke up about the seed library and then we went from there. So that's how we got on libraries. But I have several things that I want to talk about. I'm really glad that my gallbladder is OK. Honestly, in here, I thank God every day for my health because I know that not all of us in here are in fighting shape, and that's, that's really hard. That's hard for the people who are dealing with illnesses and maladies and diagnoses in here. And it makes it hard to do this job. It, it's hard for me in other ways, for sure. I-- you know, I used to drink-- I'm known for drinking a lot of Diet Coke. I know that. And I used to drink Diet Coke like I do now and it put a hole in my gut. It's not good for you. You should not be drinking all that Diet Coke. If you don't drink Diet Coke, don't start. It's like smoking. And then when I came in here and got elected, I quit cold turkey, which-- I have heard people who are smokers say it was harder for them to quit Diet Coke than it was to quit smoking. I'm not a smoker, so I can't speak to that. But it was hard. I kind of believe it. I quit Diet Coke cold turkey when I was maybe 26 or 25 or something, 24. Whatever. And my gut healed. Didn't have to get surgery. I was fine. And then I got elected and came in here. And you know what it was like? It was literally like you quit smoking and then you go to a new job and work with a whole bunch of people who are chain smokers. And it was, like, really hard to stay quit. Everyone in here was drinking Diet Coke: Senator Matt Hansen, always; Senator Adam Morfeld, always. I think Senator Lowe quit it. There were-- you know, this is the great bipartisan handshake, is that everybody in here likes Diet Coke, has quit Diet Coke, is trying not to drink Diet Coke. We've all got some kind of journey that we're on with aspartame in whatever form. So I come back in here, everyone's smoking. I start smoking again, drinking the Diet Coke. And we'll wait and see if I get another hole in my gut. I probably will. Probably going to take, like, 10 years off my life or something, this job. But that's my right. That's my right to bodily autonomy. That's my right to do what I need to do in the moment to reduce stress and take care of my mind at the expense of my body. And this is stuff that we all do

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in, in our own different ways. I've also been having regular panic attacks, like, three times a week. I used to have them when I was in my twenties, like, twice a year. And when that first happens to you, you think that you're, like, the most special sick person alive, like you're-- you've got some crazy diagnosis. You've got to go to the doctor. You've got to get on a medication. You might die. This and that. It's like the first time you have heartburn. It's-- you feel like you're dying, but then you find out how common it really is. With-- sidebar, we could reflect on how sad it is that, you know, these kinds of extreme anxiety responses are so common in our society. But, yeah. There have been mornings where I was driving here and I had to pull over. There have been nights-- you know, I can't-- "can't" is a little bit dramatic, but I struggle to enjoy the long weekends because we get-- say, this long weekend, four-day weekend. We get Friday off. Great day. You use Friday to calm down from the, the week.

ARCH: One minute.

HUNT: Thank you, Mr. President. You get Saturday off. You use Saturday to do your little chores. And I work. I work Friday night and I work all day Saturday and I work all day Sunday and try to calm down from the week. And then on Sunday night, you get what many people call the "Sunday scaries," which is the creeping dread, the heavy cloud coming over you as you start to think, OK. Now I have to get serious about the next week. What's on the agenda? Let me read the bill. Do I like it? Do I not like it? Let me talk to, you know, the various stakeholders and parties involved at the table, make sure that I know what I'm doing. And the anticipation of coming back into a place where people hate you so deeply, it does take a toll. And I will-- I would like to continue on these thoughts if anybody would like to yield me time. Thank you, Mr. President.

ARCH: Senator Machaela Cavanaugh, you are recognized to speak. This is your last opportunity before your close.

M. CAVANAUGH: Thank you, Mr. President. Yeah. It is hard to come back after a long weekend. It's like you almost feel normal for a hot second. And then you're like, oh, but now I have to come back here. I-- this probably says a lot about just who I am in the Legislature. Oh, wait. Before they leave-- love the suit and tie. Love the suit and tie. Awesome. And the tie is, like, on, on point with the color scheme. I think. From here. It's red, black and white. You got, you got it all. Is that a pocket square? Oh my gosh. This kid. That's awesome. The pocket square matches. Oh, goodness gracious. Get out of here. Go have fun. So this probably speaks to a lot about who I am in

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this Legislature when you talk about the bipartisanship of Diet Coke. I don't like Diet Coke. I'm a full Coke gal. Why? Why go, why go halvesies? Go all in. I'm like, I don't like light milk or creamer-- full fat. I'm like Julia Childs [PHONETIC]. I'm a purist. If you're going to do it, do it. Have regular Coke. My sister and I both love regular Coke. I never drink, I never drink soda, like, at all. But when I do, it will be a searing hot day and it will be a regular Coke over ice once every couple of years. I used to be a regular, like, regular drinker of regular Coke. But much like Senator Hunt, I gave it up. I just never liked the Diet. Just wasn't a fan. But back to the bill. OK. So I spoke with Chairman Clements on the mic-- and I appreciate him talking with me. And then I went out there and I got a copy of the testimony that was in opposition, which was from OpenSky, so. And I was like, why is OpenSky opposing this bill? And Senator Clements thought maybe it was because of the salary is a barrier to entry, which it definitely is a barrier to entry for people to run for office and to sit in this, this particular office. Some other elected offices pay slightly more, but this, this one does not. So this is from OpenSky Institute here to offer combined testimony-- testify-- combined testify in opposition to all of the budget bills because we're concerned about the long-term fiscal sustainability of the package for a few reasons. Specifically, there's no structural balance in receipts versus expenditures in the following biennium. It leaves only a small portion of the variance shown at the November, November's tax rate Review Committee to the Legislature's discretion and appears to assume that the money for the floor will go unspent. Interesting. This is probably from-- well, let me see. When was the committee hearing on this bill? So-- apologies. Notice of hearing, February 13. OK. So, assumedly, this testimony was given on February 13. And we are almost two months later. And I think there was an article-- I haven't read it yet. I will probably read it over the lunch hour-- about the fiscal note for the tax package being somewhere, like, \$900 million more than it was anticipated to be. So we'll cut all the things that help working families, I'm sure, starting with childcare and any income tax cuts that impact low-wage earners. And we'll be sure and keep as much as we can for those high, high-wage earners because they're the ones that matter. That is sarcasm, for the record.

ARCH: One minute.

M. CAVANAUGH: Back to the testimony. We want to start by saying we appreciate that the proposed budget leaves \$1.6 billion in the Cash Reserve. We continue to believe a balance closer to this level is warranted given the tax cuts passed last year and those proposed cuts this year. We are concerned, however, with the proposed uses of the

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Cash Reserve. For example, we'd like the funding for the new prison to be tied to sentencing reform in order to keep future expenses down and continue to question whether the \$575 million appropriated for the Perkins County Canal is the best use of funds right now. There was also a story about the funding for the prison and that that got out of committee unanimous, which is extremely disappointing, especially since we have seen no progress on sentencing reform. And without sentencing reform, we cannot build our way out of this problem with our criminal justice--

ARCH: Time, Senator.

M. CAVANAUGH: --facilities. Thank you.

ARCH: Senator DeKay would like to welcome 11 representatives of the rural public power districts and electric cooperatives. They are located in the north balcony. Please rise and be welcomed by your Legislature. Senator Hunt, you are recognized to speak. This is your last opportunity.

HUNT: Thank you, Mr. President. And colleagues, I'd be happy to take any time you'd like to yield me. Yeah. My point is this, this job is not good for my health. And I really used to like it. I really used to like it when I felt like there was hope for relationship, when there was hope for bipartisan compromise and conversation and when colleagues were making decisions based on their best judgment and not just based on what the most radical wings of their party want. Some of the people in this body who I've regarded as moderates through my time here and who I think would like to be regarded as moderates have gone off the deep end so far that I don't know if they can come back. They can always come back. You can always come back. It's always the right time to do the right thing. But, you know, the Nebraska Legislature is the state's joke because the way you're voting and acting does not reflect the way most Nebraskans feel. And now, you know, unwittingly, without intending any of this, we're kind of becoming part of a joke on the national stage too. And that's because of your votes and your decisions. It's tough. I used to love talking to press. I used to joke the most dangerous place in the Capitol was between me and a camera. And now it stresses me out too much. It's sad. I hate it. I'll answer questions, like, via text or via email. I tell reporters all the time-- I'm not going to make eye contact with them under the balcony. But I tell reporters all the time, like, I just can't talk about this right now. Like, I don't have it in me. I don't-- I hate it. Write that. I don't know. Like, write whatever. And that's not good for democracy either, because lawmakers should be talking to the press.

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You know, I, I read a news story earlier this morning that Ben Sasse is apparently not talking to the press in, in Florida or not talking to his student newspaper there. So that's not something I want to be a part of. But it is, it is really grating and tough. One thing I would like to speak about, as well as my support for LB815, is just how toxic what you are doing is for this state. When you introduce bills like LB574, LB575 and you don't relegate them to, you know, the furnace where they belong and, and throw them away as they should be, you invite hate to come upon our state. And this is embodied by this press release that we see today from the Westboro Baptist Church. You guys know who they are. I'll tell you who they are but you know. And this is what happens when you introduce these kinds of hateful, bigoted bills. You get a group that protests at soldiers' funerals and talks about God hating people because bills like LB574 aren't just bad bills. They're signals to groups like the Westboro Baptist Church. They are rallying cries that Senator Kauth has put out there to these organizations of pure hatred to come to Nebraska and say, yes, Senator Kauth. You're on our team. We love it. To me, it's-- that's a sign that you might be on the wrong side of things. The Westboro Baptist Church press release reads-- now, I want to tell transcribers and people watching and people in the room, this is going to have some rough language. I'm reading what the press release says. It is not nice. And I, I am sorry to use this language that they're using, these, these Christians. Westboro Baptist Church has their address, their website, which is GodHatesFags.com. And they say--

ARCH: One minute.

HUNT: Thank you, Mr. President-- Westboro Baptist Church to picket the Nebraska State Capitol, with the address, Thursday, April 13, from 11:00 to 11:45 a.m. That's the first embarrassing part, is they're only going to be here for 45 minutes. Like, what, are you getting on a plane? You're getting in the, the trailer, the Winnebago, and you're coming up here to protest for 45 minutes? Anybody on earth can do anything for 45 minutes, just about. And this is, like, the laziest protest I've ever heard of in my life. So for 45 minutes, they're really going to show us what's what and teach us a lesson. And they say, "In God's longsuffering mercy toward his creation, our neighbors in Nebraska may get to hear some more words of warning from God's humble servants--" that's them-- "--regarding the current insanity labeled the 'fight over transgender care' taking place within the halls of the Nebraska Legislature." Once again, Senator Arch, Senator Brandt, Senator Dorn, Senator Armendariz, all of you. Senator Lippincott. If you had just been not voting on LB574--

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ARCH: Time, Senator.

HUNT: Thank you.

ARCH: Senator Day, you're recognized to speak.

DAY: Thank you, Mr. President. I yield my time to Senator Hunt.

ARCH: Senator Hunt, 4:55.

HUNT: Thank you, Senator Day. Thank you, Mr. President. If one of you had just not been voting, if you had held together as a block against this bill-- which I know you were against this bill. You don't like it. If you had said it's not worth it, enough is enough, let's get on with the business of the state. You didn't foresee this type of thing happening, but I did. Everyone fighting this bill knew that this would happen because you have chosen to make this entire session about the care of transgender kids. So now we've got this hate group coming to the Capitol. Probably got to hire more security. Probably got to-- I don't know. It's not convenient. It's not great. So it says, "Proud, rebellious sinners believe they can filibuster away God's plain word, to wit: God created man in his own image, in the image of God created he him; male and female created he them. In the day that God created man, in the likeness of God made he him; male and female created he them, and blessed them, and called their name Adam--" but he just used they/them pronouns to talk about Adam, but OK. "--their name Adam, in the day when they were created. Jesus reminded you of this unalterable truth when responding to the rebels of his day, and he answered and said unto them, 'Have ye not read, that which he made them at the beginning made them male and female. And from the beginning of the creation, God made them male and female.'" Now, we know-- you can believe the Bible. I don't. But, like, we know that this was written by human people, that this was written by human men. And whatever the word of God is that was passed down on the tablets and, and given through Revelation to the prophets and the saints and the, you know, apostles and everybody who we read from in the Bible, they had to write it down in their language. And so any kind of literal reading that you're taking from this type of scripture-- just, like, at its face, I'm just not going to take that seriously. They go on. "These words could not be plainer. Unless your legislators are repeatedly reading these words in their filibuster, they're wasting their time." Anybody hear that? Unless their-- "your legislators are repeatedly reading these words in their filibuster, they're wasting their time. Picture a titmouse nibbling on the Rock of Gibraltar." I'm happy to read these words over and over for eight hours today. Whatever. They

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go on, "Your legislators' vain attempts to limit transitions and drag shows will fail because you gave away your moral authority to act against the sin when you embraced and insisted on all lesser included sins-- fornication, adultery, sodomy, idolatry, think worshiping the flag." They also don't like worshiping the flag. "Righteousness exalteth a nation, but sin is a reproach to any people. The violent trans activists that are terrorizing this nation will not be satiated until this world is bankrupt in their quest to mutilate bodies to fit their mutilated minds and hearts and to force everyone to pay for it. That is 'transgender care.' Make no mistake about it. If there be any fear that God in the godforsaken state of Nebraska, please heed our warning." I don't think that's grammatically right. But they say, "Come out of her, my people, that ye be not partakers of her sins, and that ye not receive of her plagues. For her sins have reached unto heaven, and God hath remembered her iniquities." That's from Revelations. What I think-- you know, they say "picture a titmouse nibbling on the Rock of Gibraltar." If any of us could wave a wand and make all of this stop and--

ARCH: One minute.

HUNT: --go away-- thank you, Mr. President-- of course we would. But Mother Nature doesn't work that way. But Mother Nature has given us the tools and the minds and the stamina and the will to do what has to be done and to do the right thing, even if that means using a nail file to cut down the biggest oak in the forest, even if that's a titmouse nibbling on the Rock of Gibraltar. It's always the right time to do the right time-- to do the right thing. It's never the wrong time to do the right thing. And that's what I would say to my colleagues who, you know, it's because of you that we're here discussing these types of things. So this is the kind of thing that your votes have wrought upon this Capitol. The "God hates fags" people are coming to protest at the State Legislature because of the transgender bills. If we had just killed that bill--

ARCH: Time, Senator.

HUNT: Thank you, Mr. President.

ARCH: Senator McKinney, you are recognized to speak.

McKINNEY: Thank you, Mr. Speaker. I rise. I guess I support, you know, legislators' salaries. Wish they weren't \$12,000 a year, but that's a different conversation. I rise because I don't know if people were aware, but the Appropriations Committee voted to build a prison last

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week. But what hasn't happened, and what is potentially most likely maybe not happening, is criminal justice reform, changes, however you want to frame it. But we're going to build a prison that is going to be overcrowded day one. Day one, the prison will be overcrowded. We get people that stand up and talk about being fiscally conservative and all this type of things. But building a prison without some legislative changes to address the current population isn't fiscally conservative. It's not at all. It's not even close to it. You're just throwing money into a, a black hole thinking that's going to solve the problem. But prisons do not prevent people from going, and building more doesn't. Increasing laws and felonies don't decrease the amount of people that potentially might offend or anything like that. You have to invest in communities across this state. You have to invest in people. You have to put resources in place and hire people that are willing to do those type of things. But blindly voting for a prison and hoping that down the line of this session we'll be able to get some things passed, in my opinion, is wrong. So I'll more than likely oppose the budget because of that. I spent my morning at NSP, actually, at a Parole Board hearing just listening to men try to make their case on how to get out of prison. Some actually were granted parole and some weren't. The ones that weren't were actually-- a few of them was in there way beyond their parole eligibility date. There was a guy in there that was eligible two years ago that's still sitting in the pen. We have to address parole. We have to address sentencing. We have to address all these type of things. But instead of doing that, people would rather just blindly say yes to a prison. For what? What is that going to solve? It's going to be overcrowded. It's going to take four to five years to build, which means we don't even address the issue at all. We're just going to be overcrowded. And hopefully, somebody swoops in and sues the state for this problem because it's obvious there isn't political will to do the right thing. And I'm not standing up here saying let's not build a prison and let's let everybody out. I understand that there are some individuals and people inside that maybe need to be there for a little bit just to correct themselves. But we're not doing-- we don't have things in place that are correcting them at all. But we want to build a prison and waste money on a prison. That's not fiscally conservative. It makes zero sense. If it's going to be overcrowded day one, please somebody stand up and tell me, how does that make sense? We can't even staff Tecumseh right now. But we're going to, we're going to build a prison? Barely can staff RTC. Barely can staff NSP. And there are so many problems. And there is no real guarantee that NSP is ever going to close, because I want somebody to stand up and explain to me, what does decommissioning mean? What is that? What does that mean? They can

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repurpose it and still have it open. They got a request in this year for a study for deferred maintenance. Why do you need that prison? Why do you need to study deferred maintenance to ask the Legislature--

ARCH: One minute.

McKINNEY: --for money if you're going to close it? That doesn't make sense because it's all a lie. And I'm frustrated and it's wrong that anybody would vote to build a prison or support a prison, especially when we have nothing on the table that's going to decrease those populations and address the needs of the individuals going in and out of those facilities. Thank you.

ARCH: Senator Blood, you're recognized to speak.

BLOOD: Thank you, Mr. President. Fellow senators, friends, all. I am about to blow Senator Hunt's mind. I ask that Senator Hunt yield to a question.

ARCH: Senator Hunt, will you yield?

HUNT: With eagerness.

BLOOD: Senator Hunt, have you ever noticed that when you get Diet Coke from McDonald's that it always tastes better?

HUNT: Yes. And the Sprite tastes better. The Coke tastes better. They got something different going on.

BLOOD: They do, and I'm going to tell you what that is. So most fast food restaurants get their Diet Coke in bags. McDonald's gets it in stainless steel containers. Then it goes through a cooling tube. So when the water comes out-- or, excuse me, the soda comes out of the soda machine, it is better carbonated, which I'm sure you've noticed, right? I had a friend that worked at McDonald's that told me this years ago. So they have, like, a contract so their Diet Coke is always better than all fast food restaurants. So I just thought I'd put some truth out there for you to hold onto to, to maybe cheer you up for the rest of the day since you and I have both lost hope in all humanity lately. So, thank you, Senator Hunt. With that, I would yield any time that I have to Senator McKinney because I think he has got some important points that he needs to continue saying on the mic. Thank you, Mr. President.

ARCH: Senator McKinney, 3:40.

McKINNEY: Thank you, Senator Blood. It just baffles me that we see all these issues with prisons and criminal justice in our state and the solution is let's build a \$300 and-- what is it?-- \$30-plus million prison? And that's going to solve the problem. That's going to make us feel good. We're one of only a couple states in the whole country that's building prisons. Mostly-- most of everybody else is actually closing prisons and finding alternative solutions to, to incarceration because it doesn't work. Being a state that's mass incarcerating people doesn't work. The stats isn't there. As much as people will probably start emailing me saying, what are you going to do about people that commit crimes and all this type of stuff? It's called invest in their communities. Invest in preventative services. If we met the basic needs of people, the amount of crime that happens in this country would be decreased. But instead of doing that, you would rather invest in prisons because that makes you feel good. That is wrong. There's communities that have been impoverished for, for years that could use this type of resources. And not just my community. There's communities across this state that need investment and not just in water, not just in canals. They need economic investment because it's needed. The state is going to go broke. We're going to be spending almost \$1 billion on incarcerating people. And the, the projections just keep rising. So while everybody else is finding ways to decrease their prison populations, the state of Nebraska is going to continue to rise and we're just going to build. And then by the time that prison is open, the "Department of Punitive Services" is going to come back to the Legislature and say, hey, we need to expand. We need some more money for the prison. And, if history shows anything, this Legislature is going to say, yes. Let's just add more dollars to a new prison after we just built a new prison that was overcrowded day one. And then people say, so, Senator McKinney, what are the things that you think we should change? I've introduced a bunch of bills this year. Go read them. I'm not saying they all are the solution--

ARCH: One minute.

McKINNEY: --but they hit at the problem. We have problems in parole. We got problems with sentencing. We have problems with police. We have problems with the people that operate these facilities that, that need to be addressed, from the correctional officers to the directors of these-- of the prison. It's just problems across the board. And the solution cannot be, let's build a prison. It doesn't make sense. And I-- if somebody, if somebody could stand up and explain it to me, I would love to hear that conversation. And I'll wait. Thank you.

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ARCH: Senator John Cavanaugh, you're recognized.

J. CAVANAUGH: Thank you, Mr. President. Well, I pushed my light originally to continue talking about the library, but I did want to continue on what Senator McKinney was talking about. And I appreciate everything he's been saying. And I certainly appreciate his willingness to go and take the time to sit that at the-- was it a parole hearing? Parole hearing this morning. I've been invited and haven't had the opportunity to make it to one of those. But, of course, we've all read articles about both the Parole Board and the, the Pardons Board and some of the issues we've had there. And we had a long conversation about the Parole Board last year. And-- so I think it's-- it is important in this whole broader context to talk about-- this began with NSP is too old and we need to build a new prison. If that's the case, as Senator McKinney said, you'd build this new prison and it would be-- immediately, we'd be over capacity. It doesn't solve the capacity problem. And so we need to be honest about what we're doing. If we're building a new prison and we're not shutting down NSP, we're just continuing to incarcerate more people. And-- so any conversation around how we address the overcrowding issue needs to include some sort of recognition and reform of when people are being released, how they're being released, how they're getting programming when they're in custody so they are prepared to be released. And so if you go and you visit-- and everybody I know here has had the opportunity. And I will find the time when the next meeting is. But I've been to a group called The Circle of Concerned Lifers. Senator Hunt was there. Senator McKinney was there with me the last two times I was there. And a lot of these folks, they get together. They're mentoring other people who have been in prison. These are the folks who've been there for a long time and some of them have no hope of getting out. But they have taken every opportunity they can to improve themselves and then contribute in the way that they can. And-- but the biggest concern that I heard from the people who did have an opportunity when they were looking down the path and said, I'm going to get out potentially in 17 years or something like that, was that programming is not available to them at the front end. The programming isn't available until they get within their basically release window, which means that they're sitting there with not a lot-- not access to programming until they get to those later dates. And then somebody comes, they get to parole eligibility and maybe they haven't finished all the programming they're supposed to do. And then that becomes a reason that people are denied parole at their earliest parole eligibility date. And so that is not necessarily a fault from them, not willingness to take up programming. And, obviously, that's a

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concern people raise, is to say, well, if we-- people just aren't-- don't want to do the program. They don't want to take advantage of the things that are offered. There are some people who are not going to do that. But we need to make sure that we're making every possible availability so that folks who go into the department are being rehabilitated, being offered those opportunities. You know, it's supposed to be called the Department of Corrective Services or Department of Corrections for that purpose. And I don't know if anybody else has noticed that Senator McKinney has taken to calling it, I believe, the "Department of Punitive Services." And that is an apt analogy because that's what it feels like. It feels like we are sending people there for punitive purposes and not rehabilitative purposes. And when you put too much effort into the punishment and not the rehabilitation, it becomes a bigger and bigger sink for these costs. And you get to exactly where we are right now, which is talking about building a new prison that's not going to alleviate overcrowding. It's just a Band-Aid on this problem. And then, of course, we're going to--

ARCH: One minute.

J. CAVANAUGH: Thank you, Mr. President-- we're going to keep NSP open. And they're going to-- they may say that the plan is to close it, but I think I'm not going out on a limb here by saying, mark my words, it will still be open after we build a new prison. And so that's-- you just need to think of it in that context. And we need to make sure that we are looking at it in terms of addressing these other issues that Senator McKinney was just talking about. And there are some good options out there that have been brought to the Judiciary Committee. Senator McKinney has brought them. Senator Wayne brought them. Senator Day has brought one this year. I've brought a few. And so there are a lot of ideas-- Senator Geist brought some-- that, that are still in the mix out there, that the Judiciary Committee is working on and that I hope everybody gives a fair hearing this year and an opportunity to talk about what real reforms we're willing to entertain and consider in this context of the Appropriations Committee funding building of a new prison. So, thank you, Mr. President. I'll talk about the libraries another time.

ARCH: Senator Day, you're recognized to speak.

DAY: Thank you, Mr. President. I yield my time to Senator Hunt.

ARCH: Senator Hunt, 4:50.

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HUNT: Thank you, Mr. President. And thank you, Senator Day. I think it says a lot that even Senator McKinney, who is so invested in prison reform and criminal justice reform, hasn't been able to get answers about what's going on with the new prison, what's going on with the old prison. He's a state senator and he represents a district that has a disproportionately high number of incarcerated people. He has experience with the system. He is obviously one of the biggest experts in that system in this body, if not the biggest. And the fact that he still has questions about how this is going to work, what's going to happen to the old prison, how are we staffing it, how are we funding it, what kind of questions do you think that the people of Nebraska have? We get emails all the time in our office asking, you know, oppose the prison, which, of course, I oppose the prison, but asking details about how it's going to work. And it's like, girl, I don't know. I don't think anybody knows. I don't think anybody knows. I think it's a, you know, learning how to fly the plane while we fly it type of thing. They just know they want to lock more people up by any means necessary because of the, the levers of negotiation. This funding gets in the package and it cannot be kept out by opposition because there's-- they're holding other things over us that we want. But there's nothing-- I mean, there's nothing you could do that would get me to vote for this prison package. And again, it's just one of those things where it's always the right time to do the right thing. We had an amazing prison justice reform package that was probably the farthest that we've ever come in our state to doing some comprehensive reform. It was informed by a years-long study that had bipartisan support. It was supported by the director of the Department of Corrections, the Governor, the Speaker of the Legislature, the Supreme Court Chief Justice, the Chairman of Judiciary Committee. And honestly, what we all know is that that compromise, that grand-- why am I saying grand? Like, it, it was grand, though. I mean, it was really something to see this body come together in a bipartisan way to make some change, however incremental, to make some-- make a difference to the people who are incarcerated and the people who are affected by the carceral system. You know, the families in Nebraska-- when you lock someone up, it's not just affecting them. I mean, it's taking a source of income out of an entire household. It's taking a support from an entire family. And it's the state taking that away. It's us authorizing the practice of taking that away. And it's wrong. It's wrong in many cases. And we got closer to a resolution and a compromise for that than I've ever seen in my life, than Senator Lathrop said he'd ever seen in his life. And Senator Geist, former Senator Geist, almost single handedly, you know, sabotaged the whole thing. Something was going on with mandatory minim-- I don't know. I

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don't remember because I wasn't in the committee. Senator McKinney was a big part of that, and he could speak to that if he wanted to. But it just goes back to the point, which is this body is getting more and more radical, far right, extreme conservative. Those of you who have the wildest ideas and the most, you know, bigoted and hateful motivations for the types of legislation and policy--

ARCH: One minute.

HUNT: --that you support-- thank you, Mr. President-- are growing in numbers. And the checks and balances that used to be there to prevent you from carrying out this kind of cruelty is not really there anymore. And it's, it's embarrassing. It should frankly be embarrassing for you. It says a lot that Senator McKinney doesn't have the answers. He should be a partner in this on every step of the way if you're serious about doing it right. And the fact that he's been left out of that-- and it's not like he doesn't know something everybody else knows. The thing is, nobody knows. Nobody knows how this is going to play out or go down or be funded or be staffed or what's going to happen to the old prison. And we need to have answers to these things before we start appropriating funds for stuff that we don't know how it's going to work. Thank you, Mr. President.

ARCH: Mr. Clerk.

CLERK: Mr. President, some items. Amendments to be printed from Senator Linehan to LB753. Additionally, notification: the Appropriations Committee will have an Executive Session at noon in room 1307. Appropriations, noon, 1307. Finally, Mr. President, a priority motion. Senator Erdman would move to recess the body until 1:00 p.m.

ARCH: Senators, you've heard the motion to recess until 1:00. All those in favor say aye; all those opposed say nay. We are in recess.

[RECESS]

KELLY: Good afternoon, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber. The afternoon session is about to reconvene. Senators, please record your presence. Roll call. Mr. Clerk, please record.

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

KELLY: Thank you, Mr. Clerk. Do you have any items for the record?

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CLERK: I have no items at this time.

KELLY: We will proceed to the first item on this afternoon's agenda, Mr. Clerk.

CLERK: Mr. President, LB815. When the Legislature, Legislature left at noon, pending was a motion, MO934, to reconsider Senator Machaela Cavanaugh's AM1267.

KELLY: Senator McKinney, you are recognized to speak.

McKINNEY: Thank you, Mr. President. I rise again because members of this body voted, from what I was told, unanimously to support the construction of a prison. And over the weekend, I had to take a-- I had to kind of, you know, block it out of my train of thought because I probably would have-- yeah, I just blocked it out because I had to because I was really frustrated after I learned that happened. And, and I began to think about, like, what are some things that we can use \$300-plus million for, for everybody in this body? I mean, we could address food insecurity across the state, which, which is an issue. We could address housing, which is an issue and many say it's the biggest issue concerning our state, housing. Education, we had a whole conversation about education last week. We'll have other conversations about education funding, where it's going to come from, is it going to be sustainable and all those type of things. So \$300-plus million could go to that. Provider rates, that's an issue we could use that money for. Expanding SNAP for, you know, families that are in need. We could do that as well with \$300-plus million. But instead of doing that, we're going to continue to throw money into a dark hole called a prison that doesn't work for anybody. And earlier this year, I passed around the, you know, the CJI report and you can feel how you feel about CJI, but the report is the report. The state paid for it and they didn't lie and they didn't make it up. It's not biased. It's just telling the truth. And I just think people are ashamed of the truth. And at the end of this first page of like the snapshot or an update in January of 2023, it said: Absent policy changes, Nebraska's prison population is projected to increase roughly 25 percent by 2030. This growth would likely require building a second prison in addition to the quarter billion dollar facility proposed by former Governor Ricketts. That is an issue. Is Nebraska in the business of building prisons and constructing prisons? Is that our, you know, version of, you know, economic investment and building up the state and making Nebraska for everybody? If that is, I don't want to be here. And it's a lot of people that don't want to be here. We should be investing in people and families across this state and to communities, just like

rural Nebraska and north Omaha, Lincoln, wherever else. But no, the solution is to build prisons. It doesn't work. And a lot of people will like to claim they're tough on crime or they want to lock criminals up. But 90-plus percent of those individuals who are incarcerated are coming back into society. So we can either do some things to prevent people from going, while we have them, do some things to improve them to make sure they never go back. But that's not what we're investing in. That's not even been a part of the conversation. There are states actually in this country that are doing some amazing things around criminal justice to address these type of issues. Not the state of Nebraska. I haven't heard anything that's innovative or being thought outside the box to better improve the lives of the individuals we decide to incarcerate. We just want to lock people up, be able to say I voted for a prison to keep criminals inside and feel good about it. And you might go to sleep at night.

KELLY: One minute.

McKINNEY: Because a lot of, because a lot of individuals don't have to go visit the prisons and see people that you grew up with, you went to grade school with, high school with, people that you slept on pallets with and ate meals with as a kid. It doesn't affect your lives so you kind of have cognitive dissonance where you just don't care. But I care. And I'm going to stand up for the rest of this session and continue to just say it. Building a prison is wrong. It doesn't make economic sense, and you can't claim you're a fiscal conservative if you support a prison. Thank you.

KELLY: Thank you, Senator McKinney. Senator Dungan, you're up and recognized to speak.

DUNGAN: Thank you, Mr. President. Colleagues, I rise, I believe, in favor of LB815, probably opposed to the motion to reconsider. But I just wanted to chime in briefly here as I think the conversation that Senator McKinney is having is one that's, that's very, very important for us to have. I know we're going to be talking about this as time goes on and discuss a little bit more about the prisons. But this notion that we can build our way out of a problem, I think is, is problematic. What we know from looking at research and data is that if we invest our money and our time in preventing problems from starting, it is ultimately a better use of our resources than to try to put the fires out after they've already been set. And we talked about mental health last week and behavioral health as a component of that, but it's so much broader than that. And so I would yield the remainder of

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my time to Senator McKinney, if you'd like to continue to have the discussion.

KELLY: Senator McKinney, that's 4:08.

McKINNEY: Thank you, Mr. President. Again, I would encourage all Nebraskans to call their senators and ask them, is it fiscally responsible to build a prison and especially vote to build a prison without substantial policy changes that would address the population that we current have-- currently have. Because also, the admissions aren't necessarily up. It's the length of stays. And the length of stays are up because we have a lot of people that were overincarcerated. But because of the Constitution and some other things, it's hard to address those sentences. But there are things we could do around parole and probation and those type of things that could get people released earlier. You all might not like it, but it's, it's, it's a fact. It needs to happen. I'm not saying just go in and say, you, you, you, you're released today. We could put plans in place, policies in place to make sure that when we are releasing people, we're releasing them and they have a plan and we're reducing the possibility of them coming back. We could do that. We could be smart on this. A lot of people support former President Trump. He passed the First Step Act, which went way farther than LB920 last year. But you all will vote for him for President, but you'll vote against bills to address the same things he did on a federal level. It makes no sense. It's, it's like you're, you're saying you're for this and you're, and you're saying you're against this, but you support somebody that supports these type of policies. It makes zero sense to me. The solution to this issue is to take a step back, really think, what are we doing as a state? What are we doing to ensure that the individuals that we are incarcerating are better? What are we doing with our juvenile justice system and the child welfare system? Because there's a lot of individuals that are locked up now that went through the juvenile justice system and the child welfare system. At the parole hearing this morning, it was an individual, luckily, he was paroled, but he had went through the juvenile justice system. It's many more individuals in there like that. It's because our child welfare system is horrible. Our adult system is horrible. Our juvenile justice system is horrible. But we don't want to invest in those type of changes. We want to just invest in constructing prisons between Omaha and Lincoln because it feels good. And we could put it on a campaign flier to, hey, I voted to build a prison because I'm tough on crime, but I'm fiscally conservative. That makes no sense and everybody knows it. Let's just be honest, honestly. And I know a lot

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of people, probably a majority of the body, disagrees with me about the construction of a prison, but it is what it is.

KELLY: One minute.

McKINNEY: I'm just letting you guys know that building a prison will not solve the problem. You'll continue to be constructing prisons for the rest of life if you never step up to make policy changes to prevent people from going to prison. And if they do go to the Department of Punitive Services, we put things in place to ensure that they don't come back. We haven't even gotten to that. We haven't had that discussion. Last year, this body voted not to do something. And again, it feels like it is going to happen again and we're just going to keep trying to build things. And that's the problem. Thank you.

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

RAYBOULD: Thank you, Mr. President. I rise in support of LB815 and against the reconsideration motion. And I'm glad we're having this discussion now on building a new prison. Senator McKinney's absolutely correct. It makes no-- absolutely no fiscal sense to take on this issue when criminal justice reforms is what we so desperately needed. And I know Senator McKinney talked about sentencing reform, but it's with those individuals that we currently have in our facilities, our county jails. And I certainly know our, our Speaker and our, our President and former county attorney knows very well the challenges the counties face right now and the success that other counties all across the United States have found in helping to reduce overcrowding. And it's really just very, a very simple solution that is way more cost effective than building a, an entirely new prison. One of the issues I've had with and counties have had and experienced is that we need, of course, more mental health professionals. We need more licensed mental health therapists. We need more psychiatrists in our state of Nebraska. Instead of building a new prison, we should really be doing an expansion in our Regional Center that is set up to house those individuals that have been sentenced to go to the Regional Center, to either have their competency restored so they can serve out their sentence in the penitentiary or they can get actual treatment they need to become a more productive person. And this is the most frustrating thing. You know, we know it's incredibly hard to recruit, retain competent psychiatrists and the appropriate psychiatric nurses that can help treat these people. But the reality is it becomes a problem of each and every county. These individuals that need the treatment, they languish in the county jails. Even though they have

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been sentenced to, to get this treatment, they can't get the treatment because the Regional Center is overcrowded already. This is incredibly frustrating. And, you know, we've known that other state senators have passed great solutions to this measure, like Senator Matt Hansen last year passed a resolution and a bill that required the state of Nebraska to compensate the county jails that are actually holding these inmates that have been sentenced to go to the Regional Center. But they're in our county jails for 90, 120, 160, 180 days, not getting the treatment they need because the Regional Center is overcrowded. These people need treatment. And those are the programs that we know succeed without a doubt. The problem-solving courts, they're incredibly successful. But what do they need? They need more staff. They need more licensed mental health therapists. They need more counselors to work with this population. Because guess what? They're going to be back in our communities. As soon as they finish their sentence, they're part of their-- our community. And what do we want them to do? We want them to succeed. We want to have the tools they need to be a productive member of our community. So I encourage everyone to really rethink this. You know, if you go to drug court, it's \$17 a day. If you're incarcerated in the county jail, it's probably about \$110 a day. And we know that if you're in the penitentiary, it's \$30,000 a year. If we want to get smarter on criminal justice, it's not building a new prison. It's really reinvesting in a lot of work that was done in the study that people seem to think is biased one way or another. But we really need to revisit and take up all those reforms and look at the problem-solving courts like the drug court--

KELLY: One minute.

RAYBOULD: Thank you, Mr. President-- that have been so incredibly successful. The recidivism rate for drug court is, is, is so low as compared to just doing your time and being released. We talked about mental health courts. We have DUI diversion now, which is-- which is wonderful. We have veterans courts that help those veterans who usually struggle with both a drug addiction issue and mental health, so that they get the treatment that they need to succeed and that they can overcome the demons that have been plugging-- plaguing them. So it's very frustrating when Senator Ben Hansen [SIC], just jumping back to that, passed this legislation. Guess what? The state of Nebraska has not paid a single penny for all the jail holds that have exceeded the allotment. They were supposed to pay \$100 a day and they have not paid. And that's really frustrating. We can pass great legislation, but when the state of Nebraska does-- is not committed to funding

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these matters, then that puts us right back at zero. Thank you, Mr. President.

KELLY: Thank you, Senator Raybould. Senator McKinney, you're recognized to speak, and this is your third time on the motion.

McKINNEY: Thank you, Mr. President. So on this report, it had a section on the solution. It said: In the spring of 2020, the Nebraska Legislature debated a bill containing data-driven justice reform policies to reduce the state's projected prison growth while promoting public safety and reducing recidivism. The bill, LB920, was the product of a yearlong effort by a bar--by a bipartisan group of stakeholders from across the state, the Nebraska Criminal Justice Reinvestment Working Group. Based on years of criminological research, LB920's policies were crafted to maximize taxpayer resources by reserving prison beds for serious offenses, expanding alternatives to incarceration, and improving community-based behavioral health services to interrupt misconduct and to prevent crime. Had LB920 passed, it would have decreased projected prison population growth by over a thousand people by 2030, saving the state more than \$55 million in additional cost. Says Nebraska leaders have a critical opportunity to bring bipartisan working groups together to address these important issues and it had five points, no, seven, that they thought we should pay attention to. (1) preserve prison beds for the most serious misconduct; (2) tailor penalties with severity of conduct; (3) streamline release for people prepared for-- prepared to reenter society; (4) expand alternatives to incarceration; (5) enhance reentry supports for justice-involved people; (6) invest in community-based behavioral health services; (7) support community, community supervision best practices. It's things we should do, but things we elected not to do last year. But instead of doing that, we, we come back to this session and say, hey, last year, you know, we didn't pass a criminal justice reform bill that could have potentially saved the state \$55 million. Instead of that, we're going to vote in the budget to spend \$330-plus million because we don't want to do things that will reduce the cost to the state. And we talk about cutting budgets, being fiscally conservative, saving money for the state. Oh, that costs too much. Why do you need money for this or that? I, I just don't get it. I, I really don't. That instead of saving money for the state and being fiscally conservative, we want to just build prisons. And I can think of a million reasons why, the prison industrial complex, so many construction companies will make money, vendors will make money, telephone companies will make money, commissary companies will make money, the correctional officers will make money because they'll be understaffed. So, you know, they'll get a bunch of

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overtime. It's a lot of reasons why I probably believe that, you know. The maintenance on NSP was deferred because many people see it as an economic tool to get more money at the expense of men and women in our state that no matter what they did in life, they shouldn't be subjected to inhumane conditions. And they should also be given or provided an opportunity at a real second chance at life and to improve themselves and not be judged based on their worst day all the time, and not for people to stand up and say, I'm tough on crime while people suffer inside of prisons. That's the problem. We need--

KELLY: One minute.

McKINNEY: --we need to change the way we look at criminal justice, crime, all those type of things. Because at the root of all crime, in my opinion, from growing up in a community that has had a lot of poverty and a lot of crime, poverty is the issue. It's the largest issue, in my opinion. It's the root. We need to address poverty and effects of poverty and the things that lead people to crime. And that's not building a prison. Thank you.

KELLY: Thank you, Senator McKinney. Senator Erdman, you are recognized to speak.

ERDMAN: Question.

KELLY: The question has been called. Do I see five hands? I do. The question is, shall debate cease? All those in favor of vote aye; all those opposed vote nay. Request for a roll call vote. Mr. Clerk.

CLERK: Senator Aguilar voting yes. Senator Albrecht. Senator Arch. Senator Armendariz. Senator Ballard voting yes. Senator Blood. Senator Bosn. Senator Bostar. Senator Bostelman. 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. Senator DeBoer voting no. Senator DeKay voting yes. Senator Dorn. Senator Dover. Senator Dorn voting yes. Senator Dover. Senator Dungan voting no. Senator Erdman voting yes. Senator Fredrickson voting no. Senator Halloran voting yes. Senator Hansen. Senator Hardin voting yes. Senator Holdcroft voting yes. Senator Hughes voting yes. Senator Hunt voting no. 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. Senator McKinney voting no. Senator Moser voting yes. Senator Murman voting yes. Senator Raybould not voting. Senator Riepe voting yes.

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Senator Sanders voting yes. Senator Slama. Senator Vargas. Senator von Gillern. Senator Walz voting yes. Senator Wayne voting no. Senator Wishart not voting. The vote is 24 ayes, 9 nays to cease debate, Mr. President.

KELLY: Returning to the queue. Senator Conrad, you are recognized to speak.

CONRAD: Thank you, Mr. President. And I'd be happy to yield my time to Senator McKinney if he so desires.

KELLY: Senator McKinney, that's 4:53.

McKINNEY: Thank you, Mr. President. Continue this conversation on this report. A 20-- you know, first, we'll start with preserve prison beds for the most serious conduct. It says: Research shows that imprisonment harms individuals' health, economic stability, and positive relationships, all of which may contribute to increased criminal involvement following release. Moreover, there is no conclusive evidence suggesting that longer prison stays are more effective at reducing recidivism or protecting public safety than shorter stays. And in certain contexts, longer stays have been shown to increase the likelihood of recidivism. Despite these findings, the average length of stay on a prison sentence in Nebraska grew 38 percent from 2011 to 2020, driven in part by longer sentences resulting from consecutive sentences, mandatory minimums, and habitual criminal enhancements. Sentence enhancement costs taxpayers significantly yet provide minimal public safety benefit. As predicted by the research, funneling more taxpayer funds to cover longer stays has not improved justice system outcomes. As for-- as recidivism rates have remained high, despite this, Nebraska continues to use longer sentences for less serious, nonviolent criminal behaviors. Recommendations: reserve mandatory sentences for violent or serious offenses; ensure habitual enhancement statutes is used only for violent or sex offenses; modify credit accrual for those with mandatory sentences to incentivize changed behaviors; reduce the use of discretionary consecutive sentences because our judges like to stack sentences. The potential impact: long sentences are a primary driver of Nebraska's prison population. Limiting sentence enhancements could significantly reduce the length of time people spend in prison and therefore the overall prison population. Nebraska can save more than 300 prison beds by 2030 by implementing all four policy recommendations described. There are things out there that can be smart policies to address our populations, address crime in our state. But if we don't pass legislation this year to address criminal justice

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reform from the front and the back end, we're never going to do it. Or maybe never say never, but I would be highly questioning if that ever happens. We need to do things that are smart. This isn't smart to build a prison; to vote to build a prison; to vote to build a prison without passing criminal justice reform; to vote to put a prison in a budget when there are many other things that we need in our state. You got families that need more assistance with SNAP. You've got providers and those that or clients of providers that need help with provider rates. We need real-life things, but instead of doing that, people want to vote to build a prison. That's not going to solve the problem. It's going to take four to five years to be constructed and we're going to be back here in that four to five years--

KELLY: One minute.

McKINNEY: --having a conversation about, hey, should we vote to allow the Nebraska Department of Punitive Services to construct another prison when they don't do their jobs? The previous administration didn't do their job, and I'm not sure about the new administration. We really need to rethink the way we're doing things in the state, because building a prison, I don't care who you are, especially without policy changes, is a bad, bad idea. Thank you.

KELLY: Thank you, Senator McKinney. Senator Walz, you are recognized to speak.

WALZ: Thank you, Mr. President. We're having a really good conversation. I appreciate the review on the CJI report. I'm not sure if we've touched on the amount of overtime that has been spent in Corrections during this conversation, and I know that we're making a lot of progress when it comes to filling those positions. But I did want to just give a couple of highlights from the-- I guess this is the Performance Audit Committee. The first point that I wanted to make was that at its highest point in 2020, Corrections spent \$15 million on overtime. In that same fiscal year, DHHS, on the other hand, spent \$7.4 million while Transportation spent 6.6. Nearly 80 percent of Corrections employees worked overtime in the years that they examined. And I just wanted to give you a couple of examples of Correction employees and what they've earned, only just in overtime. And I'll just go to 2020. A unit caseworker at the Lincoln Correctional Center made \$89,873 in overtime; officer or corporal, \$66,571 in overtime; a unit case manager sergeant at Nebraska State Pen, \$65,794 in overtime alone. So I just wanted to highlight that also the overtime and not being able to fill those positions has also been a tough thing to do.

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And with that, I'm going to yield the rest of my time to Senator McKinney. Thank you.

KELLY: Senator McKinney, that's 3:04.

McKINNEY: Thank you, Mr. President. So number two on this was tailor penalties with severity of conduct. Criminological research has consistently found that incarceration is not more, more effective at reducing recidivism than noncustodial sanctions such as probation. In fact, incarceration may lead to higher rates of recidivism for certain types of lower-level behavior like drug offenses and technical violations, and is significantly more expensive to taxpayers than alternatives to incarceration. But do we really care about taxpayers in this building? The total cost of-- the total cost to house a person in the state-- in state prison is over \$40,000 per year. Given that, it is critical that Nebraska policymakers ensure that the length of a prison sentence corresponds to the severity of the conduct. Let's look at drug possession. Drug possession was the leading offense for admission to Nebraska's prisons in 2020. Unlike many other states, Nebraska categorizes possession of controlled substances other than marijuana as a felony, regardless of the amount possessed. This means that people who are addicted to drugs in their possession for personal use, not for sale, are punished with felony sentences. Research suggests that deterrence does not work for many drug users because of the seriousness of their behavioral health disorders. A more effective response would be good. Last year we had a discussion about decreasing the penalties for people with low-level drug offenses. And many people argued back saying, no, we need tough sentences for people that are caught with drugs. We, we-- it's, it's a way that, you know, it'll force them to change. The reality is--

KELLY: One minute.

McKINNEY: --that, that's not true. Everybody knows it's not true because anybody that's dealing with a addiction, it takes time, time. You can't force somebody to change, especially when they're dealing with addiction. And you're especially not going to force them to change when you, when you criminalize people with health issues and addictions. We should be investing in mental health services and substance abuse services and things like that. I would support \$300 million construction of anything around mental health and substance abuse because that's what's needed, but not a prison just to house them and not address their issues. Thank you.

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KELLY: Thank you, Senator McKinney. Senator John Cavanaugh, you're recognized to speak. This is your third time on the motion.

J. CAVANAUGH: Thank you, Mr. President. I appreciate Senator McKinney circulating the Nebraska Criminal Justice Crisis worksheet from the Justice Reinvestment Initiative. And I'm sure folks are tuning in and out, but there's-- there was a lot of really good work done last year or the last two years, really, with the Judiciary Committee, the Judiciary branch, the Governor's Office, Department of Corrections, local prosecutors, law enforcement, with the Justice Reinvestment Institute and CJI, where they generated this report with a lot of recommendations that I don't think we've implemented any of. But it would be good to take a look at this and if you have an opportunity to take a look at any of the other information they've circulated. But I wanted to yield my time to Senator Machaela Cavanaugh if she wanted it.

KELLY: Senator Machaela Cavanaugh, you have 4:15.

M. CAVANAUGH: Thank you, Mr. President. Thank you, Senator John Cavanaugh. I actually am just going to talk for a minute. If Senator McKinney does want more time, I am willing to yield him Senator Cavanaugh's time. I don't have any more time except for my closing. I just wanted to comment on-- so this morning, when I did a call of the house, the call of the house failed. So I said, I'm not going to do calls of the house today because you all are doing a disservice to each other by voting against a call of the house, which we just saw in practice. Because I didn't do a call of the house, Senator Erdman's motion to call the question failed because there were not enough people in here to vote for calling the question. And that is why when people do a call of the house, you generally want to vote for the call of the house. Because especially if it's something that you want, you need 25 votes to make it happen. So if there aren't enough people in the Chamber, then you're not going to have enough votes. So I just wanted to share that important life lesson with you all, since this morning we had the failed call of the house and this afternoon we had a failed motion to cease debate. And then with that, if Senator McKinney would like the remainder of the time, I'm happy to yield it to him. No, he's OK. That's all right. I will-- he's, he's good on time. I will just take a few minutes then to talk. So we are still on my motion to reconsider on my amendment to increase the appropriation by \$10,000 for legislator salaries. And so this bill, I think if we take our dinner break at 5:30, I think this bill will go to something around 7:01 p.m. If we don't take our dinner break at 5:30 and we work through and take our dinner break after this bill, then it'll go till

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6:31 p.m. So I'll just assume, I guess the Speaker will let us know, but that was my math on cloture on this. So-- and we have a long list of General File bills on the agenda after this. So I've been talking today about LB574, as I usually do, because that is the whole reason that I am talking on LB815. And I know it gets the ire of many of my colleagues that I am talking about a bill that we are not debating. But the reason that I am talking period is because of LB574. So I'm going to talk about it. So LB574, the compromise, air quotes for our Transcribers, "compromise" amendment is an amendment that discriminates based on gender identity specifically. The amendment does not outlaw top surgery for minors, period. The amendment to LB574 does not outlaw top surgery for minors, period. It does outlaw top surgery for transgendered minors.

KELLY: One minute.

M. CAVANAUGH: So if you are a boy, you were born a boy, you identify as a boy and you have breast tissue and you are a teenager and your parents and your medical provider agree that you should have surgery to remove that breast tissue, under the amendment of LB574, you can do that because you're a boy who wants to be a boy. If you are a boy born a boy, but you identify as a girl and you want to have breast tissue implanted or breast implants-- I don't know all the medical terms. I'm going to get them all completely wrong. If you want to have breast implants and you are biologically a boy and you want to live as a girl, you cannot. That is a huge problem with the amendment, the compromise amendment to LB574, and it should not bring anyone on board because it is pure discrimination in literally--

KELLY: That's your time, Senator.

M. CAVANAUGH: --its purest form. Thank you.

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

DUNGAN: Thank you, Mr. President. Colleagues, I rise again in support of LB815 and again opposed to the motion to reconsider. The reason that I punched in again originally was I was going to yield a little bit more time to Senator McKinney, but he indicated he didn't need that at this point in time. But I wanted to, I guess, acknowledge that what he's talking about here is not only incredibly important for us as a state and how we're going to proceed with our criminal justice issues, but it also is actually incredibly relevant to LB815. In LB815, we're talking about the amount of money that's being

appropriated, for example, for Legislature pay. What we're talking about with all of the appropriations is what is the best way and most effective way to spend our taxpayer dollars. And when I was out knocking doors, one of the things that I was told on a regular basis is that constituents across the entire political spectrum want to make sure that their tax dollars are being used in a way that is fiscally responsible, but also in a way that's getting essentially the biggest yield on the return for what they're spending. So I touched on this briefly before on the mic, and I wanted to kind of reiterate this point, expand upon it a little bit. When we invest in services like mental health and substance use disorder treatment, we are doing ourselves a favor by ultimately needing less money down the road to do things like build new prisons or to pay for the ongoing incarceration of individuals who are dealing with things that are primarily addiction issues or substance use issues. And what we know from looking at best practices and from looking at data and from looking at the studies is that over time, we, we found when we're dealing with folks with substance abuse issues, we need to have a more nuanced and complicated approach for how we deal with these issues. What do I mean by that? Zero tolerance policies as it pertains to substance use disorder when it comes to criminalization is problematic. When an individual is suffering from addiction and they try to break that cycle, what we know from looking at numbers and data is that over time, there are going to be relapses as a part of that process. I know it's much more complicated than that. I'm sure there's some practitioners watching who want me to get into more details. But at the end of the day, we know that when somebody is sub-- dealing with substance use disorder, they're going to continue to struggle and there's going to be relapses and there has to be certain accommodations along the way for that process. If we truly want to help people break the cycle of addiction and if we truly want to help people prevent recidivism, then we need to be making sure that our dollars are being spent appropriately. And so what Senator McKinney was talking about among many different great points he was making was that when we invest large amounts of state funding into the warehousing of individuals, we're doing a disservice to the taxpayers by ensuring that their money is being spent, I think, in the most effective way. It would be a much greater benefit and our dollars are going to go a lot longer if we make an effort to invest in the social services and in the substance use services that we've been talking about. Senator Raybould also made the good point, talking about drug courts and problem-solving courts and diversion. And I got into the differences between those two on the mic last week. But if we as a state can start focusing on actually addressing the underlying

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problems that folks are dealing with instead of just trying to punish them after the fact, we're going to see our taxpayer dollars go a lot further. We're going to see our investment in our services as a state, I think, benefit more people. And we're frankly, when we're talking about bills like LB815, going to see a larger amount of money that can be spent on other things. And so I really appreciated the conversation that Senator McKinney started here today. I think that we're going to obviously continue to have this conversation as time goes on. And I look forward to having the conversation regarding the budget process for the new prison. I look forward to having conversations surrounding any proposed modifications to the criminal justice system. And I just hope that my colleagues who are fiscally--

KELLY: One minute.

DUNGAN: --conservative as well-- thank you, Mr. President-- heed the, the advice of Senator McKinney and say reach out to your constituents, find out how they want us to be spending this money. And know that when you are trying your best to be fiscally conservative, you're going to get a much better return on your investment if you focus on the underlying problem rather than trying to solve the problem after it's already started. So with that, again, I support LB815 and I remain in polite opposition to the motion to reconsider MO934. Thank you, Mr. President.

KELLY: Thank you, Senator Dungan. Senator Slama announces some guests in the north balcony, members of the Nebraska Insurance Federation from across the state and nation. Please stand and be recognized by the Nebraska Legislature. Senator Raybould, you're recognized to speak.

RAYBOULD: Thank you, Mr. President. I stand in support of LB815 and somewhat neutral now on the motion to reconsider. I think this discussion on criminal justice reform is essential since we keep talking about building a new prison. And I'm going to quote a lot of information from a Omaha World-Herald article that talked about what is contributing to the overcrowding in our prisons. But the one thing I think we cannot lose sight of is certainly what Senator Dungan has been talking about, Senator McKinney has been talking about, we need to look at the best practices of other communities and states and how they were able to reduce their overcrowding. So, again, it comes down to some of the recommendations that were in the Criminal Justice Reinvestment Program and reform program. It says: Overlapping criminal codes that empower prosecutors to stack on additional charges that are typically gun related. So if you are caught in the commission of-- if

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you are caught with a gun in the commission of crime, there's a mandatory sentencing, depending upon the crime, of either three, five, six years on top of the crime itself. So the one element that I want to keep weaving through this discussion is it's all gun-related, additional mandatory sentencing that is contributing heavily to the current overcrowding in our penitentiary. But the good news is there's hope. There is hope of how we can get out of this predicament. This is an article that was in the Omaha World-Herald in 2020. And back then, Governor Ricketts said a new prison would cost \$230 million. Well, we're looking at \$300 million right now. But other states have been able to embrace criminal justice reforms and rethinking policies. And indeed, one of the ironies in Nebraska that our gun crime laws that were passed, as in many states-- at the time when many states were looking at embarking on reforms. So beginning in Texas in 2007, at least 35 states in addition to Texas have launched efforts to curb prison growth and save money. Louisiana, which for years had the nation's highest incarceration rate, enacted changes in 2011 that have helped reduce its prison population 33 percent. Alabama, which had the nation's most overcrowded prison system before recently being overtaken by our state of Nebraska, has reduced its inmate population count by more than 20 percent since 2012. And Utah, at one point in time, was also considering building a new prison. But they put a brake on that and they said, let's dig in deeper to all these criminal justice reforms, sentencing reforms that are proving to pay off, meaning the prisons and the penitentiaries are less overcrowded. So that's something that Utah certainly embraced. And so going back to that Omaha World-Herald article, it talks about Nebraska's prison inmate population is growing faster than anywhere else in the United States. It's way out of sync with every state. And it talks about the smoking gun behind it all and the millions of dollars that this-- extra inmates are costing Nebraska taxpayers was the 2009 law that created new gun crimes and toughened the penalties, like I said. So if you were caught in the commission of a crime with a gun, that exacerbated your prison time. No state grew its prison population more in the last decade than Nebraska. Its inmate count increased 16 percent between 2012 and 2020, even as such numbers nationally fell by nearly a fourth.

KELLY: One minute.

RAYBOULD: Thank you, Mr. President. And according to the World-Herald analysis of U.S. Justice Department data, in fact, Nebraska and Idaho are the only states whose prisoner, prisoner numbers didn't decline over the decade. So in between 2008 and 2020, Nebraska Corrections record show that the number of inmates whose most serious offense was

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a gun crime skyrocketed from 85 to 777. That's an increase in more than 800,000. And I want to state the captain obvious. Is that a success when we enact criminal justice reforms that have the reverse impact? Mark Foxall, a former Omaha and Douglas County law enforcement official who now teaches at the University of Nebraska-Omaha, said: Are you doing anything to prevent them from carrying a gun in the first place? And it goes back to the fundamental reason, like, what are we doing?

KELLY: That's your time, Senator.

RAYBOULD: Thank you, Mr. President.

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

LOWE: Question.

KELLY: The question has been called. Do I see five hands? I do. I do. The question is, shall debate cease? There's been a request for a roll call vote. Mr. Clerk.

CLERK: Senator Aguilar. Senator Aguilar, I'm sorry, voting yes. Senator Albrecht. Senator Arch voting yes. Senator Armendariz voting yes. Senator Ballard voting yes. Senator Blood. Senator Bosn. Senator Bostar. Senator Bostelman voting yes. Senator Brandt voting yes. Senator Brewer. Senator Briese voting yes. Senator John Cavanaugh voting no. Senator Machaela Cavanaugh voting no. Senator Clements voting yes. Senator Conrad voting no. Senator Day voting no. Senator DeBoer. Senator DeKay. Senator Dorn voting yes. Senator Dover. Senator Dungan. Senator Erdman voting yes. Senator Fredrickson not voting. Senator Halloran voting yes. Senator Hansen. Senator Hardin voting yes. Senator Holdcroft voting yes. Senator Hughes voting yes. Senator Hunt. 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. Senator McKinney voting no. Senator Moser voting yes. Senator Murman voting yes. Senator Raybould not voting. Senator Riepe voting yes. Senator Sanders. Senator Slama. Senator Vargas voting no. Senator von Gillern. Senator Walz not voting. Senator Wayne voting yes. Senator Wishart.

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: 7 ayes, 1 nay to place the house under call.

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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. All unexcused members are present. The question is, shall the house go under call? Excuse me. The question is, shall debate cease? A roll call vote has been requested. 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 voting yes. Senator Bosn voting yes. Senator Bostar not voting. 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. Senator Dungan voting no. Senator Erdman voting yes. Senator Fredrickson voting no. Senator Halloran voting yes. Senator Hansen voting yes. Senator Hardin voting yes. Senator Holdcroft voting yes. Senator Hughes voting yes. Senator Hunt voting no. 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 no. Senator Moser voting yes. Senator Murman voting yes. Senator Raybould not voting. 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 not voting. Vote is 34 ayes, 10 nays, Mr. President, to cease debate.

KELLY: Debate does cease. Senator Machaela Cavanaugh, you're recognized to close on your motion.

M. CAVANAUGH: Thank you, Mr. President. Colleagues, I am just tickled pink by all of this. We had two motions to call the question, that the first one failed, the second one almost failed. But then we had to call the house. I don't know who called the house, but there was no one in the queue. So if you had not called the house, I would have just gone to my closing. But the call of the house, the call of the house was successful. Then the motion was successful. And I hope that the lesson we can all take away from this is that we should probably vote for calls of the house. Because when we don't, we hurt each other. This morning I had a call of the house and the majority, 16, 16 people voted against the call of the house and 13, I think, voted for it. And then there was however many remaining not in the Chamber. And

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so I said, OK, I'm not going to call the house any more today. That's fine. I'm just doing it to be collegial and look what happened. I was just trying to be nice, you all. And you keep voting against the call of the house because it was me. I'm not doing it to do myself any favors. I got amendments after amendments after amendments. I don't care. I'm doing it to be polite to you. And I don't understand how hard it is for you all to comprehend just basic etiquette in the workplace. It is so bizarre. Like you all are for the most part, I think, I don't know, maybe there's somebody that I don't know about, but I think you're all pretty successful in your lives outside of here. How are you successful when you are this rude to one another? It like makes no sense to me. It makes no sense to me whatsoever. It is just common decency. Call of the house, vote green. Not hard. You're not taking a vote on an amendment. You're not taking a vote on a motion. It is common decency. And you know when it's really going to matter? It's really going to matter when you decide to vote against a call of the house when there are so few people in here because it's a late night and we need 25 votes just to adopt an amendment that the majority agrees with. But the call of the house fails. And so the Chair has no choice but to proceed without the members here. And colleagues, today is a late night. This is going to start happening. Stop being rude to one another. I got nothing. I have got nothing. I don't have a single bill out of a single committee. You are not hurting me by being rude to one another. You are just hurting one another. I don't care if a motion passes or fails. It doesn't matter because I got another motion and another amendment and another after that. So because I appreciate so much the due diligence and the great effort of our Clerk, I am going to sit down and let us have a machine vote on this because he definitely deserves a break from this bad behavior of not calling the house and then doing roll call votes because I'm still going to do a roll call vote normally. Not, not now, but normally I'm still going to do it. And that's not fair to the Clerk either, because you know I'm going to do a roll call vote and you can't stop me from doing a roll call vote. So, again, when you vote against a call of the house, then the Clerk is, like, looking around to see if he's missed somebody--

KELLY: One minute.

M. CAVANAUGH: --and you're just being rude all over again. Stop being rude, just stop. Stop being rude to each other. Under the guise of being rude to me, cutting me down, trying to be small towards me, you're not doing that. You're being small towards each other and towards staff. Thank you, Mr. President.

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KELLY: Thank you, Senator Cavanaugh. The question is the motion to reconsider. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 3 ayes, 41 nays on the motion to reconsider.

KELLY: The motion fails. The call is raised. Mr. Clerk.

CLERK: Mr. President, some items quickly. Amendments to be printed from Senator Hunt to LB254 and from Senator John Cavanaugh to LB184. In regards to LB815, Mr. President, the next amendment from Senator Machaela Cavanaugh. Senator Cavanaugh would offer AM1268.

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

M. CAVANAUGH: Thank you, Mr. President. I misplaced my amendments here. LB815, AM1268. OK. OK. This changes the amount from \$632,982 and it changes it to \$641,000. Why? Why not? Right. Why not? So we are still on LB815, which is our legislative salaries. And I do want to say, and I should have said this the last time on the mic, I was-- I was harsh this morning, and I apologize to our new colleague, Senator Bozen [PHONETICALLY] Bosn, I don't know if I'm pronouncing it correctly, Bosn. I was harsh on Senator Bosn. Today's her first day. She had no idea what the call of the house was. Well, I don't know if she did or not, But anyways, I was harsh and I apologize. I apologized to her in person. But I think that when you say something on the mic, you should also-- and you're going to apologize, you should also apologize on the mic. So, Senator Bosn, I'm very sorry for my rudeness this morning. I was worked up. It happens, especially in this place. OK. So LB815, AM1268, I'm sorry. Got to get myself in the queue. There we go. OK, so I'm going to just keep talking about what I've been talking about, which is LB574. Now, I do have some things to say about LB626 that I should probably sprinkle in here, because tomorrow is going to be like everybody's day to shine. Everybody's going to want to talk and we're all going to get to talk for like ten seconds. No, we get our five minutes, but we're all going to get like one five minute and people are going to call the question on that when there's like, you know, a bazillion people in the queue. So that'll be a whole nother thing. So OK. LB574. LB574 is a bill that prohibits gender-affirming care for trans youth. Not good. Just baseline not good. I'm putting a pin in that whole thing. I am only talking about Senator Jacobson's amendment to take it down to just surgery, because this amendment is what brings several senators who opposed the underlying bill on board. And I'm going to keep talking about why that amendment is bad. It is discrimination, pure and simple. Top surgery

for a heteronormative, cis gender, whatever, somebody who is born a girl. I'm probably saying all the wrong things. Somebody who-- I'm going to make it simple. If you were born a girl and you want to live as a girl and you want to have breast augmentation, whether it's breast reduction or, or breast implants, LB574 with Senator Jacobson's amendment does nothing to prohibit that. If you are a boy and you want to live as a boy and you want to have breast tissue removed, Senator Jacobson's amendment to LB574 does nothing to prohibit that. If you were born a boy and you want to live as a girl, that is what is prohibited. That is why we are discriminating purely based on gender identity. It is not a complicated concept. Senator Jacobson's amendment to limit it to surgery is the purest form of discrimination based on gender identity. You are not prohibiting surgery for minors. You are prohibiting surgery for transgendered minors. Discrimination. Discrimination. That is the problem. That is why, when I am told that Senator Jacobson's amendment on surgery is a compromise, air quotes for Transcribers, "compromise," it's not a compromise. It's still discrimination. In its purest form, it is discrimination. It is clear discrimination. Crystal-clear discrimination based on gender identity. And I would just love for someone who voted for cloture for LB574 to come up to me and say, I'm not voting for that. With that amendment, that does not get me on board. I am not voting for cloture for that bill again. And I would say hallelujah. Thank you so much. Good day. Literally, I would zip it. I might talk on LB626. Frankly, I might not talk on LB626. There's going to be so many people having a field day calling me a murderer, maybe I'll just sit down and be quiet during LB626. I love listening to people call me a murderer. It's fun. But otherwise, other than LB626, I will sit down and I will stop talking. And I would love so much to stop talking. I will stop giving you etiquette lessons on how rude you all are to each other. I will stop talking about cheesy potatoes, Easter egg hunts, Madagascar, Girl Scout cookies, fish fries. I don't know what else I've talked about, my kids' soccer game. I'll stop it all if someone who voted for cloture on LB574 would just say, you know what? I've listened to what Senator Hunt and Senator Cavanaugh have been saying and Senator Day and Senator John Cavanaugh and Senator John Fredrickson. I have listened to what you all have been saying and I-- I'm not going to vote for cloture again, and I would just like probably collapse right here where I am out of gratefulness. But until that happens, here we are, here we are talking on hour four-ish about our \$12,000 a year. Yeah. So I just, you know, I've had a lot of people ask me, what about all the other important things that you could be doing as a state? And I'm like, show me, first of all, what we could be doing that we're not doing. The Republicans in this body are getting everything that they

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want, tax cuts that are going to bankrupt the state. Zip a dee doo dah. The budget, the dream budget of building a prison. Fantastic. What we aren't getting are the things that we were never going to get, which are things that are actually going to impact and better lives of everyday Nebraskans. And we were never going to get those things because from the start of this session, from the start of committee assignments, it has been constructed to skew towards the wealthy, to skew towards the special interests of corporations over Nebraskans. So why would I step aside for discrimination? Why would I allow this body to institutionalize and systematize another form of discrimination? What would I be getting from that? Childcare subsidy? Probably not. Can't afford it. SNAP? Oh, heavens, no. Can't afford it. Because we've got to cut, cut, cut what we're doing this year so that we can do that massive tax package that's going to bankrupt the state. So we've got to cut. And what are the first things that will be on the cutting room floor? Children. So I'm not going to step aside so that you can do it faster, so that you don't have to work as hard to adversely impact the economy of Nebraska--

KELLY: One minute.

M. CAVANAUGH: --for special interests and corporations. I'm not going to allow you to legislate hate and discrimination into our statutes so easily. I'm going to get out of the queue and back in because I see there's other people in there and sometimes I need a break and you all need a break from listening to me. Not that you're listening to me, but the broader universe. When I do get back on the mic, I probably will continue talking about LB574, but I also have more to share about LB815. And I have-- I didn't finish reading the testimony from OpenSky that I had started this morning, so I do plan to get back to that on my next times on the mic. So, yeah, there's two people in the queue ahead of me if anybody wants to come that voted for LB574 and tell me in the next ten minutes, like, I would like you to stop talking, Senator Machaela Cavanaugh. I will not vote for cloture--

KELLY: That's your time, Senator.

M. CAVANAUGH: --thank you so much.

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

HUNT: Thank you, Mr. President. Senator Cavanaugh, the other person in the queue is Senator Erdman, probably to call the question, so that's fine. I have been go, go, go since this morning. And I have not really

had a chance to catch up on the news or read some of the things I wanted to read that are going on. And I was tagged-- you get these little notifications-- I was tagged in this article in The Washington Post and I haven't had a chance to look at it. I didn't know that they were writing this and I said that. And the author, the author is Greg Sargent and Paul Waldman from The Washington Post told me, well, we tried to reach out to you and I totally missed it. But I'm really concerned and bothered about, I mean, you know, about how radical the conservatives in this body have gotten. I think that in Nebraska we've always been very proud of our nonpartisan culture of, you know, the independence and kind of libertarian energy that we have as lawmakers. And this used to be a place where you couldn't really be bought and that was a point of pride for people. You know, if someone did something for me and I decided to go along with however they wanted me to vote, I would be mortified. That's, you know, what do you-- why do you work so hard to gain this power and have all this power and then you use it to do what other people want? Like, embarrassing. Could not be me. But I wanted to pull up this article because I have not had a chance to read it, and I would like to read it in real time with you. I want to open it in my browser. So it's Washington Post, it's an opinion piece. It says Meet the Young Democrats waging War on MAGA from behind enemy lines. And they use a picture of me from 2020 where I'm wearing a mask. So already, of course, people on Twitter are like, oh my God, take off your mask. Masks don't do anything. And it's like, yeah, it's 2023. This picture is kind of old. But it says: Catalyzing events in U.S. history have a tendency to shape generations of public officials. In the 1920s, Prohibition and the GOP's depression economics gave rise to the New Deal Democrats. Racial and cultural repression in the mid-twentieth century spawned classes of lawmakers fighting for the rights revolution. In the 1970s, the Vietnam War and Watergate inspired the antiwar Watergate babies to run for Congress. It might be happening again. The reactionary turn underway in many red states is beginning to shape a new generation of young Democratic officials. I would say not even just Democratic. I don't like it when the press does this. It's not a Democrat thing. It's a-- it's a reasonable person thing-- many of whom will one day be the party's leaders. Whatever party. In these red states, young Democrats are entering local politics and developing public presences in response to the far right culture warring unleashed by GOP majorities. New restrictions on abortion and the growing right wing backlash to LGBTQ rights are radicalizing a wave of Democratic public servants who mostly hail from the Gen-Z and millennial generations. Want to make a note to speak about something on that. We're seeing this across the country, said Amanda Litman, a cofounder for Run for Something, which

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recruits progressive candidates for state and local office. It's no coincidence that some of the loudest voices pushing back are young leaders in red states, often from urban environments, often people of color, often queer themselves. Last week, after the GOP-controlled state legislature in Tennessee expelled two young black lawmakers for protesting gun violence--

KELLY: One minute.

HUNT: --sidebar, I cannot believe we haven't talked about that yet. That was off the wall and I've got some stuff to say about that. It goes on: And after a Texas judge invalidated federal approval of abortion medication, Run for Something's candidate recruitment spiked. Litman said more than half of the new candidates are from red states. What binds these lawmakers and candidates together is an acute sense that the character of the country is on the line and it could determine their own futures. For them, every part of this conversation is personal, Litman said. That's how Florida State Representative Anna Eskamani feels. Anna Eskamani has been one of my, like, legislative crushes and heroes for so long. She's so cool. She got her start kind of like me in a red state working for abortion justice. And so I know her kind of from that world. And I'm so proud to have watched her rise. And I'll continue reading this and finishing my thoughts because I'm getting to a point on my next time. Thank you, Mr. President.

KELLY: Thank you, Senator Hunt. Senator Erdman, you are recognized to speak.

ERDMAN: Thank you, Mr. President. Many in the floor-- on the floor here believe I was going to call the question. That's not the case. I have a little orange book. Some of you have that same book. It's called The Rules Book. So I've been reviewing those. And there are sometimes interesting things you find in there. Rule 2, Section 7(a), this is a senator desiring to speak, that's the heading. It says: When a member desires to speak in debate or to deliver any of a matter to the Legislature, he or she shall rise from his or her seat and respectfully address himself or herself to Mr. or Madam President. It goes on to say a member shall speak only when recognized and shall confine his or her remarks to the question before the Legislature. Let me read that real slow one more time so you can understand it. A member shall speak only when recognized and shall confine his or her remarks to the question before the Legislature. Does anyone in this room or listening to me understand what that says? It says when you get up to speak, you should talk about the legislation that's on the board. That's what that means. A member shall speak only when

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recognized and shall confine his or her remarks to a question before the Legislature. Today, the question is not LB574. The question is LB815. We've been doing this for nearly 60 days. It's time someone adhere to the rules. I don't know how much more plain I can make it. Thank you.

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

M. CAVANAUGH: Oh, remember, you have to talk. Yeah, you have to talk, Senator Erdman. Or you can stand five minutes silent apparently. If you want to cast judgment on how I am conducting myself in debate, you should hold yourself to the same standard. So returning to LB815, AM1268 which increases the appropriation from \$632,982 to \$641,000, because I thought that might be a more appropriate round number. I wanted to continue reading the testimony in opposition to LB815, again germane to the topic at hand. So let's see here, ended with talking about the Perkins canal. As to our main concerns, this is from OpenSky, the proposed budget shows structural receipts failing-- falling behind expenditures, creating a structural imbalance for the following biennium. This to us calls into question the long-term sustainability of this proposal. It clearly leverages the state's current boom from federal pandemic funding, and we're concerned this proposal wouldn't allow the state to manage its finances sustainably. There are six major tax and spending items in this proposal, and using a temporary revenue windfall to fund permanent obligations could require the state to rely on the Cash Reserve to fund the state's other equally important services. The Cash Reserve, however, may not be a reliable source of funds for long, as the budget includes items that will diminish the state's ability to rise-- raise revenue and thus replenish the reserve. Next, we believe the amount of money left for the floor in this proposal is not sufficient. Two hundred eighteen million is about 11 percent of the General Fund variance as of the Tax Review Committee in November, and the remaining 89 percent is set aside for other items like tax cuts and the Education Future Fund. While we support increasing funding for public K-12 education, we're nonetheless concerned about the sustainability of this investment, given there's no new revenue source to pay for it and the fact that the Governor is proposing to cut taxes simultaneously. There are a number of other proposals introduced by senators that also reflect important state priorities with-- which total well-being-- well beyond \$218 million. Very few will-- would be able to receive funding under the Governor's budget. At the same time, based on the Governor's financial status, it appears as though it assumes the \$218 million variance goes unspent. The ending balance for the upcoming biennium is

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\$543 million or \$218 million above the minimum reserve. Looking at the following biennium, the entire \$543 million ending balance is carried forward. This concerns us as it indicates that the budget proposal consumes our current robust fiscal situation and leaves no room for anything else. We're also concerned about the 1.3 percent spending growth is not enough to sustain state services in the current time of high inflation. While there are varying levels of proposed increases across the board, we're concerned the overall low-spending growth--

KELLY: One minute.

M. CAVANAUGH: --will lead to cuts. The university, for example, is proposed to get a 2 percent increase, but that's unlikely to sustain them. They've said as much. They're facing a \$38 million funding gap. To be clear, this proposal spends the \$1.9 billion variance down, even if General Fund spending is held low. We urge the committee to consider leveraging more of the state's current finances to bolster services. I will get back in the queue and talk about the bill and anything else that I feel like talking about. Thank you very much.

KELLY: Thank you, Senator Cavanaugh. Senator John Cavanaugh, you are recognized to speak.

J. CAVANAUGH: Thank you, Mr. President. I, you know, I love talking about the bill that's before us whenever we're talking about it. But I do think that what is relevant to the conversation about the bill can range in a wide space. And when we're talking about a bill that's specifically about the salary of the members of this body, really anything about what we do here seems like it might be germane to that conversation. And that made me think about what Senator Hunt just talked about the last time she was speaking that I hadn't talked about yet today. But-- and I can-- also was surprised that nobody else has brought it up, about what happened in the Tennessee Legislature last Thursday. And when Senator Hunt brought it up, it reminded me that I watched that on television on Thursday night with my nine-year-old. And in that conversation, I had to explain to my nine-year-old what was going on. And of course, the beginning place in that conversation was that at a grade school in Tennessee, a few nine-year-old students were murdered by someone who came into their school with a gun. And so I had to explain that to my daughter. And I said, do you understand what's going on? She said, oh, yeah, my teachers talked about that before, which I guess I assumed or realized. But it's just kind of a sobering moment for a parent to have a conversation with their young child about the fact that they've been told at their school that they run the risk of being murdered while they're at school. And so then

what, you know, that was the jumping off place of what happened in Tennessee. Those three members of the Tennessee House of Representatives joined a protest about the fact that the state has done little to prevent those sorts of murders. And as a result of that protest, two of the members were expelled from the body and one of them wasn't by a very close vote. And it was basically for speaking out of turn when they weren't-- it wasn't their turn to speak. And so that, you know, I don't know if anybody watched that on television or have read the news about that. And then, of course, the thing that sticks out about the difference between the three members are the two members who were expelled were black men and the one who wasn't expelled was a white woman. And so one has to question what the difference is and why the outcomes were different for those members. And so how is that relevant to the bill? The way that members of the Legislature are burdened and treated, and, you know, the, the tasks before us are often greater than the monetary compensation that's afforded under the State Constitution and LB815, although some would argue that there's no appropriate amount of monetary compensation that would be fitting to put yourself in this position. But a lot of us do it because of the love of the state of Nebraska and the love of our communities and our desire to do good for our communities. So that's why I'm here. But you do it also looking-- forward-looking for your children if you have them, and for your family and your community overall. And again, that conversation with my daughter comes back to me, thinking about that similarly situated children left somebody, you know, took their kids to school that day. Three parents, I guess, in Nashville and thought it was a normal day and just like any other and their kids never came home. And then, of course, there were some adults in that school as well that were murdered as well.

KELLY: One minute.

J. CAVANAUGH: Thank you, Mr. President. Those of you who don't know, I mean, I drop my kids off at school every morning. That's my routine. I drop them off by 8:05, and then I pick up the other Senator Cavanaugh and drive down here. So every morning, you know, you have that moment, they get out of the car and they run up to the school and you say goodbye and, you know, everything and just hope you're going to see them at the end of the day. And some people, unfortunately more and more, a growing number of people in this country are realizing their worst fears in that situation. So I think, again, to draw back to the bill, a lot of things are relevant to what goes on here, especially when we're talking about the Legislature itself. Thank you, Mr. President.

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KELLY: Thank you, Senator Cavanaugh. Senator Hunt, you are recognized to speak.

HUNT: Thank you, Mr. President. Colleagues, I agree with Senator Erdman, and I would like to speak more about that on my next time on the mic. But first, I want to finish the matter I was talking about my last time speaking, as it pertains to LB815. I'll support LB815 and I'll be opposed to this amendment just because, I mean, I don't-- I don't think it improves the bill to just change it to an arbitrary number. There's other things we can do to improve the salaries for lawmakers and for staff and for state employees, but AM1268 is probably not it. But as it pertains to LB815, I want to continue reading this piece from The Washington Post. It's titled Meet the Young Democrats Waging War on MAGA from Behind Enemy Lines. OK, before I continue, I want to say for the record, I don't like the phrase "MAGA," gross. I don't like the phrase "behind enemy lines," not quite right, kind of unfair. And I don't like saying that only Democrats are standing up against this type of thing. I think that this is a function of how politics works in other states. For me, I don't-- I don't care for it, but this is the language in the-- in the piece from The Washington Post that I'm reading. What binds these lawmakers and candidates together is an acute sense that the character of the country is on the line and it could determine their own futures. For them, every part of this conversation is personal. That's how Florida State Rep Anna Eskamani feels. Like many others, the Democrat was first inspired to seek office in 2018 by Donald Trump's presidency. Now, with GOP majorities in Florida pushing book bans, limits on classroom discussions of race and gender, and a six-week abortion ban, Eskamani says she often feels under siege. Sometimes I joke about walking into the Death Star, Eskamani said about entering the state capitol in Tallahassee. Each one of the communities who care about and the values you cherish are under attack. Eskamani has unleashed rousing broadsides on GOP anti-choice bills and has irritated Republicans with her public mockery of their anti-woke posturing. Because the state's Democratic minority is limited in what it can accomplish, Eskamani says, she stages social media friendly moments to effectively communicate outside the chamber and communicates regularly with other red state Democrats about what works and what doesn't. That's true. She and I talk often. This fatalistic awareness of the limits on their power and the corresponding use of emotional social media appeals, often highly personal ones, to reach national constituencies are hallmarks of this crop of lawmakers. I would pause here and say it's not even a strategy. I and people in my generation and younger than me are digital natives. So it's not like, oh, let me

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get online and make people think a certain way, or let me post this so that people relate to me. It's just normal. I mean, I grew up, you know, in one of the first generations where we always had a computer in the house. And, you know, I started my first blog when I was eight. I was on chatrooms and forums and my parents taught me how to do it all. And, you know, for my kid, it's the same way. So this is just kind of the world that we live in now. It's not even like necessarily strategic. It goes on: In Nebraska, for instance, here we go, State Senator Megan Hunt recently attacked anti-transgender legislation in an intensely personal speech discussing her own son's transition. The next day, Hunt went viral for ripping into GOP colleagues for harming her family. Again, I hate the party. If they had spoken to me, I wouldn't agree with this characterization. Don't ask me how my weekend was, she told them. I don't like you. I did say that.

KELLY: One minute.

HUNT: Thank you, Mr. President. In Missouri, State Representative Ian Mackey confronts Republicans about anti-trans bills by describing his upbringing as a gay kid in a rural area. He recently told them in a speech: Every day I think of the kids who are still there who haven't made it out. Whoo. In Montana, State Representative Zooey Zephyr, the state's first trans legislator, recently delivered a tearful floor speech to GOP colleagues about the long struggle for LGBTQ rights. In Texas, State Representative James Talarico uses his experience as a former teacher to challenge far right legislation, recently earning national attention by getting a Republican to admit that his censorship bill would ban the beloved Western book Lonesome Dove. Some of this is happening in bluer states, too. In Michigan, when State Senator Mal-- Mallory McMorrow went viral for skewering the bigoted anti-trans term "groomer" and loudly defending LGBTQ rights, even hard-bitten veteran Democratic--

KELLY: That's your time, Senator.

HUNT: --operative James Carville conceded it was effective. Thank you, Mr. President.

KELLY: Thank you, Senator Hunt. Senator Day, you are recognized to speak.

DAY: Thank you, Mr. President. Good afternoon, colleagues. I felt the urge to get on the mic once Senator Erdman stood up and made remarks about behavior on the mic and what you're supposed to talk about, what we're not supposed to be talking about. I always find it interesting

that the first people to move to change the rules when something that they don't like is happening are also the same people who continue to refer back to the rules when something that they don't like is happening. And I would also add that, yes, under Rule 2, Section 7, it does say a member shall speak only when recognized and shall confine his or her remarks to the question before the Legislature. And I would say that's exactly what's happening, because as of today, right now, the question before the Legislature, as it has been for the last 60 days is, are we going to continue to make the session about discriminating against trans kids and pretending like nothing is happening? That's the question before the Legislature. The current question before the Legislature as it continues to be, because no one is doing anything to change it is, are you going to pull the bill? Are you going to schedule the bill? Are we going to continue talking about discriminating against trans youth? That's the question. And because no one is doing anything about it, because no one has come to say, here's the compromise, here's how we're, we're going to deal with it, the answer is yes. We are-- you are continuing to make the session about discriminating against trans kids. That's the question before the Legislature. It doesn't-- it doesn't say shall confine his or her remarks to the question on the board. Those are two different things. So until somebody does something to change the status of LB574, then this is what we're going to talk about, because that's the question before the Legislature. And also, I don't know how many times Senator Erdman has stood up on the mic and used his five minutes to just stand in silence and say absolutely nothing at all. But if we want to talk about speaking on the mic and what we should say and what we shouldn't say, quite frankly, I don't think Senator Erdman has any room to speak when we're talking about that. So I'll yield the rest of my time-- no, that's-- that's all I have. Thank you.

KELLY: Thank you, Senator Day. Senator Machaela Cavanaugh, you're recognized to speak. This is your last time before your close.

M. CAVANAUGH: Thank you, Mr. President. Colleagues, LB815 is our salaries. AM1268 changes the number from \$632,000 to \$982,000-- 982 dollars to \$641,000. Senator Hunt, I am wounded, wounded that you wouldn't support this amendment. I'll get over it. I forgive you already. Earlier, I talked about the taxes and what we're going to accomplish this session. So I printed off the article from the Nebraska Examiner about the higher than anticipated fiscal note may require trims in proposed income tax cuts. Before I get to that, I do want to comment on Senator John Cavanaugh's comments. Actually, he and I have not discussed this before, but my children came home from school. This was at the start of the fall semester. And they told me

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about their active shooter training. And it was heartbreaking to know that my kids have to be trained on how to stay alive at school. And it honestly was a little bit haunting to think that I'm sending them somewhere where I can't protect them and the grown-ups in the building can't protect them from a very real and pervasive problem in our country. And I do worry. I do worry when I come here, I worry about the impact that me being their parent has on their safety. And I just worry about them going to school and being safe. And my heart very much goes out to every parent that's ever lost a child. But losing a child to senseless gun violence, preventable. I'm very sorry for all of those parents. So thank you to Senator John Cavanaugh for reminding us about some of the more important things in life. And as Senator Hunt has said earlier today, it's never a bad time to do the right thing. Higher than anticipated fiscal note may require trims in proposed income tax cuts. Main sponsor says some adjustments were to be anticipated, but she has concerns about fiscal estimates. Oh. Oh, goodness. This is really small font. I'm going to have to lean in a little bit here. An income tax reduction package moving through the Nebraska Legislature may have to be skinned up after its estimated fiscal impact came in much higher than anticipated. A new fiscal note released Friday by the Legislative Fiscal Office estimates that LB754 will deliver \$3.89 billion in tax cuts over its first six years, nearly \$900 million more than previously thought. That's quite the rounding error. State Senator Lou Ann Linehan of Elkhorn, the main sponsor of the bill, said Friday that some of the tax cuts called for in the bill might have to be--

KELLY: One minute.

M. CAVANAUGH: --pared back so it fits within the state budget and so it matches dollar for dollar the tax relief by a package of property tax changes and a companion measure, LB243, or as some of us would call it, a companion package. These packages, once we get fiscal notes, we have to look at them again and see how they fit in the box, Linehan said. Lawmakers have amended several different bills into proposals, but update-- but updated fiscal notes, which estimate the projected final impact of a measure, aren't prepared until after a bill gets past the first round of debate. Was this my last time and then my close?

KELLY: This is your last time and then the close.

M. CAVANAUGH: OK. Thank you, Mr. President. I won't get through this article, so I will just yield the remainder of my time. Thank you.

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KELLY: Thank you, Senator Cavanaugh. Senator Hunt, you're recognized to speak. This is your third time.

HUNT: Thank you, Mr. President. And colleagues, I'd be happy to take any time if you'd like to yield it. Senator Machaela Cavanaugh was talking about the active shooter drills at her children's school. I kept waiting to hear from my kid, like, the fear of an active shooter drill and the trauma. You know, we never had those growing up when I was in school, even though I was in junior high or middle school when Columbine happened. And that was kind of the turning point where we started to really accept school shootings as the price of allowing people like Senator Brewer and other members of this body to have unfettered access to any guns they want. So we never had those active shooter drills, but I kept waiting for my kid to come home and talk about, like, the trauma of the drill and he never said anything at all. And so I asked him once, I was like, do you guys do shooter drills? Because never heard about it, maybe they don't do them. And he was like, oh yeah, oh yeah, all the time. Like, what's so disheartening is it's so normal to them. It's like they make, I mean, this is sick. They, not my kid, I don't know, but these kids make jokes about school shooters. They make jokes about, like, dying in a school shooting. They don't care that they have these school shooter drills. To them the gun violence is so normalized and so acceptable and they've all accepted that they might be in a school shooting and eventually their number is going to come up and it's going to happen to them. It's terrible. It's terrible. And the world is this way because we choose that. And we could just as easily choose to make it any other way. But I want to continue finishing this article on the record before I share some thoughts about this as it pertains to LB815, which I'll be voting in support for. And in Virginia, delegate Danica Roem was elected in 2017 as the first openly transgender state lawmaker in the country. She was able to win by making the campaign about nonfraught issues such as traffic congestion. Side note, I remember what Danica Roem's campaign slogan was when she ran in 2017. It was "make government boring again." And I love, like, the first trans legislator running and getting elected on just the issue of good governance and government should be boring. And I want to return to the days where you didn't have to, like, call your lawmaker every week. You didn't have to pay attention to what was happening in the state legislature because you could be assured that they at least weren't trying to take away your civil rights. So her slogan was "make government boring again." It was great. But now she is also speaking angrily in response to Republicans pushing anti-trans legislation and highlighting her own personal suffering from bigotry. As Democratic

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strategist Simon Rosenberg told us, many of these younger Democrats, quote, have only known a radicalized GOP and social media. That's the thing, guys. These younger people, not just younger Democrats, we have only ever known a radicalized GOP. Time after time, they have argued that these battles are about something larger than ordinary policy disputes, involving intolerable affronts to people's fundamental dignity and humanity, intolerable affronts to people's humanity and dignity. And while their procedural parries will mostly fail, just as ours do, they are hijacking media attention and shining it on the culture war cruelties unfolding in their states. Michael Kazin, the author of A New History of the Democratic Party, sees parallels between this generation and previous ones whose deepest political aspirations were shaped in reaction to broad historical events. Quote, Every generation seeks to leave its mark, Kazin told us. As before, he added, this one is trying to realize the promise of a multicultural America against a movement or formation that is trying to pull us back to an earlier--

KELLY: One minute.

HUNT: --sense of what America should be. Thank you, Mr. President. It's a cadre. It's a generation of people. And it's not just one generation. It's older people, too, who are trying to realize the actual promise of this country and the actual concepts of individual liberty and freedom and being able to pursue your own happiness, whatever that looks like, the ability to get an education and have a job and have a family and a support network. But lawmakers can't tell you what that is. The dream is personal responsibility and personal self-determination, not 49 lawmakers in Nebraska, you know, bringing down the decree of what your family should look like, what your happiness should look like, what your healthcare should look like. Colleagues, we really don't know best. Thank you, Mr. President.

KELLY: Thank you, Senator Hunt. Senator Machaela Cavanaugh, you're recognized to close on AM1268.

M. CAVANAUGH: Thank you, Mr. President. OK. So I was reading AM1268. Oh, yeah. I'm closing. I should definitely tell you what AM1268 is. AM1268 changes the amount appropriated from \$632,000 to \$982,000--900. I do this every time-- \$632,982 to \$641,000. So that's what it does. I do want to talk about something. So this was a conversation happening, I think it was before we broke for lunch, about the pages. We were all just chatting it up, noticing that the pages weren't all wearing white shirts today. And we, we needed to get the inside scoop on the lack of the white shirts. And it goes back to Kitty Kearns, who

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was our-- the person who was in charge of the pages. I don't even know what her title was beyond Kitty. But for those of you that are here now, back in the, the cloak room there is a plaque dedicated to Kitty. I only had the pleasure of working with Kitty for a few short months, but she certainly made an impression. But apparently she wouldn't allow the pages to wear anything other than white until after Easter-- I find just fascinating. And what if-- so, like, today is Day 59, what if this were a short session? Easter was late, so you all would only get two days, two days of not wearing a white shirt and one of you is still wearing a white shirt. So that was the big hubbub in this row earlier today, was talking about the pages' splash of color. It did not go unnoticed. Just wanted you all to know that. Sometimes you probably think we're not paying any attention, you're sitting up there all day and we're, like, we see you, we see you. It was-- it wasn't just this row. We were talking and Senator Slama, we we were talking about the pages. And I don't know who told us who had the scoop on it. Brandon? Oh, the Clerk, a former page himself. Obviously, he would know. So, yeah, that was, that was the hot gossip, this row. We really, we really live, live life in the fast lane over here. OK, so LB815 is our salaries. AM1268 changes the amount appropriated. Basically, it would probably be an accounting nightmare so you probably don't want to vote for it, but that is what it is. So I'm just going to save reading the article until I have my next opening because that's a little bit longer time so it's less conjoint-- "disjointed". I'm trying to decide if I'm going to do a call of the house. I think not. I think we'll just do a good old-fashioned machine vote. Thank you.

KELLY: Thank you, Senator Cavanaugh. The question before the members is the adoption of AM1268. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

ASSISTANT CLERK: 1 aye, 28 nays on the adoption of the amendment, Mr. President.

KELLY: The amendment is not adopted. Mr. Clerk, for items.

ASSISTANT CLERK: Mr. President, Senator Machaela Cavanaugh would move to reconsider the vote just taken on AM1268.

KELLY: Senator Machaela Cavanaugh, you're recognized to open on your motion.

M. CAVANAUGH: Thank you, Mr. President. I just want to note that it needed 25 votes, like green votes to be adopted, and Senator John

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Cavanaugh voted against it. You didn't have to vote against it. You could have just been present not voting. No, no, you voted against it. That's going to make for an awkward drive home. Thanks a lot. OK. I also know Senator Dungan did, as well. Yeah. It's something with the rowmates. It's something in the water over there in that row. OK. So I was starting to read this article about the tax package. This is a motion to reconsider the vote that we just took on the amendment that changes the amount up to \$641,000 on the underlying bill, which is our senators' salaries. Going to get in the queue. In the queue, OK. So. OK. Sorry. Just getting back to this. OK. Lawmakers have amend-- amended several different bills into both proposals but updated fiscal notes which estimate the projected fiscal impact of a measure aren't prepared until after a bill gets past first round debate. Both the income tax and property tax bills did that recently in identical 41-0 votes with the updated fiscal note on the income tax proposal released Friday afternoon. The updated fiscal note on the property tax bill is still pending. Senator Tom Briese-- oh, Albion Senator Tom Briese, the sponsor of the property tax measure, LB243, said Monday that the two bills combined have a targeted impact of about \$6.6 billion or \$6.7 billion over six years, so something will have to give. He estimated that LB243 will have a fiscal note of about \$3.3 billion over next six years. So that means changes would be needed in the income tax proposal. Linehan and Briese both agreed that preserving the tax cuts in personal and corporate income taxes are the highest priority in LB574 [SIC] as well as eliminating state tax on Social Security. Under the bill, the state's top personal income tax rate and corporate tax rate would gradually fall. I take issue. That's an editorialization to say gradually. It will fall to 3.99 percent. Gradually is subjective. Income tax cuts touted. Proponents say it's more-- it's a move to make Nebraska more competitive with neighboring states. Governor Jim Pillen predicted it would move the state within the lowest 15 states in the country in terms of state taxes. Critics, though, point out that the income tax cuts impact only the highest tax brackets. And there's little tax relief in LB574 [SIC] for low-income Nebraskans. Linehan said she had questions about the accuracy of the new fiscal note. For instance, the latest fiscal note estimates that the cut in personal income taxes will be a \$750 million a year tax break by '28-- 2028-29, which is substantially higher than the estimate in February, which projected the impact to be \$609 million. So going from \$609 million to \$750 million. The senator who leads the Legislature's Revenue Committee, which crafts tax proposals, said she planned to ask the Legislature's Fiscal Office for more information about its latest fiscal note on LB5-- LB754. Messages left for the office Monday by the Examiner, well, we were closed on Monday. That's why they weren't

answered. It was a, a holiday for staff. So Linehan-- so just wanted that noted that nobody was purposely not answering. Linehan said if trims are needed, parts of LB754 could be delayed. She said that perhaps a tax credit given to companies that provide childcare programs could be pared back, something Briese said he would not support. The rural senator said affordable childcare is among the top three issues he hears from constituents, right behind high property taxes and lack of affordable housing. Linehan and Briese said they both want to see what the new fiscal note on the property tax bill reveals before making any decisions. They said the April 27 forecast from the state Economic Forecasting Board will also provide a clearer picture of the state's future tax revenue and whether changes need to be made in this year's tax bills. Rebecca Firestone of the Lincoln-based Omaha-- OpenSky Policy Institute, said her organization remains concerned about the state's ability to withstand such drastic cuts in state revenue without impacting other services. Pillen's budget officials have insisted that the state has a healthy surplus of tax revenue and that a robust Cash Reserve will sustain the tax cuts. So that's the end of the article. I would say so this has been kind of an ongoing thing when any of us have expressed concerns over the tax package. Senator [SIC] Pillen's office insists that we have a healthy surplus. They insist it, but they have no evidence. They have done nothing to show us how that is going to work. I insist that I am five nine. I'm not five nine. Just because I say something doesn't make it real. You have to have some sort of empirical evidence or data, facts, but just insisting it doesn't make it so. It's kind of like when we talk about tomorrow, LB626. Just because we insist that there are no problems with how it is written, that doesn't mean that there aren't any problems with how it is written. It is still extremely problematic to the medical community who insist that it is extremely problematic. So-- but that will be a conversation for tomorrow, where we can talk about the alternative universe where everyone in here is a medical expert and knows better than the dozens of medical experts that came and testified in opposition to the bill. So I look forward to the Forecasting Board's forecast later this month to see how this all plays together. How much time do I have left?

KELLY: 3:20.

M. CAVANAUGH: OK. So again, this is our salary and I believe that we are not paid adequately. I'm sure in saying that I'm getting all sorts of, like, really delightful emails from people that are disparaging about public servants. Here's the thing about being a public servant. Any public servant, any elected official, I don't care who it is. I don't care how much I love your policies or how much I hate your

policies. You are still doing a job and should be compensated. And I don't know when we got as a country and a culture to this point where it was like they shouldn't be paid. We-- our tax dollars shouldn't be going to pay these people. Well, you vote for people to do a job. You should support paying them to do that job. And that's been something that I've always found kind of fascinating, like, why? Why don't you believe that people who are doing work on your behalf should not be paid? That doesn't make any sense. I mean, yes, it is a choice to be here; but essentially, it's a choice in any job that you have to have that job. Once you get hired for the job, it is your choice to have that job. You should be compensated for it. And we have protections in the rest of the workforce for compensation, a minimum compensation, a minimum wage, but not for us. And I am kind of curious how that actually works in that we have-- we have a federal minimum wage, we have a state minimum wage, and then we have our salary. And how is it, even though it's in our constitution, doesn't being in the state constitution--

KELLY: One minute.

M. CAVANAUGH: --circumvent all of those other rules and regulations as far as wage earning go, that we don't have to be paid the minimum wage because it's stated in our constitution what our wage is? And if so, shouldn't we be limited to working only the number of hours that would lead us to that minimum wage amount? Interesting question to consider perhaps, or maybe it's not interesting. Maybe nobody cares. I'm just now looking at the handout from Senator McKinney on Nebraska's criminal justice crisis. And so that's probably what I will be speaking to my next go-round, which looks like it is actually next. So I'll just yield and go to the next time.

KELLY: Thank you, Senator Cavanaugh. And you're next in the queue.

M. CAVANAUGH: Thank you, Mr. President. Nebraska's criminal justice crisis, urgent challenges and proposed policy solutions from the Criminal Justice-- Crime and Justice Institute, or CJI. So for those that are new to the Legislature, last year we had LB920, which was a criminal justice reform package. And it was informed by recommendations from CJI that did a massive study and report and recommendations to Nebraska. We hired them as a state. We hired them to do this and then we did not implement their recommendations because of politics. So now we are still trying to enact criminal justice reform. And part of the reason that we did not have the money moved forward to build a prison last year was that we were waiting for the criminal justice reform package to happen. Now, unfortunately, we have

had the Appropriations Committee move forward with the funding of the prison. That doesn't mean that it's automatic. It still will be heavily fought on the floor of the Legislature, as will many other things that the Appropriations Committee is doing because even though they are the committee that hears those bills, we do not have to put all of our faith and confidence in their judgment when it comes to being stewards of the taxpayer dollars. That is incumbent upon each of us individually to advocate for and negotiate what we think is appropriate within the state budget. So the criminal justice crisis. Urgent challenges and proposed policy solutions, this is January 2023, Justice Reinvestment Initiative Nebraska: The Crisis. Nebraska's Corrections system is in crisis. Over the last decade, Nebraska increased its prison population by 21 percent, outpacing state population growth nearly threefold. Imagine the workforce we could have if we stopped incarcerating people at that rate. That would be good for our economy. You know, I mean, I think maybe-- they probably pay taxes on the income that they make while incarcerated, but I'm pretty sure that the income that they make while incarcerated is so low that they probably actually don't pay taxes on it. But imagine if instead of incarcerating people, we had a community-based criminal justice reform that kept people in their communities, kept them in the workforce, kept them as taxpayers, what a beautiful thing that would be. OK. So outpacing state growth nearly threefold, Nebraska was one of just four states across the country that saw its incarceration rate increase in 2020, bucking national trends focused on lowering incarceration and crime rates at the same time. Unsurprisingly, Nebraska's prisons are bursting at the seams. Nearly every state prison is operating above capacity, with six of the ten prisons at over 120 percent of operational capacity as early-- as of early 2021.

ARCH: One minute.

M. CAVANAUGH: According to 2020 data, Nebraska has the most acute prison overcrowding in the country. The swelling of Nebraska's prisons has commandeered a sizable portion of the state's budget, with Corrections' expenditures increasing over 51 percent since 2011. In 2020, Corrections' expenditures were over a quarter billion dollars, \$272.3 million, not including an estimated \$270 million for a new prison to meet the needs of a growing prison population. Yet, this increasing financial burden for Nebraska taxpayers has not enhanced public safety. Over the last decade, recidivism rates have not declined, with nearly one-third of individuals released from prison returning within three years. Given these conditions, the Corrections system is unable to do what taxpayers expect: divert people from

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criminal behavior after release. It is costing us money to continue to do--

ARCH: Time, Senator.

M. CAVANAUGH: --what we're doing. Thank you.

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

HUNT: Thank you, Mr. President. I rise again in support of LB815. Speaking about the salaries that we receive here in the Legislature, I want to clarify for people who are watching at home that what this bill does, what LB815 does, does not raise our salaries. We're not debating a raise in our salaries. This is part of the budgeting process to just appropriate the funds for the salaries that we earn according to the constitution. We wouldn't be able to raise our salaries without your vote and your support. Because it's in the constitution, it would have to be a constitutional amendment so that would be on the ballot. And that's why we haven't gotten a raise in a long time and, you know, that's fine with me. I mean, I, I didn't go into this job to complain about the money. I mean, it's-- one can, one can complain no matter what their job is about something. But, you know, I knew what it was going to pay and here I am earning what I thought it was going to pay so I have no complaints about that. But the qualm I have about it is not how it affects me or my family, it's how it keeps other people from being able to participate in our electoral process and our elective process. Somebody who's a single parent who lives more than an hour away could probably never run for office. So the fact that I live in Omaha and it's close enough for me to drive is a huge privilege. And somebody like me who lives more than an hour away could probably not practically do this job or not do it as easily or need to have a lot of other types of support and all of us certainly do this job with support. This brings me to our staff. I, I want to recognize the work that our staff is doing on amendments for these bills because once we changed the rule, with Senator Erdman's rule change, to make it so that we can't file subsequent motions, we can only file three motions on each bill per day and only these certain motions. And then if somebody files those motions already, like today, Senator Clements filed the motions on LB815 so he could then withdraw them, now no motions can get filed on at all. But we can file amendments and then we can file motions to reconsider amendments. And this has created a lot of work for staff who are eager drafting or busy drafting those amendments. Drafting motions is something that we can do pretty quickly and easily on the fly on the floor. We get these yellow pads and I have a, I have an old motion on here that I didn't

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file. It was from April 6, says reconsider vote on motion 650 and then you sign it and you tear this off and give it to the Clerk and then they file the motion really quickly. Usually it's kind of polite to give the Clerk a heads up that you're going to make the motion if you know you're going to, so that they know what's coming down the pike and they can prepare up there. Before I got elected, I thought it was amazing watching the way the Clerk works so quickly. And like, of course, the answer is so obvious: they know what's going to come up. They know it's happening, either from experience and they've seen, you know, what's happened before or senators have given them a heads up or when you're up there on the dais you can look around and sort of see the motions in the ocean and see what people are doing and who's talking and who's got the Rulebook out and, you know, maybe put together a little bit of a narrative about what you can expect coming down. I have already gone through one motion pad this session. This is my second one and--

ARCH: One minute.

HUNT: --thank you, Mr. President-- Senator Chambers, who sat behind me for two years, he would use these motion pads-- well, you know, he filed motions all the time and he taught us how to do it, but he would use these pads as a notepad, as well. And if you walked over to him and talked to him, you would see on the yellow notepad just covered in notes and reminders and little words to remind him what he was going to say or talk about. And it's sort of like what I do, I just use these little pads that are made from recycled paper from the Capitol. But I have a huge pile of them and I literally just write a thought that comes to my head related to a bill or something I wanted to talk about or something that I was reminded about another bill or a question I had for a senator and then once I get to it, I cross it off. So there's all these different papers and they have notes on them, some of them are crossed off, some of them aren't because I didn't get to--

ARCH: Time, Senator.

HUNT: --what I was going to say. Thank you, Mr. President.

ARCH: Senator Machaela Cavanaugh, you're recognized and this is your last opportunity before your close.

M. CAVANAUGH: Thank you, Mr. President. So I did some asking around and there's no easy way to find this information. I think there was even an article about-- I think it was in the article about LB574 that

because top surgeries for minors tend to be out of pocket and not through insurance it's much harder to track. Since 2017, there's been roughly 15 top surgery reduction, breast reduction surgery for minors in Nebraska, 15 a year for minors in Nebraska who are not transgender. So when we're talking about top surgery for transgender youth, we're talking about somewhere between three and five a year. So the Legislature, with Senator Jacobson's amendment, is willing to target three to five children, but let that other 15 or so a year have whatever surgery they and their parents deem appropriate. That's what's happening, colleagues and Nebraskans. About 15 kids a year get breast reduction surgery. I don't know why. I don't care why. Unless they are my child, it is none of my business why. It could be for a multitude of reasons. I had a friend in high school who had two different sized breasts. Very large. She wanted to have her breasts the same size, and she wanted to have smaller breasts. So she had breast reduction surgery and she was under 19. And with Senator Jacobson's amendment she could still, if she were a minor today, have that surgery. It's just if she wanted to live as a boy that she couldn't have that surgery, that is the problem. That is the problem. And I am begging my colleagues to wake up and understand the ridiculousness of this conversation and come to me and say, Senator Machaela Cavanaugh, please for the love of all that is good and holy stop talking. You're right, that is a problem, that makes no sense. I don't think I understood it before, but I understand it now. And you're right, that is a problem, that is discrimination, that makes no sense. If we are going to outlaw surgery, we cannot do it based on how the patient identifies. And that is what we're trying to do. And we're trying to do it saying that we care about trans kids. Well, why don't you care about busty kids that have back problems? Why don't you want to stop them from having surgeries until they're 19? This all could have been done and over with, but Senator Jacobson wanted to create this amendment that still discriminated, really clearly actually discriminated in its purest form of clear discrimination. Take it to the courts, it's going to be overturned because it's clearly discriminatory. That compromise amendment is hugely problematic.

ARCH: One minute.

M. CAVANAUGH: And that is why people voted for LB574 to advance it. Senator Jacobson included to advance it to get to an amendment that clearly discriminates based on gender identity, which will be deemed unconstitutional, because it is discrimination against people because of who they are. So here we are on Day 59 still talking, still talking and talking and talking and it is exhausting. And nobody is trying to fix it, nobody is trying to fix it. You want me to sit down so you can

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discriminate and I won't sit down so you can discriminate. I want you to not discriminate. Thank you, Mr. President.

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

HUNT: Thank you, Mr. President. Is this my third opportunity?

ARCH: No, it's your second.

HUNT: OK. Thank you. Yeah, what Senator Machaela Cavanaugh is saying is totally right. And you know what you would call it if somebody who is 17 or 18 in Nebraska and who would need parental permission to get some kind of surgery, breast reduction, breast implants, some surgery for gynecomastia for a boy, rhinoplasty, that's a nose job. Any kind of filler that anybody wants to get in their face, you know, I'm not going to pass judgment but I know that younger and younger girls are getting filler in their face so they can look like an Instagram filter. It is what it is. That's the world we're living in. Kids are doing it. Are they trans? No, they're cisgender, they're straight and they're, you know, do you, do you guys want to say anything to pass judgment on the parents of those kids who are, you know, getting these types of procedures which are gender affirming? I think what we need in LB574 is a clarification about what gender-affirming care is, because all of us do gender-affirming things and there are things that are medically reasonable and medically necessary, like a breast reduction for a, a young woman, a girl who has too much breast tissue and it's affecting her back or whatever. These surgeries have been done for a long time and they obviously help improve the quality of life of the people who get them. Even though they are major surgeries, even though they are major procedures, no one in this Legislature would stand up and say, well, they shouldn't be able to get that either. Maybe we should ban surgery for everybody under 19 in Nebraska, any kind of surgery because it might change their bodies and they're not old enough to consent or understand what it is that they're doing. I'm hearing and I'm, I'm actually going to say what I'm hearing. I, I might be wrong. I'm hearing that LB574 is going to come back up on Thursday, that it's likely to be rescheduled, that is likely to be scheduled on Thursday. What else is happening Thursday, colleagues? The Westboro Baptist Church is coming to Nebraska, beckoned eagerly by Senator Kathleen Kauth, who introduced a bill legalizing bigotry, legalizing discrimination, made it her priority. It's her favorite thing to do this year is just harm children openly, and her homies from the Westboro Baptist Church are going to be here to celebrate. They're the people who hold up the signs that say God hates fags. Do you think those are going to be in our Rotunda? Do you

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guys think we're going to have people up in the balcony on Thursday cheering on Senator Kauth and her hateful, discriminatory, bigoted bill to take away healthcare from kids with their God hates fags signs? I'll tell you, if that was my bill and I looked out in the Rotunda and I saw that the people on my side of the issue were holding a sign that said God hates fags, I wouldn't be too proud of myself. I'd probably die of embarrassment, actually. Honestly, if there's ever a bill that you guys want to kill that I've introduced, just get the Westboro Baptist Church to come in and say they agree with me, that will get me off the issue real quick. It's called having principles. It's called standing up for something because you know it's the right thing to do. Anybody who is supporting LB574 is doing it out of sheer ignorance--

ARCH: One minute.

HUNT: --thank you, Mr. President-- out of information that's based on stereotypes, that's based on rumors, that's based on fear that you saw on Tucker Carlson or something. I mean, these Westboro Baptist Church people, they're promoting their-- I'm looking at their flier. They're promoting their Truth Social account and their gab.com account. These are known platforms for white supremacists. If you introduce a bill and all the I hate fags white supremacists show up in the Rotunda, you're proud of yourself? A mess. Thank you, Mr. President.

ARCH: Senator Day, you're recognized.

DAY: Thank you, Mr. President. I rise, I'm not sure where I'm at on LB815. LB815 is a bill to basically pay senator salaries. And at this point, we have to start having a conversation about priorities. We're voting on a bill to pay senators to codify the elimination of human rights, and I don't support that. Maybe you shouldn't be getting paid. Yes, I can see you guys whispering over there. I don't understand how you people can function. I don't get it. The Westboro Baptist Church is coming on Thursday. Are you kidding me? This is literally one of the most radical religious groups in the country that's showing up here because they've been called by you all. Do you think you should get paid for that? I don't. I'm willing to forgo my salary and vote no so that you all don't get paid for this. The priority from the beginning of this session of many of the senators in this body has been to, one, pack and crack committees to ensure that their awful bills will get out; two, shove those bills through Exec Session with no amendments, regardless of the public testimony, which, again, we've talked about was a problem itself. Not everybody got to testify, the sides were clearly not even but the time that was given was even, give

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those bills priority hearings so they were scheduled earlier than any of the other bills to actually address the real problems that Nebraskans have today, like food insecurity and poverty and, and inflation and all of the issues that are actual problems for Nebraskans today. Priority hearings, shove the bills through Exec Session with no amendments and then vote for a bill that you don't even support. That's your priority. And tomorrow, tomorrow, what do we have on the schedule? A near-total abortion ban, because these are the priorities of this body. They don't care if you can't feed your family. They don't care if you can't afford to buy groceries. We have made the entire session about hateful, discriminatory bills. And we continue to do so, because no one will do anything but sit back and let it happen.

ARCH: One minute.

DAY: Thank you, Mr. President. So tomorrow we have a near-total abortion ban scheduled. And as Senator Hunt just mentioned, possibly the second round of debate on LB574 on Thursday. I will mention it again, I have a SNAP bill that is stuck in committee, that I am working hard to get out. It costs virtually nothing, \$500,000 for-- over the course of the next two years to feed 10,000 Nebraska families. Cannot get it out of committee. But yet, we're scheduling a near-total abortion ban tomorrow while we continue to discuss LB574. These are the priorities of this Legislature. And no one is doing anything to change it.

ARCH: Time, Senator.

DAY: Thank you, Mr. President.

ARCH: Senator Hunt, you're recognized to speak. This is your last opportunity.

HUNT: Thank you, Mr. President. Yeah, imagine voting for a bill that you don't support, that you know harms people, that you know has tied up the entire session because of your vote that you don't even stand by while supporters who are on your side are standing out in the Rotunda holding signs that say God hates fags. Well done. Really nice job. I hope that you write that in your diary for your fricking gratitude list. Well done. So I want to recognize the staff for working on all of these amendments that they're doing in order to make it possible for us to speak about the bills that come before us, to make sure that we're doing our due diligence to make sure that we've considered all of the possible consequences of these bills. On LB815,

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given what's happening in this body during this session, I agree with Senator Day that I would, I would sink LB815 and forgo my salary to, to stop the progress and the process of this session. There is almost nothing that I wouldn't give at the negotiating table to kill the anti-trans bill and to stop the abortion bans. This is the wrong direction for our country and for our state. And I think that a Legislature that's prioritizing these culture war issues when there are over 700 other bills, other pieces of legislation that are worthy and important and that I don't even quite support but are better than this. We had all-day hearings for the first, you know, two, four, however many weeks of session so we could hear all 700-plus of these bills and we're not even going to be able to get to, you know, a, a significant percent of them. Senator Arch said or Speaker Arch said that he thinks that we'll only get to pass 21 bills because of these filibusters. No. Flip it around. You're only going to get to pass 21 bills because of you, because it's more important to you to discriminate against kids than to pass more than 21 bills. That's your gamut, that's your bargain, that's what you've signed up for. So, you know, I thank the staff who are working on these amendments and they're staying late nights just like us. When we have late nights, Speaker Arch has arranged for a local restaurant to come and feed us, to come and bring some food into the Capitol for the senators to eat. Staff isn't allowed to eat that food, the people who support us aren't allowed to eat any of that food, or they bring out what's left over and they sit it on the benches out here so people can, you know, go at it like some of the pigs at Pillen's farm. It's not respectful. It's nasty. In my office, we get DoorDash, like, basically every day. We're always ordering something and I'm sure no one would do this, but you sure can. If there's ever any staff that, like, doesn't have dinner and is working late, like, please come to my office because we're getting DoorDash anyway so you can throw your order in with us. It's all good. I was contacted by The Nation, which is a, a magazine, an online publication, and I was first contacted by them in 2015 when I was working with Omaha Public Schools and the Women's Fund and Planned Parenthood and a lot of other organizations on updating Omaha Public Schools'--

ARCH: One minute.

HUNT: --comprehensive sex education curriculum. Thank you, Mr. President. At the time, Omaha's sex ed curriculum, they call it human growth and development. Their human growth and development curriculum hadn't been updated since 1971. And since that time we've had the AIDS epidemic. We've had an increasingly out and increasingly depressed and suicidal LGBTQ+ population. We've had the Internet and all the

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challenges that come with that, pornography, you know, chat rooms, all of these things. But there were kids who were getting the same sex education that their grandparents had gotten in Omaha Public Schools. And if anybody would like to yield me time, I'd like some time to finish this thought. Thank you, Mr. President.

ARCH: Senator Day, you're recognized.

DAY: Thank you, Mr. President. I will yield my time to Senator Hunt.

ARCH: Senator Hunt, 4:50.

HUNT: Thank you, Senator Day. It's kind of you. I know you were on a roll and you had some really great thoughts, too, that I'd like to continue to hear. But Omaha sex education curriculum hadn't been updated since 1971. Obviously, the world is very different since then. And a lot of the kids in OPS were getting the same sex ed that their grandparents had gotten, which isn't appropriate. We know that a lot has changed. Also, at the time, Douglas County had some of the highest rates of STDs and STIs in the entire nation, not just the region, not just Nebraska, the whole United States of America: chlamydia, gonorrhea, herpes simplex, too much going on in Omaha. And I was part of a group that knew that one really low cost and really effective way to address this public health crisis was just updating our sex ed, just going to the drawing board and saying, look, no one's touched this curriculum since 1971. Why don't we make sure that kids are getting medically accurate, age-appropriate, research-based information about their own bodies and their own futures and consent and their health and reproduction and STDs and STIs and all of these things in a way that makes them prepared for life in an age-appropriate way, medically accurate, you know, the right way, obviously. And long story short, it was the most contentious, not since, not since we tried to do at the state level, but it might have been more actually. At the time, in 2015, it was the most contentious thing I had ever been a part of. It was the first time I felt like I was in the arena and I was just a mom, I was just a neighborhood mom. I owned a clothing store with a bunch of my friends and I was just a girlie from the neighborhood. And I was in this hearing at the Teacher Administration Center in Omaha, the, like, big building for Omaha Public Schools, and they had a hearing on the sex education standards for the curriculum on October 20, 2015, I want to say, and it was bedlam, mayhem, this woman stood up in front of me and I took a video of her, actually. It went, like, semi-viral at the time. And she's standing up yelling about how she has five daughters. I've got five daughters. Who's going to tell my five daughters, you know, what it

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means to see a penis or something like-- people are yelling the craziest stuff about their deepest fears about their kids getting medically accurate sex education information. And at the end of the day, though, we were successful. Senator Tony Vargas and Senator Justin Wayne were on the school board at the time. That's actually how I first met both of them, is I was going to coffee with them, I was talking to them as a parent, I was trying to get them to support updating the sex ed standards. And long story short, we did it and it was so exhilarating and so fulfilling to have what felt like a progressive win in a conservative community and to have what felt like a progressive win that didn't come at the cost of conservative values. You know what I mean? I don't like it when we have a win and it feels like one side lost, like there's a loser, like we've left someone behind. But in this case what we did is we ensured that school-age kids in Omaha, to, to the best degree that we could, were getting age-appropriate, medically accurate, research-based education about their health and their bodies. And we started to see the rates of STDs and STIs--

ARCH: One minute.

HUNT: --in Douglas County go down. They've started to decrease, and I don't know correlation, causation, but I'm comfortable saying that a big reason for that is because we know teens in Omaha are finally getting accurate sex education. It matters a lot. It means a lot. At the time that all this was going on, I started to realize that people were seeing me not just as a business leader, but maybe as a political leader. Like, I was drafting all of these letters to the editor and distributing them and helping people lobby and I didn't know how to do it, but I just cared a lot about it. And that was when The Nation first, first reached out to me through one of my best friends and I'll continue on my next time on the mic. Thank you, Mr. President.

ARCH: Senator Raybould, you're recognized.

RAYBOULD: Thank you, Mr. President. I would like to yield my time to Senator Hunt if she so chooses.

ARCH: Senator Hunt, 4:50.

HUNT: Thank you, Mr. President. And thank you, Senator Raybould, very much. One of my best friends, my best friend really, her name is Dr. Sofia Jawed-Wessel, and she's the doctor of public health and she specializes in maternal health. She does a lot of long-term research, longitudinal research, I don't know, about, you know, how to improve

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pregnancy outcomes for women. That's kind of her specialty. And she was also very active in this fight to update our human growth and development curriculum in Omaha Public Schools. And the editor of The Nation, Don Guttenplan, reached out to her and we went and had dinner with him. He actually came to Omaha. It's always crazy as a midwesterner, as a, you know, Nebraskan when there's national press in our state. Like, I mean, The New York Times was here for a couple of weeks when we were debating Senator Kathleen Kauth's discriminatory bill, that felt crazy. Sometimes people are here from, like, MSNBC or CNN and that feels weird, because I just, you know, it doesn't feel like a big deal to me. We have lawmakers who are our friends in other states who, like I've got this friend in Pennsylvania he's always on MSNBC. All he does is go on Rachel Maddow, this and that. All he does is go on Fox News. He's like, you know, part-time lawmaker, full-time talking head on TV and to them over on the coast, like, it's normal. Like, that's where the studios are, that's where they're filming stuff. If they want, you know, a progressive or a conservative to come and give a hot take on something they've got a whole rolodex of lawmakers in those states that they can just bring over. It's a two-hour drive or, you know, maybe less. Not so in Nebraska, so I was really shocked and impressed that Don Guttenplan came to Nebraska to talk to us, especially since we weren't, quote unquote, anybody. Like, we weren't elected officials. I was still not even thinking about running for office. I had no aspirations for that. We just wanted our kids to stop getting STDs, basically, and wanted them to have safe, consensual, healthy relationships. This was also kind of a lot of the pre-MeToo energy, where something was really bubbling up. And women and queer people and people who are anyone who's often targeted for sexual violence, which would be women, people of color, queer people, were just really, really starting to get fed up with the culture of sexual violence that we have in our country. And this was a part of that, this was maybe pre-MeToo, like, an early part of that. So we sat with him at Lot 2 in Omaha, which is a great restaurant, and talked about the things that we are still talking about today, about basically who are these radicals who are opposing age-appropriate, research-based, medically accurate health education for kids? I mean, even my mom who went to Catholic school in Iowa got sex education that was more accurate than what public school kids were getting in Omaha at the time. So it's not like it's too prurient or something for, for kids to understand, especially if it's done in an age-appropriate way which, of course, it should be. So the question Don was asking us was just what is happening to the far--

ARCH: One minute.

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HUNT: --right? Thank you, Mr. President. What is happening to the Republican Party? Why have we come off of deregulating businesses, lowering taxes, you know, all of the kind of fiscally conservative things that, you know, when I was Senator Slama's age that I was a Republican because I supported those things. But it's not about that anymore, is it? It's about harm. It's about literally maximizing the harm, whether you're doing it by the way Senator Ben Hansen prevents people from testifying in his committees or the way Senator Albrecht prevents Senator Conrad from asking questions in committees or whether you're doing it by literally taking away people's access to healthcare to a degree that Westboro Baptist Church comes and sits in the Rotunda, cheering you on telling you you're doing a great job. That's how you know you're on the wrong side of history. Thank you, Mr. President.

ARCH: Senator Day, you're recognized. This is your last opportunity.

DAY: Thank you, Mr. President. So going back to what we were talking about before with priorities and whether or not we should be paying senators to essentially eliminate people's access to healthcare and violating human rights, I'm not sure that we should. And as for the Westboro Baptist Church saying I hope you all are proud of yourselves, I just-- it blows my mind sometimes. I think every time something like this happens, where we have an extreme group that's showing up to support a piece of legislation or we see an elected official doing something just really awful and disgusting, I always think, OK, this is going to be the time that they're going to get it. This is going to be the time where they're going to wake up and they're going to be, like, oh, wait, maybe what we're doing isn't so great. If we have the Westboro Baptist Church showing up because they support LB574 and LB626 and all of the other awful pieces of legislation that are being shoved through this session, maybe what we're doing is bad and we should take a step back. But unfortunately, my experience over the last several years has been that there is nothing that will make you people realize that what you're doing is awful. You think that people are listening and, and they're like, oh, Westboro is going to show up, that's bad. We don't want to be aligned with a group like that, but you guys don't care. Everybody just types on their computer underneath the balcony. Nobody cares. I don't, I don't get it. Tomorrow, we have a near abortion-- near-total abortion ban scheduled and since we're talking about priorities, we're going to start talking about the bills that are getting time on the floor. Again, maybe 21 bills will be passed this session and decisions are being made about which bills those are going to be. And there has been a decision that has been made that LB626 is one of the priorities for this body this session.

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In terms of the destruction of abortion rights in the United States and what has happened since the overturning of Roe v. Wade last year, it's gotten to the point in the U.S. where the United Nations is being urged to intervene over the destruction of U.S. abortion rights. Here we are in Nebraska taking another step towards eliminating basic bodily autonomy and access to medical care and thinking nothing of it, while people are urging the United Nations to intervene in what's happening here and none of that gives us pause. Top human rights organizations are calling on the United Nations to intervene over the destruction of abortion rights in the U.S. In a letter shared in advance with The Guardian and sent on Thursday by nearly 200 organizations and experts, the authors detail how, since the overturning of the federal constitutional right to abortion in June 2022, some 22 million women and girls of reproductive age live in states where abortion access is now either banned or inaccessible. Among the signatories are the Global Justice Center, Pregnancy Justice, Amnesty International, and Human Rights Watch. They are joined by a broader coalition of groups and individual advocates for human rights and racial and economic justice. Abortion restrictions, the signatories write, deny women's decisional and bodily autonomy in a way that rejects the agency, dignity, and equality of people who can become pregnant. The groups in the letter claim that overturning the constitutional right to abortion--

ARCH: One minute.

DAY: --thank you-- contravenes the U.S.'s international obligations as a U.N. member organization. Member States are obliged to protect and uphold the rights to life, health, privacy, liberty and security, along with freedoms from torture and inhumane, cruel, or degrading treatment. The United States' role as a leader on the world stage does not exempt the country from these obligations. In fact, it should require them to do more, said a representative from the Global Justice Center, which is one of the signatories. The United States must be castigated on the world stage for its treatment of women, girls, and others who can become pregnant. The scale and intensity of human rights violations that the United States is inflicting on its own population are near unfathomable at this point, said Christine Ryan, legal director of the Global Justice Center, in a phone interview. It's become almost tragically ironic that the U.S. government uses--

ARCH: Time, Senator.

DAY: Thank you, Mr. President.

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ARCH: Seeing no one left in the queue, Senator Machaela Cavanaugh, you're welcome to close on your reconsideration motion.

M. CAVANAUGH: Thank you, Mr. President. Wow, I think it's been a little bit since I've been up here. OK. So LB815 is our salaries plus the Social Security match and AM1268 changes the amount from \$632,982 to \$641,000 and this is a motion to reconsider the vote on the amendment. I would like to again point out that Senator John Cavanaugh voted against the amendment. Even though it only-- it needed 25 green votes to be adopted, he chose to vote against the amendment making for an awkward commute. So I just wanted to make that clear for the record that I have not forgotten your vote, Senator John Cavanaugh, and I will remind you of it often. OK. So, again, I'm up here because of LB574. I am taking all of this time because of LB574, apparently LB574 is potentially, according to the rumor mill that Senator-- well, maybe it's not the rumor mill, maybe it's been confirmed, that LB574 will be on Thursday when the Westboro Church is here. The church that protested at the funeral of children that were murdered at Sandy Hook. So that's going to be fun. That will be a great thing to look forward to, is having literally the worst human beings that I can think of sharing space with, here in support of the anti-trans bill that is trying to be marketed as a pro-trans bill while, as Senator Hunt put it, there will be signs about hating faggots or murder faggots, I don't-- a barrage. If the word faggot is being used, you know it's bad. I don't think they even use it in the UK anymore when they're talking about cigarettes. It is not a good thing. So if people are showing up with signs or even if they're not showing up with signs, if they're just people who are known for calling the LGBTQ community faggots, you probably don't want them supporting your bill, but they do because your bill attacks trans youth. Not helps, attacks. And the amendment to the bill, the compromise amendment to the bill is the worst part of the discrimination of it all. The worst part, because it clearly prohibits surgery based on how you identify. You can have surgery, you can have plastic surgery, rhinoplasty, you can have all these other surgeries if you want to live as the gender you were born, assigned at birth. But if you want to live not as your assigned-at-birth gender, then the surgeries are prohibited and you are actually legislating discrimination into medicine. And that should be problematic for everyone.

ARCH: One minute.

M. CAVANAUGH: That should not be a political party ideology. No one should be OK with legislating discrimination, no one should be OK with putting discrimination into state statutes, and no one should be OK

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with forcing the medical community to discriminate against their own patients based on gender identity. That is not OK. That is not OK. But that's what's going to happen on Thursday, because I assume it's being scheduled because it has the votes. So obviously, my pleas, begging you to not vote for it are going to go completely unanswered so I will just keep on talking. And there we go. I don't know. Sure, let's do a call of the house, roll the dice. See how people are feeling this afternoon, maybe you'll do it. Thank you, Mr. President.

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

CLERK: 13 ayes, 2 nays to place the house under call.

ARCH: The house is under call. Senators, please record your presence. Those unexcused senators outside the Chamber, please return to the Chamber and record your presence. All unauthorized personnel, please leave the floor. The house is under call. Senators Conrad, Wishart, Fredrickson, Armendariz, Lippincott, Vargas, DeBoer, Clements, McDonnell, please return to the Chamber. The house is under call. The motion before the body is the reconsideration of the vote. All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please call the roll.

CLERK: Senator Aguilar voting no. Senator Albrecht voting no. Senator Arch voting no. Senator Armendariz. Senator Ballard voting no. Senator Blood not voting. Senator Bosn voting no. Senator Bostar voting no. Senator Bostelman voting no. Senator Brandt voting no. Senator Brewer voting no. Senator Briese voting no. Senator John Cavanaugh voting yes. Senator Machaela Cavanaugh voting yes. Senator Clements. Senator Conrad voting no. Senator Day not voting. Senator DeBoer voting no. Senator DeKay voting no. Senator Dorn. Senator Dover. Senator Dungan voting no. Senator Erdman. Senator Fredrickson voting no. Senator Halloran voting no. Senator Hansen voting no. Senator Hardin voting no. Senator Holdcroft voting no. Senator Hughes voting no. Senator Hunt voting yes. Senator Ibach voting no. Senator Jacobson voting no. Senator Kauth voting no. Senator Linehan voting no. Senator Lippincott. Senator Lowe voting no. Senator McDonnell. Senator McKinney not voting. Senator Moser voting no. Senator Murman voting no. Senator Raybould not voting. Senator Riepe voting no. Senator Sanders voting no. Senator Slama voting no. Senator Vargas. Senator von Gillern voting no. Senator Walz voting no. Senator Wayne not voting. Senator Wishart. Vote is 3 ayes-- Senator Lippincott voting

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no. Vote is 3 ayes, 33 nays, Mr. President, on the motion to reconsider.

ARCH: The motion fails. Raise the call. Mr. Clerk.

CLERK: Mr. President, some items quickly. Your Committee on Urban Affairs, chaired by Senator McKinney, reports LB329 to General File. Additionally, amendments to be printed: Senator Hunt to LB282. Excuse me, Senator McKinney reports legislative-- and the Urban Affairs Committee report LB329 and LB462 to General File. Amendments to be printed: Senator Hunt to LB282. Concerning LB815, Mr. President, the next amendment from Senator Machaela Cavanaugh, Senator Cavanaugh would move to amend with AM1263.

ARCH: Senator Cavanaugh, you're welcome to open on your amendment.

M. CAVANAUGH: Thank you. And I just want to personally thank Senator John Cavanaugh for voting green that last vote, really means a lot. The car ride will be less awkward now. So I wanted that in the record. OK. AM1263, just going through here, AM1265, AM1264. OK. Sorry, bearing with me, here we go. This is striking the enacting clause. Oh, definitely vote against this one. That would be hugely problematic. I probably won't even do a motion to reconsider on this one because, yeah. So striking the enacting clause means that it wouldn't be enacted so we would not get paid the big bucks of \$12,000 a year or I think I clear about \$911 a month after taxes. So, yeah, please do not vote for this amendment. OK. So since we have LB626 coming up tomorrow and LB574 coming up on Thursday, this is just stacking up to be a super fun week of late nights. I don't see anything going wrong here. We're all going to be super pleasant and kind and compassionate. Nobody's going to call anybody a murderer. So there is a lot to say about LB626, and I probably should start saying it now because I guarantee I will get to talk all of, like, two times on LB626. But I just want to reiterate on LB574 that it is hugely problematic. We have, on average, since around 2017, on average, there have been 15 breast reduction surgeries for youth, minors, that are nontransgender or at the very least have not been identified as transgender. Approximately 15 a year, and no one seems to oppose that. No one in this body is talking about taking away parental rights in decision-making for breast reduction surgery for children who are not transgendered. That's not a problem we are trying to solve. We are not trying to save those kids from their transgenderism, oh, wait, because they're not transgendered so we don't need to save-- they don't need to be saved, because they fit in our construct of what is acceptable. So approximately 15 youth under the age of 19 have breast reduction

surgery a year in Nebraska, and somewhere between three to five youth have some sort of top surgery that are transgendered. Why? Colleagues, why are you OK with this? Why are you willing to have me stand up here day after day, hour after hour, talking about the same thing over and over and over again? I'm not going to budge. And scheduling the bill for the Westboro whatever church of hate Thursday is not going to stop me. When LB574 moves to the next round of debate, I am going to be renewed in my filibustering. I am going to be re-inspired, reignited to continue to fight against this body. Why, why are you OK with that? I am not going to stop. I am not going to allow this body to legislate hate against children. If you are OK with a teenager getting breast reduction surgery because they are born female, want to live female and want it and their parents say OK and their doctor says OK, if you are OK with that surgery, why do you care if they are born female and want to live as a male and have the exact same surgery? Why is that not OK? Why do you care? And why do you care so much, so much that you are willing to blow up the session? You care so much about stopping three to five kids a year from having a surgery that you're OK with them having if they are not transgendered. As long as they are not transgendered it is OK for them to have this surgery, the problem is how they identify. Why are you OK with that? Why are you OK with that? And why don't you understand why I am not, why I am not OK with allowing you to put into our state laws discrimination? We already have discrimination in our state laws and we should be actively working together, collectively, to undo systems of discrimination, not to create new ones. I had someone talk to me last week about this. They were a child, an adult now, but a child at some point, of an interracial family-- parents. And their existence used to be a crime. The "love law" made that not a crime. Why do we want to go back to discriminating based on identity, ethnicity, religion, any of it? We open the door for one thing, we open the door for all of it. Discrimination is discrimination. If you are going to be complacent and discriminating against transgender children, you will be complacent and discriminating against other people, other minority populations. As long as they are other, they are not safe from this body. And as long as this body wants to legislate hate against the minority of other, whatever that other is, I am going to stand as a physical barrier. And I just wish one more person would join 16 of us. I just wish one more person-- I really wish that 40-plus people would join in opposing legislating hate, legislating discrimination, targeting children, starting down the path of eradicating an entire population of people, starting with the children, the most vulnerable amongst them. That's what LB574 seeks to do. It seeks to eradicate trans people, starting with not allowing them to live as their

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authentic selves. And we're going to debate this with what I view as a hostile, terroristic organization out in the--

ARCH: One minute.

M. CAVANAUGH: --Rotunda from another state. And how do they even know to show up on Thursday? How do they know to show up on Thursday? How do they know before I knew and I'm in this Chamber? How did they know that LB574 would be on the agenda Thursday? Who in here told them? Somebody had to tell them. It's not a coincidence. It is not a coincidence that this hate terrorist group is showing up here. The same people who, who showed up at Sandy Hook funerals and protested children who were killed by gun violence. It is not an accident and it is not OK. Thank you, Mr. President.

ARCH: Senator Day, you're recognized.

DAY: Thank you, Mr. President. Continuing conversation about human rights violations and wanting to get paid to violate human rights. I mean, I guess I'll say if you want to schedule LB626 tomorrow and you want to schedule LB574 on Thursday, that's fine. Schedule it. Like, if you think we're going to get worn down, it's not going to happen. I think that Senator Cavanaugh and Senator Hunt have already made that really clear. Nobody's going to get tired. I've got energy. I'm ready to go. I've run marathons. I've done triathlons. I did a half Ironman. I competed in Olympic weightlifting internationally. I'm ready to go. I just had a really nice weekend at a cabin with my husband at Mt. Rainier. Nice and restful. I got to read a lot, which I read a really great book called "Johnny Got His Gun" by Dalton Trumbo. If you have not read it, I highly recommend it. But I'm ready to go. Schedule it. Let's do it. You're not going to wear us down. There's plenty to talk about when it comes to violating human rights, apparently, with this body. So LB626 is scheduled for tomorrow. Going back to the discussion about how the U.N. is being urged to intervene in the destruction of U.S. abortion rights. I'll go back to where I left off. The U.S. must be castigated on the world stage for its treatment of women, girls, and others who can become pregnant. The scale and intensity of human rights violations that the U.S. is inflicting on its own population are near unfathomable at this point, said Christine Ryan, legal director of the Global Justice Center, in a phone interview. It has become almost tragically ironic that the U.S. government uses the language of human rights to condemn state abuses against citizens of other countries, be that in Iran or Belarus. These norms must be deployed against the state here at home, as well. And for too long, the U.S. has been able to avoid that type of international scrutiny.

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The authors say that the curtailment of abortion rights in the U.S. is of a piece, is of a piece with the country's history of devaluing the lives of black women who are hit worst by abortion restrictions. The Dobbs ruling pushed the U.S. even further out of line with its human rights obligations, including its obligation to ensure access to abortion and to eliminate structural racism and discrimination, said Annerieke Smaak Daniel, women's rights researcher at Human Rights Watch. Abortion restrictions compound economic, social, and geographic barriers to healthcare, including contraception, disproportionately impacting black women's ability to access the care we need. The letter sent on Thursday was addressed to a number of U.N. agencies and officials, including the working group on discrimination against women and girls, the special rapporteur on torture and other cruel, inhuman, and degrading treatment or punishment, and the special rapporteur on the right to privacy. In the letter, the signatories ask recipients to communicate with the U.S. about these violations to request an official visit to the U.S. and to ask the country to comply with its obligations under international law as a U.N. member state. Ending the constitutional right to abortion has had far-reaching and, in some cases, life-threatening risks, the authors write, including for those seeking miscarriage care, those forced to travel across state lines for abortion, and those denied care for potentially fatal complications such as ectopic pregnancies. Officials from the U.S. mission to the U.N.--

ARCH: One minute.

DAY: --thank you-- officials from the U.S. mission to the U.N. and the U.S. Gender Policy Council, a White House office established by the Biden administration, did not respond to a request for comment in time for publication. Signatories in the letter list prior actions from the U.N. human rights committees over abortion access in countries such as Ireland and El Salvador, arguing for similar scrutiny of the U.S. They note that the U.N. committee has already established that denial of abortion care can cause, quote, physical and mental suffering so severe in pain and intensity as to amount to torture. The denial of abortion can cause physical and mental suffering so severe in pain and intensity as to amount to torture. The letter also includes damning examples since Roe was overturned, including the case of one patient in Wisconsin who was left to bleed at home for ten days following a miscarriage, because hospital staff feared violating the--

ARCH: Time, Senator.

DAY: --state's abortion ban. Thank you, Mr. President.

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ARCH: Senator Machaela Cavanaugh, you're recognized.

M. CAVANAUGH: Thank you, Mr. President. I withdraw my amendment.

ARCH: So ordered. Mr. Clerk.

CLERK: I have nothing further on the bill, Mr. President.

ARCH: Senator Day, you're recognized to speak. We are continuing debate on LB815.

DAY: I'm just going to finish the article here and then we can move on. The letter also includes damning examples since Roe was overturned, including the case of one patient in Wisconsin who was left to bleed at home for ten days following a miscarriage because hospital staff feared violating the state's abortion ban if they intervened to give care. It also details cases of several patients who had to travel out of state for an abortion after being refused care for an ectopic pregnancy and others who were denied chemotherapy care due to pregnancy. Any exceptions allowing abortion in very narrow circumstances, for example, where an abortion is necessary to save the life of the pregnant person's life or when the pregnancy is the result of rape are practically unworkable, the signatories write. Let me repeat that again because you're going to hear about exceptions a lot tomorrow during the debate on LB626. Any exceptions allowing abortion in very narrow circumstances, for example, where an abortion is necessary to save the life of the pregnant person's life or when the pregnant is-- when the pregnancy is the result of rape are practically unworkable. These abuses lay firmly at the Biden administration's door, added Ryan from the Global Justice Center. We've seen consistent lip service from the Biden-Harris administration, but not enough action, she said. She pointed out, for example, that even with the loss of Roe, the Biden administration could make abortion drugs more readily available by removing unnecessary regulations on certain drugs, which we know over the weekend became even more problematic with a ruling by a judge in Texas essentially attempting to overrule or overturn 20 years of mifepristone being, being legal from the FDA. But that's a whole nother discussion. There has been an absolute calamity in terms of public health human rights and the response has been middling to poor, Ryan said. I yield the rest of my time. Thank you, Mr. President.

ARCH: Seeing no one left in the queue, Senator Clements, you are welcome to close on LB815.

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CLEMENTS: Thank you, Mr. President. And thank you, Senators, for being interested in getting paid. This LB815 will continue your \$1,000 a month and that's a simple bill as that. I think that's all I have. I would request a call of the house and a roll call vote in regular order.

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

CLERK: 22 ayes, 4 nays to place the house under call.

ARCH: The house is under call. Senators, please record your presence. Those unexcused senators outside the Chamber, please return to the Chamber and record your presence. All unauthorized personnel, please leave the floor. The house is under call. Senators DeKay, Conrad, Walz, Hunt, please return to the Chamber. The house is under call. Senators DeKay, Walz, and Hunt, please return to the Chamber. The house is under call. Senator Clements, there are two senators missing, are you willing to proceed or would you like to wait? Mr. Clerk, call the roll.

CLERK: Senator Aguilar voting yes. Senator Albrecht voting yes. Senator Arch voting yes. Senator Armendariz voting yes. Senator Ballard. Senator Blood voting yes. Senator Bosn voting yes. Senator Bostar voting yes. Senator Bostelman voting yes. Senator Brandt voting yes. Senator Brewer voting yes. Senator Briese voting yes. Senator John Cavanaugh voting yes. Senator Machaela Cavanaugh voting yes. Senator Clements voting yes. Senator Conrad voting yes. Senator Day not voting. Senator DeBoer voting yes. Senator DeKay voting yes. Senator Dorn voting yes. Senator Dover. Senator Dungan voting yes. Senator Erdman voting yes. Senator Fredrickson voting yes. Senator Halloran voting yes. Senator Hansen voting yes. Senator Hardin voting yes. Senator Holdcroft voting yes. Senator Hughes voting yes. Senator Hunt voting no. Senator Ibach voting yes. Senator Jacobson voting yes, 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 yes. Senator Riepe voting yes. Senator Sanders voting yes. Senator Slama voting yes. Senator Vargas voting yes. Senator von Gillern voting yes. Senator Walz voting yes. Senator Wayne voting yes. Senator Wishart voting yes. Vote as 45 ayes, 1 nay, Mr. President, on advancement of the bill.

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ARCH: LB815 advances. Mr. Clerk. I raise the call.

CLERK: Mr. President, some items quickly, amendments to be printed from Senator Cavanaugh to LB815. Additionally, second preliminary Committee on Committees report from the Committee on Committees. Next item, Mr. President, LB816. Senator Clements would move to bracket pursuant to-- excuse me, would move to indefinitely postpone pursuant to Rule 6, Section 3(f). Senator, you wish to withdraw this? Mr. President, LB816, introduced by Senator Arch at the request of the Governor, it's a bill for an act relating to appropriations; appropriates funds for the payment of the salaries and benefits of certain state officers for fiscal year '23-24 and '24-25; defines terms; provides an operative date; and declares an emergency. Bill was read for the first time on January 25 of this year and reported-- and referred to the Appropriations Committee. That committee placed the bill on General File with committee amendments, Mr. President.

ARCH: Senator Clements, you are welcome to open on LB816.

CLEMENTS: Thank you, Mr. President and colleagues. LB816 is another budget bill introduced by the Speaker at the request of the Governor. It's part of the Governor's biennial budget recommendations. This bill provides for the funding of the salaries and benefits of certain state officers as required by the state constitution and laws of the state of Nebraska. This bill includes judges, as well as elected constitutional officers, the, the Parole Board, and the Tax Commissioner. This legislative bill contains the emergency clause and becomes operative on July 1, 2023. Thank you, Mr. President and colleagues.

ARCH: Mr. Clerk, for committee amendments.

CLERK: Mr. President, first of all, I've got a bracket motion from Senator Clements with a note he wishes to withdraw. Additionally, a motion to recommit from Senator Clements with a note he wishes to withdraw that, as well.

CLEMENTS: Yes.

CLERK: Mr. President, Appropriations Committee would offer committee amendments.

ARCH: Senator Clements, you may open on AM1136.

CLEMENTS: Thank you, Mr. President. AM1136 is a white copy amendment and becomes the bill. The amendment provides for the Appropriations

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Committee's recommended funding of the salaries and benefits of certain state officers as required by the state constitution and laws of the state of Nebraska. Most of the adjustments from the original bill amounts are just differences due to the calculation of benefits such as health insurance. The amendment includes appropriations for salaries of all judges, elected constitutional officers, the Parole Board, and the Tax Commissioner. The amendment contains the emergency clause and becomes operative on July 1, 2023. LB816 was heard in the Appropriations Committee February 13, 2023. It was advanced to General File with AM1136 with a 9-0 vote. I ask you to vote green to adopt and advance committee amendment AM1136 which becomes the bill, then vote green for LB816 as amended to Select File to fund the salaries for these Nebraska state officers for the next two years. Thank you, Mr. President.

ARCH: Seeing no one in the queue, Senator Clements, you're welcome to close on AM1136.

CLEMENTS: Thank you, Mr. President. Some of the state officers that are included would be we're voting on paying the Governor's salary, the Lieutenant Governor's salary, the State Auditor, the Attorney General. That's what we mean when we're talking about certain state officers, the Tax Commissioner, as well. And the bill is very simple. You can read it and you can see all the amounts if you look at the bill on who exactly is included. Thank you, Mr. President.

ARCH: Colleagues, the motion before the body is the adoption of AM1136. All those in favor vote aye; all those opposed vote nay. Has everyone voted who wishes to vote? Mr. Clerk, please record.

CLERK: 41 ayes, 0 nays, Mr. President, on adoption of the amendment.

ARCH: AM1136 is adopted. We'll now return to debate on LB816. Senator John Cavanaugh, you're recognized.

J. CAVANAUGH: Thank you, Mr. President. I wonder if Senator Clements would yield to a question?

ARCH: Senator Clements, will you yield?

CLEMENTS: Yes.

J. CAVANAUGH: I apologize. I didn't get a chance to mention to you that I was going to ask you a question, but I think this is an easy one. You said that there's an emergency clause on this bill now that we've added the, the amendment. Is that correct?

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CLEMENTS: Yes, with an effective date of July 1, 2023.

J. CAVANAUGH: And you anticipated my next question. So this emergency clause, a normal emergency clause goes into effect as soon as it's signed, is that right?

CLEMENTS: That's correct.

J. CAVANAUGH: And so this one has a different effective date than the immediate date it would go into effect on that July 1, 2023 date. Do you know what, what was the reason for having that effective date?

CLEMENTS: This is-- our budget goes from July 1 to June 30 so we were already funded through, through June 30, and we need a July 1 date so we can start with the new fiscal year.

J. CAVANAUGH: Thank, thank you for that answer, Senator Clements. And I appreciate the work that the committee has done on this. And so just to kind of circle back around to it, if there's no emergency clause it wouldn't go into effect until 90 days after we adjourn, is that correct?

CLEMENTS: Yes.

J. CAVANAUGH: And so the reason for the emergency clause with the effective date is that we begin funding on July 1 because that's when the funding runs out, right?

CLEMENTS: Correct.

J. CAVANAUGH: And if we didn't have that emergency clause, we'd-- basically, all these departments would go without funding from July 1 to, say, September 9, I think, or something like that?

CLEMENTS: Yes, it would, that would be a problem, right.

J. CAVANAUGH: That would be a problem, one to be avoided. So, well, I appreciate that and I appreciate, again, I appreciate your work and I'll be voting for this. Thank you, Mr. President.

ARCH: Seeing no one left in the queue, Senator Clements, you're welcome to close on LB816.

CLEMENTS: Thank you, Mr. President. Once again, this continues the salaries for constitutional officers and judges, Governor, Lieutenant Governor, Secretary of State, Auditor, Attorney General, State

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Treasurer, the Public Service Commission, Board of Parole, Tax Commissioner, Workers' Compensation Court. And with that, I ask your green vote for LB816. Thank you.

ARCH: Senators, the motion before the body is the advancement of LB816 to E&R Initial. All those in favor vote aye; all those opposed nay. Has everyone voted who wishes to vote? Mr. Clerk, please record.

CLERK: 40 ayes, 0 nays on advancement of the bill.

ARCH: LB816 advances to E&R Initial. Mr. Clerk.

CLERK: Mr. President, items quickly, amendment to printed to LB816 from Senator Cavanaugh. Mr. President, next bill on the agenda, LB282. First of all, Senator, I have an IPP motion pursuant to Rule 6, Section 3(f), Senator Riepe, with a note you wish to withdraw.

ARCH: So ordered.

CLERK: In that case, Mr. President, LB282, it's a bill for an act relating to-- introduced by Senator Riepe, it's a bill for an act relating to claims against the state; appropriates funds for the payment of certain claims; provides for the payment of the claims; authorizes agencies to write off certain claims as prescribed; and declares an emergency. The bill was read for the first time on January 11 of this year and referred to the Business and Labor Committee. That committee placed the bill on General File with committee amendments. There are other motions and amendments, Mr. President.

ARCH: Senator Riepe, you're welcome to open on LB282.

RIEPE: Thank you, Mr. President. The Business and Labor Committee holds the responsibility of oversight and authority for state claims. As Chairman of the Business and Labor Committee, I will provide background on the process for these claims and go through each claim in LB282. For your reference, each of you will soon receive a spreadsheet detailing each claim providing a brief description and settlements processed by the Attorney General's Office. The dollar amounts in the state claims bill have been agreed to, settlements or court judgments reviewed and litigated by the Attorney General's Office or the relevant state agency, not, and I repeat, not determined by the Business and Labor Committee. State claims bills are brought forth each session and may consist of miscellaneous torts, indemnification, workers' compensation, and state insurance claims. Claims against the state pass through the State Risk Manager's Office within the Department of Administrative Services. Claims in the amount

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of \$5,000 may be approved directly by the State Risk Manager. Claims over \$5,000 and up to \$50,000 must be approved by the State Claims Board. Claims totaling more than \$50,000 must be approved by this Legislature and, thus, are added to the claims bill. The Risk Manager pays claims between \$50,000 and the first \$50,000 of claims settled above that amount. This also included the state claims bill and state agency write-off request of uncollectible debts. I will now go through the claims by the order of the spreadsheet shared with you this-- with this body. Schedule [SIC] 1, which covers miscellaneous claims. The miscellaneous claims included in this section are paid through Program [SIC] 65, which is the Administrative Services agency. This year, miscellaneous claims include the first beneficiaries of the in the line of duty claim. In 2021, this Legislature enacted LB255 to adopt the In the Line of Duty Compensation Act, creating the benefits for first responders who died in the line of duty. In 2022, this Legislature passed LB717, increasing the amount of this compensation to \$250 [SIC] from \$50,000. The State Claims Board reviewed and approved the claims of the beneficiaries. Three responders who died due to the line of duty were Elmwood Fireman Darren Krull, Lincoln Fire Investigator Donald Gross, and Saunders County Deputy Sheriff Jeffrey Hermanson. This year's miscellaneous claims include a claim of \$71,483.44 filed by the Nebraska Press Advertising Service. This claim is for the cost of publication of legal notice of measures voted on the November 2022 general election. These notices are required by the Nebraska Constitution and by Nebraska statute. The cost is to place notices in papers across the state. Section 2 is for tort claims, the ability to sue. The bill contains one tort claim in the amount of \$45,000 payable to an individual who is alleged to have medication issues. The claim was settled for \$95,000, the first \$50,000 has been paid. Section 3 is for indemnification claims. The bill contains one claim in this particular bill for the amount of \$49,500 payable to an individual who alleged disability discrimination. The issue was settled for \$99,500 and the first \$50,000 has been paid. Section 4 is for the workers' compensation claims. The bill contains one workers' compensation claim payable to an individual who alleged she sustained an accident-- accidental injury arising from her employment and the issue was settled for \$125,000, the first \$25,000 has been paid. Section 5 for the-- is for the state insurance claims. The bill contains two state insurance claims: First, payable to an individual involved in an accident with a state employee. The claim was settled for \$202,500 and the first \$50,000 has been paid. You might note that in your spreadsheet handout it refers to the state employee as a teammate, which is interesting. Second, payable to an individual involved in an

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accident with a state employee. The claim was settled for \$150,000 and the first \$50,000 has been paid. Section 6 (Section 7) is for agency write-offs. The bill contains 11 of these particular write-offs: first, is for \$4,175 from the Accountability and Disclosure Commission for uncollectible debt from late filing fees; second, is for \$33.63 from the Legislative Council for uncollectible debt from past due notices; third, is for \$193,971.08 for the Department of Transportation for uncollectible debt relating to state property damage; fourth, is for \$14,398.30 from the Department of Revenue for uncollectible debt relating to a retailer selling lottery tickets by failing to make required payments to the Nebraska Lottery and now out of business; fifth, is for \$2,142.25 for the Games and Parks Commission for uncollectible debt due to insufficient funds, permit nonpayment, and group activities at Mahoney State Park; sixth, is for \$35,869.00 For the Department of Labor for an uncollectible debt from unemployment insurance due to going out of business with the employers passing away and employers who have filed and declared bankruptcy; seventh, is for \$660,654.08 for the Department of Labor for an uncollectible debt for overpayment on unemployment insurance benefits; eighth, is for \$6,289 for the State Fire Marshal for an uncollectible debt due to a boiler and conveyance certificate, as well as the registration fee; ninth, is for \$7,240.03 by the Department of Veterans' Affairs for an uncollectible debt due to past due members contributions; tenth, is for \$12,844.70 by the Nebraska public relations retirement payments [SIC] for an uncollectible debt due to an overpayment on retirement; and 11th, is for \$875,459.89 by the Department of Health and Human Services for an uncollectible debt due to bankruptcy, a death of the debtor, and dissolution of the corporate entity and the state statute of limitations of need-based assistance had expired. Finally, there are other amendments pending and will be addressed on Select File. A public hearing will be scheduled to discuss these added claims. Thank you, Mr.--

KELLY: One minute.

RIEPE: --thank you, Mr. President, this concludes my opening for LB282.

KELLY: Mr. Clerk, for a motion.

CLERK: Mr. President, Senator Riepe, I've got a motion to both bracket and recommit the bill, both with notes that you wish to withdraw.

RIEPE: I do.

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CLERK: In that case, Mr. President, nothing further except for committee amendments.

KELLY: Senator Riepe, you're recognized open on the committee amendments.

RIEPE: Again, thank you, Mr. President. The committee amendment is AM687. It's a committee amendment and includes four additional claims approved by the State Claims Board since the committee advanced LB282. These claims are included in the spreadsheet provided this, this afternoon: The first is a claim for \$250,000 for-- and is an in the line of duty claim for Purdum Fire Marsh-- or Firefighter Michael Moody; the second claim for \$150,000 and is a state insurance claim payable to an individual involved in an accident with a state employee, the first \$50,000 has been paid; the third is a claim for \$600, a write-off by the State Treasurer for an uncollectible debt for a warrant that should have been cashed; and finally, the fourth claim is for \$16,616.81, a write-off by the State Treasurer for an uncollectible debt on the Nebraska Child Support Payment Center. Thank you, Mr. President. This concludes my testimony on AM687.

KELLY: Senator Riepe, no, no one is in the queue to close, do you wish to make a closing?

RIEPE: I would simply like to request the support of all of the members of this group and I think they'd rather speak for themselves so thank you, Mr. President.

KELLY: Thank you. The question is the adoption of AM687. All those in favor vote aye; all those opposed, nay. Mr. Clerk.

CLERK: 39 ayes, 0 nays, Mr. President, on the adoption of the amendment.

KELLY: AM687 is adopted. Mr. Clerk, for items.

CLERK: Mr. President, AM89 offered by Senator Riepe. Senator Riepe, I have a note you wish to withdraw that, as well.

RIEPE: I do.

CLERK: In that case, Mr. President, I have nothing further on the bill.

KELLY: The question is the advance-- Senator Clements, you're authorized-- you're recognized to close-- to speak.

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CLEMENTS: Thank you, Mr. President. Would Senator Riepe yield to a question?

KELLY: Senator Riepe, will you yield?

RIEPE: Absolutely.

CLEMENTS: I've heard all those claims that you presented. Did your committee vote to approve each one of those separately?

RIEPE: Actually, we looked at the-- we reviewed all of them on an individual basis but we did not take specific action on each particular one.

CLEMENTS: Were there claims presented that were not approved?

RIEPE: There were not.

CLEMENTS: Was, was-- were these claims the recommendation of agencies?

RIEPE: They were the claims of Allen Simpson, who is the Risk Manager.

CLEMENTS: Well, he's the-- he recommended these?

RIEPE: Yes, he's the one that worked with the AG's Office in terms of negotiating settlements.

CLEMENTS: Thank you. Thank you, Senator Riepe. I was just curious about the process. I know that we've done each year approval of claims of this sort and I just had never asked the question and that, that's satisfactory. Thank you, Senator Riepe. Thank you, Mr. President.

KELLY: Seeing no one in the queue, Senator Riepe, you're recognized to close. He waives closing. Members, the question is the advancement of LB282 to E&R Initial. All those in favor vote aye; all those opposed, nay. Mr. Clerk, record.

CLERK: 41 ayes, 0 nays on advancement of the bill, Mr. President.

KELLY: The bill is advanced. Mr. Clerk.

CLERK: Mr. President, next item, LB799, introduced by Senator DeBoer, it's a bill for an act relating to judges' salaries; amends Section 24-201.01; changes judges' salaries; provides an operative date; repeals the original section; declares an emergency. The bill was read for the first time on January 18 of this year and referred to the

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Judiciary Committee. That committee placed the bill on General File. There are committee amendments, Mr. President.

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

DeBOER: Thank you, Mr. President. Good afternoon, colleagues. This afternoon I'm introducing to you LB799, which is a bill that reflects a piece of biennial budgeting process which addresses state salaries for the court system's judges. As currently structured, all Nebraska judges are paid using a statutory formula based on the salary of the Chief Justice. LB799 then proposes an increase to the Chief's salary that will result in a commiserate increase in the salaries for the justices of the Court of Appeals, district court judges, county court judges, and judges of the separate juvenile courts. LB799, as amended by the committee amendment, adjusts the salaries to reflect a 7 percent salary increase for Nebraska's judges in year one of the biennium, that's this year, and 6 percent in year two. The amendment reflects a negotiated agreement between the judges and the administration with respect to the budgeting process. During the hearing, the Chief Justice talked to us about the fact that our salaries for judges are lagging behind those of other folks who have the same amount of experience in the legal profession. We know that we have a lot fewer applicants for open judicial seats than we ever used to and that lack of applicants for the bench is problematic. Our most qualified individuals we need to have to choose between because we need to have the best judges serving on the bench, but it is often the case that they choose not to apply because the financial hit that they would have to take to serve. It is my hope with the increases in LB799, we'll be able to attract the best and brightest to the bench. Thank you, Mr. President.

KELLY: Thank you, Senator DeBoer. As mentioned, there are committee amendments. Senator Wayne, you are recognized to open on the committee amendments.

WAYNE: There's two amendments or one?

KELLY: This is just the committee amendment. There's another one coming.

WAYNE: OK. So this amendment, I believe, deals with the, the judicial salary that was negotiated between the Governor's Office and the Supreme Court. They were a couple percentages apart. They sat down multiple times and came up with a percentage that is agreeable to everybody. So it's a noncontroversial amendment. It just moves it,

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instead of 6 percent or 7 percent, to 8 percent or whatever the percentage is the Governor's Office and the Supreme Court agreed to it. And that's why it was a noncontroversial amendment to this bill. And with that, I would ask you to support AM671. Again, it was agreed to by the Governor and the Supreme Court and, and our committee, as far as the, the raises for the judicial system. Thank you, Mr. President.

KELLY: Thank you, Senator Wayne. Mr. Clerk, for an amendment.

CLERK: Mr. President, Senator DeBoer would move to amend the committee amendments with AM1255.

KELLY: Senator DeBoer, you're recognized to open on that amendment.

DeBOER: Thank you, Mr. President. Colleagues, Senator Wayne was correct about AM671. AM1255 is a white copy amendment which includes the change in AM671 and includes three additional bills which are all judicial bills that we wanted to include as part of this package. That includes LB260, which is a Senator Wayne bill that says that the Court of Appeals reports will be electronic rather than hard copy. So that's one bill that's included in AM1255. The second one is LB81, Senator Aguilar's priority bill, which would add a judge to the Ninth Judicial District, which is in the Grand Island area, because their docket is full and they need another judge so that adds one judge there. And LB426 which is a Senator Riepe bill, which removes one of the judges from the Nebraska Workers' Compensation Court, moves it down from seven judges on that court to six. They had some extra resources and everyone agreed that it would be a good use of taxpayer dollars to change the number from seven to six. So those three bills, in addition to the AM7-- or AM671 agreement on judges salaries are all incorporated in AM1255. So I would ask for your green light on AM1255, AM671 and LB799 so we can give those judicial salaries, also come up to date by changing our reporting, our official reporting for the Court of Appeals decisions to electronic, add the judge in Grand Island, and lower the number of workers' compensation judges. So those are the three additional bills which are included in AM1255. Please vote green. Thank you, Mr., thank you, Mr. President.

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

WAYNE: I just want to be quick to say these were all noncontroversial bills. Many of them were brought by the Supreme Court. Senator Aguilar's bill is to help solve the growing juvenile and county court

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misdemeanor problem in Hall County. They need this. The Supreme Court is supportive of this. And the other two bills, the issue relates to the court records for the Court of Appeals, right now, they are electronic and nowhere in state statute do they say that that's the official record. Hence, for attorneys, you kind of know the problem with that if it's not an official record in state statute and so it's just what it says right now is it has to be printed. Well, if you know, they are served electronically and it's just a clean up to make sure that we are with modern times. Again, these are all noncontroversial brought by the Supreme Court. And that's why we thought this would be an easy package to move forward with, because they're noncontroversial and it actually helps our court system. With that, I'd ask you to vote green on AM1255 and AM671. Thank you, Mr. President.

KELLY: Thank you, Senator Wayne. There's no one in the queue. Senator DeBoer, you're recognized to close on AM1255, and waive closing. Members, the question is the adoption of AM1255. All those in favor vote aye; all those opposed, nay. Mr. Clerk, record please.

CLERK: 43 ayes, 0 nays, Mr. President, on adoption of the amendment.

KELLY: AM1255 is adopted. Senator Wayne, there's no one in the queue and you waive closing on AM671. Members, the question is the adoption of AM671. All those in favor vote aye; all those opposed, nay. Record, Mr. Clerk.

CLERK: 42 ayes, 0 nays, Mr. President, on adoption of the committee amendment.

KELLY: AM671 is adopted. Would Speaker Arch and Senator Machaela Cavanaugh, please approach.

CLERK: Senator Cavanaugh, I've got motions here, MO866, MO865, and MO864, all with notes that you wish to withdraw.

KELLY: They are withdrawn.

CLERK: I have nothing further on the bill, Mr. President.

KELLY: Thank you. The question for the members is-- Senator DeBoer, you're recognized to close on LB799.

DeBOER: Thank you, Mr. President. I just wanted to thank all of you for putting on these very good government type of amendments and I

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urge your green vote here as we are moving forward to help out our friends in the judicial branch. Thank you and please vote green.

KELLY: Thank you, Senator DeBoer. The question is to advance LB799 to E&R Initial. All those in favor vote aye; all those opposed, nay. Record, Mr. Clerk.

CLERK: 42 ayes, 0 nays on advancement of the bill.

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

CLERK: Mr. President, the next item on the agenda, LB799A, introduced by Senator DeBoer, it's a bill for an act relating to appropriations; appropriates funds to aid in the carrying out of the provisions of LB799. The bill was read for the first time on April 5 of this year and placed directly on General File.

KELLY: Senator DeBoer, you're recognized to open on the bill.

DeBOER: Thank you, Mr. President. Colleagues, this is the A bill, the appropriations bill, which pays for what we just did in the previous bill. So this is just to pay for the change in judges' salaries that we just did in the last bill, as well as the other amended changes that we did. Thank you.

KELLY: Thank you, Senator DeBoer. There's no one in the queue. Senator DeBoer to close and waives closing. The question is the advancement of LB799A to E&R Initial. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 43 ayes, 0 nays, Mr. President, on advancement of the bill.

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

CLERK: Mr. President, LB531-- first of all, Senator Hunt, I've got MO142 to indefinitely postpone pursuant to Rule 6, Section 3(f) with a note you wish to withdraw.

HUNT: That's right.

CLERK: In that case, Mr. President, LB531, introduced by Senator McKinney. It's a bill for an act relating to the Economic Recovery Act; amends Sections 81-12,241 and 81-12,243 and 81-12,244; changes provisions relating the Economic Recovery Incentives Division of the Department of Economic Development, Qualified Census Tract Recovery Grant Program, and the Economic Recovery Contingency Fund; eliminates

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an obsolete provision; provides for a credit of investment earnings; changes restrictions on the use of intended appropriations; harmonize provisions; repeals the original section; declares an emergency. The bill was read for the first time on January 17 of this year and referred to the Urban Affairs Committee. That committee placed the bill on General File with committee amendments. There are other amendments and motions, Mr. President.

KELLY: Thank you, Mr. Clerk. Senator McKinney, you're recognized to open.

McKINNEY: Thank you, Mr. President. Good evening, colleagues and Nebraskans. Tonight, we're discussing LB531, which is the Urban Affairs Committee priority bill and a bill that is the nexus of LB1024 which was passed last year, which was a historic legislation spearheaded by Senator Wayne and myself to devote American Rescue Plan dollars to economic recovery in north Omaha. As the process progressed, we combined economic efforts with south Omaha, Lincoln, and parts of western Nebraska. After the session ended, the hard work began with countless meetings and engagement with community. A process, although imperfect, was needed because of the decades of economic neglect in the respective communities. My number one priority coming into the Legislature was economic development and opportunity, and many would ask why. And I would say as someone that grew up in north Omaha, I had a front row seat to the constant depreciation of my community, which included consistent disproportionate levels of poverty, a lack of investment, poor health outcomes, poor educational outcomes, violence, mass incarceration, and a constant tune of wait, it'll get better. And I'll make it plain: north Omaha is not a charity case for wealthy, wealthy individuals to act as our saviors. It's a community, community that deserves a fair chance at the good life. For my lifetime, the charitable route has, has been taken to address historical issues plaguing our communities. To date, that has yet to work. However, many entities and individuals in those communities are doing some amazing work and I don't want that to come off as people aren't. The vision behind LB1024 was our alternative approach because the status quo is not working. From the start, we consistently repeated that we plan to approach these issues through an economic lens. As you all know, Olsson Associates was hired to produce the north and south Omaha coordination plan. They met with and engaged with community members and stakeholders to understand what was needed. The community was then able to submit proposals for consideration for recommendations. I will clarify that the Economic Recovery Special Committee senators did not evaluate or select projects for recommendations. The coordination plan was released at the beginning

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of the session. Olsson selected 35 proposals for funding recommendations out of 367 proposals totaling \$3.2 billion, showcasing a clear need in both areas. This process, honestly, has changed my perspective on many things, especially my work in the Legislature. My focus is to see the process through and work to ensure those historically left out can see the fruits of this legislation. The weight placed on our shoulders is not light, but I believe that north Omaha has built me and Senator Wayne to carry it and also Senator Vargas and Senator McDonnell in south Omaha, and Senator Wishart in Lincoln and others. Many may question my views and positions, but my care for my community is undeniable. Our goals are to see poverty substantially reduce, educational outcomes improve, crime decrease, prison populations declining, and health outcomes improve. Most importantly, I hope north and south Omaha can become economically independent and vibrant. I hear the stories of the past in north Omaha before the riots and just think about the what ifs. I believe the ball was dropped, but now we can pick it up and work to ensure that another kid doesn't have to sleep without food or the basic necessities. The, the committee amendment to LB531 will provide direction to the Department of Economic Development to consider projects in the coordination plan and appendices. Although DED will take applications, if an individual or entity did not submit a proposal to Olsson, they will not be eligible for consideration. We will also task on hiring a project manager to monitor the implementation and progress of projects, primarily because we don't have the luxury to mess this up and we want to ensure clarity in the future. The Economic Recovery Special Committee has been helping with changes and providing constant feedback throughout the interim and throughout the session. Our goal is to clarify how the funds will be used and give direction to the DED once it's passed. I want to stress our commitment to ensuring the process going forward is clear and that we will work from now until sine die to get this past the finish line so we can get the work to transform our communities. I encourage everyone to stay together. Let's work as a united front in this body and our communities to see it happen. LB531 would help to achieve the original purposes of the Economic Recovery Act more efficiently. And I'll leave, and, and I'll kind of close my opening with this quote. In his Nobel Peace Prize address in 1964, Dr. Martin Luther King, Jr. said "There is nothing new about poverty. What is new, however, is that we have the resources to get rid of it." That was 59 years ago. Let's get rid of poverty. Thank you.

KELLY: Thank you, Senator McKinney. Mr. Clerk, for an item.

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CLERK: Mr. President, quickly. Senator Hunt, I've got MO144 and MO143 to both bracket and recommit, both with notes she wishes to withdraw.

KELLY: Senator McKinney, you're recognized to open on the committee amendment.

McKINNEY: Oh, thank you. So which-- is this AM1222? I have an amendment to the committee amendment. Oh, so, all right. Well, in the committee amendment, what will happen is-- and I, I had the pages pass out some handouts, so it appropriates \$15 million to the Shovel-Ready Capital Recovery and Investment Fund. And this is for Senator Holdcroft's LB769, to make funds available to develop sewer systems. It also requires the Legislature to appropriate General, General Fund resources to the Department of Economic Development for the purpose of the Economic Recovery Act. It creates the North and South Omaha Recovery Grant Program. The section specifies that the department shall award additional grants for specific purposes, including no more than \$20 million in grants for the purpose of creating a museum that is named in honor of a person inducted into the Nebraska Hall of Fame in a qualified census tract, no more than \$20 million in grants to federally qualified health centers located in a city of a metropolitan class, no more than \$15 million for a contracted services program management in North and South Omaha-- in the North and South Omaha Recovery Grant Program and qualified census tracts. It requires the Department of Natural Resources to award a grant of \$180 million to a city of the primary class for specific water treatment purposes. Good.

KELLY: Mr. Clerk, for an amendment.

CLERK: Mr. President, Senator McKinney would move to amend the committee amendment with AM1222.

KELLY: Senator McKinney, you're recognized to open on your amendment.

McKINNEY: All right, so there are slight changes from AM1128 to AM1222. The change really, it's not much. It will appropriate additional \$40 million for a business park. It still has the allocation for the museum and the qualified census tract and the federally qualified health centers and the \$15 million for the program management pieces of LB531. And that's it.

KELLY: Thank you, Senator McKinney. Seeing no one in the queue, Senator McKinney, you're recognized to close on AM1222 and waive. Members, the question is the adoption of AM1222. All those in favor vote aye; all those opposed vote nay. Mr. Clerk, record please.

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CLERK: 32 ayes, 0 nays, Mr. President, on adoption of Senator McKinney's amendment.

KELLY: The amendment is adopted. Senator McKinney, you would be recognized to close on AM1128 and waive closing. Members, the question is the adoption of AM1128. All those in favor vote aye; all those oppose vote nay. Record, Mr. Clerk.

CLERK: 26 ayes, 0 nays on adoption of the committee amendment.

KELLY: The amendment is adopted. Mr. Clerk, for an item.

CLERK: Thank you, Mr. President. Mr. President, Senator McKinney would move to amend LB531 with AM864.

KELLY: Senator McKinney, you're recognized to open on that amendment.

McKINNEY: I think that was supposed to get pulled.

CLERK: I apologize, Senator, you're right. There's a note to withdraw so Senator McKinney would move to withdraw AM864.

KELLY: So ordered. Senator McKinney, you're recognized to close on LB531.

McKINNEY: Thank you, Mr. President. In my close, I would just say LB531 and LB1024 last year was an effort to begin to address a lot of historical issues that have plagued my community and other communities like ours. And I am hopeful and optimistic that we can get this passed and we can start seeing some changes economically in north Omaha and in south Omaha that can change the trajectory of a lot of individuals, young and old. And with that, I ask for your green vote on LB531. Thank you.

KELLY: Thank you, Senator McKinney. The question is the advancement of LB531 to E&R Initial. All those in favor vote aye; all those opposed vote nay. Mr. Clerk.

CLERK: 30 ayes, 0 nays, Mr. President, on advancement of the bill.

KELLY: The bill is advanced. At this time, we'll stand at ease for 30 minutes.

[EASE]

KELLY: The Legislature is now in session. Mr. Clerk, for items.

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CLERK: Mr. President, next item on the agenda, LB565, introduced by Senator Bostelman. It's a bill for an act relating to hydrogen hubs; amends Section 66-2301; states legislative findings; states intent regarding appropriations; provides for a grant program as prescribed; provides duties and powers for the Department of Economic Development; harmonizes provisions; repeals the original section; declares an emergency. The bill was read for the first time on January 17 of this year and referred to the Natural Resources Committee. When the Legislature left the bill, Mr. President, pending were the-- there was a division of the committee amendments as well as a bracket motion pending. The first division pending to the committee amendments, Mr. President, comprise LB723.

KELLY: Senator Bostelman, you're recognized for a refresh on LB565 and the first division of the committee amendment.

BOSTELMAN: Thank you, Mr. President. LB565 was a committee priority bill. AM827 was a committee amendment that went to it. Both come out of committee 8-0. AM1240 is where we're at right now, which is LB723. LB723 provides contract services to the Department of Natural Resources, similar to what the Department of Transportation, Game and Parks and political subdivisions currently have. The bill establishes a procurement process for several alternative delivery methods: design-build, progressive design-build, construction manager, general contractor and, and public-private partnerships. The opportunity for this is to provide DNR the ob-- the ability on very large projects to use advanced contracting to get the work done on a quicker scale, if you will, and less cost effective. With that, I would ask for your green vote on AM1240.

KELLY: Thank you, Senator.

CLERK: Senator Hunt.

KELLY: Senator Hunt is not here, so we'll turn to the speaking queue. And Senator John Cavanaugh, you're recognized to speak.

J. CAVANAUGH: Thank you, Mr. President. So I just-- I appreciate Senator Bostelman's refresh on that, and I just thought I'd refresh on it, as well. So the-- we've divided out this bill, for everybody who's kind of just tuning in. So this section is just the design-build portion for the Department of Natural Resources, which, specifically, it's not-- the, the bill is not specific to the canal, but this is-- the foreseen use is to build the Perkins County Canal out in western Nebraska on the border between Nebraska and Colorado for-- under the

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South Platte Compact. And so I've said all along, I just wanted to be clear about my position, that I supported this section of the bill being placed into the overall bill and continue to support it. But that doesn't mean that I'm necessarily endorsing at this point the idea of building the canal and other parts. I know there's a lot of interest in that. And we've had, had a lot of conversations about it last year in the authorizing language that we passed last year. And there more than likely will be an, an appropriation about the canal later this year. And, you know-- so I guess I just haven't made up my mind about whether I would be supporting that specific appropriation of funds, which could be up to, you know, \$600 million I think is the latest we'd heard. But if we do do it, if we are going to build this canal, the reason that we'd want to have this process in place is that it will allow us to build that canal as efficiently as we can. And like I said, \$600 million is the current price. When the canal was first announced last January by Governor Ricketts at the time, the price tag was \$500 million. And so we've seen the price tag go up \$100 million in the course of a year of just talking about the canal and not actually doing any of the, you know, building work yet. And so the reason you'd want to give the Department of Natural Resources this sort of authorization is that price is just going to keep going up. You know, we may appropriate the money this, this year. And by the time they get everything done that they need to get done, the designing, the purchasing of land and the starting construction, that, that price could very well be \$750 million. Or once they get-- when they get it finally built, it'll come in at \$1 billion. And that may happen regardless of what we do here. But the interest should be that if we're going to build this canal and potential reservoirs that we should do it as cost effectively as possible. So that was my justification for supporting this particular portion of the overall package and the underlying bill when it did come before the committee. So I would, again, join Senator Bostelman, Chairman Bostelman in asking for your green light on AM1240 and can talk about the rest of the bill at another time. Thank you, Mr. President.

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

M. CAVANAUGH: Thank you, Mr. President. Good evening, colleagues. I'm sorry. I didn't-- would Senator John Cavanaugh yield to a question?

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

J. CAVANAUGH: Yes.

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M. CAVANAUGH: Thank you. Thank you for yielding without me even knowing that I was going to ask you to, so. Because you were talking about the canal, so this amendment is about the canal?

J. CAVANAUGH: In a way. It's not specifically about the canal. This would allow the Department of Natural Resources to have a method of basically procurement, design-build for projects. And the type of project would include the canal, but it's not exclusive to just the canal.

M. CAVANAUGH: OK. And I'm sorry. Just because I have you right now, whose, whose bill was AM1240?

J. CAVANAUGH: It might have been Senator Bostelman's, but I guess I don't specifically remember the hearing.

M. CAVANAUGH: OK. I don't-- I, I misplaced my, my sheet from last week that had the list of what bills the amendments are. If anybody has the list of what bills the amendments are, that'd be very much appreciated to be shared. But, thank you, Senator John Cavanaugh. I'll, I'll be sure and get in the queue to ask about that in the future. I ask because last year when Senator John Cavanaugh brought up the canal, the canal was a big conversation that we had last year, and it is an extraordinarily expensive endeavor and undertaking to build a canal in another state. To build a canal period, but to build a canal in another state is fraught with a lot of, as you can imagine, logistical and legal concerns and questions. So I know that this was a-- what is it called? Something design. And I know the words in here. Design-builder-- design-build contract means a contract between the department and a design-builder, which is subject to the best value-based selection process to furnish architectural engineering and related, related design services and labor, materials, supplies, equipment and construction services. And so I just was curious about how that plays into the canal. Would Senator Bostelman yield to a question?

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

BOSTELMAN: Yes.

M. CAVANAUGH: Senator Bostelman, I misplaced my sheet that had what bills the amendments are. Could-- do you remember what bill AM1240 is?

BOSTELMAN: Which bill AM1240 is?

M. CAVANAUGH: Yes.

BOSTELMAN: LB723.

M. CAVANAUGH: LB723?

BOSTELMAN: Correct.

M. CAVANAUGH: OK. Thank you so much. I'm sorry. I-- you know.

BOSTELMAN: I even--

M. CAVANAUGH: It was the weekend.

BOSTELMAN: --in my refresh, I stated that.

M. CAVANAUGH: You did. I'm sure you did. I'm still coming out of my food coma from dinner, so I apologize. I was even in here and I was listening to the soothing tones of your voice, and somehow I missed the bill number. My apologies. LB723. Just getting myself-- I see somebody else is in the queue, so I wanted to get out to let them talk while I can look up LB723 and see what that particular bill is about. So how much time do I have left, Mr. President?

KELLY: 1:22.

M. CAVANAUGH: OK. I think I will just go ahead and yield my time. Thank you.

KELLY: Thank you, Senator. Senator Jacobson, you are recognized to speak.

JACOBSON: Thank you, Mr. President. When you start speaking of the Perkins County Canal, it usually gets my attention. I just want to remind people again that, yes, this design-build piece of this really was specifically designed as we look at the Perkins County Canal. And I will tell you that one of the reasons that the dollar amount is slightly higher than a year ago but is really essentially the same number is because of making it all slightly larger to really handle more capacity of water. And that's why we're looking at a little bit larger appropriation. Let's put into context, again, when we think about the Perkins County Canal and why it's so important. I know Senator John Cavanaugh has read the compact. And I know-- Senator Cavanaugh, are we three or four pages? Probably four, maybe five. OK. So in the, in the world of compacts and attorneys, attorneys must have been in some kind of a recession back when this was done because no attorney worth their salt would do a five-page compact today. It'd have to be 50 or 100 pages just to get warmed up. So this compact is

quite simple. Leaves very little ambiguity. And furthermore, if you look at challenging the compact, which Colorado has not done whatsoever. They've not indicated any challenge to the compact and the validity of the compact. Their challenge has been, will there be enough water to deliver, not whether or not we have the rights to it. The Platte River-- or, the, the Perkins County Canal would go through a few miles of Colorado, but the bulk of this project will be inside of Nebraska in Keith County, not Perkins. And it will be basically two large reservoirs: one larger, one smaller. And given the, the acre feet and the volume of water that we should-- we're entitled to, should fill those, those vessels in the winter months and should provide, in ideal circumstances, 100 percent of the water that we need for releases, for irrigation and other flows that are coming out of Lake McConaughy today. Let me also tell you that just up the river here and along the way of this canal is the Gerald Gentleman Power Plant in Sutherland. That is one of the highest producing power plants in the state of Nebraska. And it needs cooling water, critically important it has cooling water that comes out of the Platte River. So it's critical to the operation of, of, of not only that large power plant, but it's also critical for irrigation use. And I can tell you that there were many producers that are on through that Western Canal who did not get their allocation of water last year. And you can look at aerial photos of where the water ran out and you can look at the aerial photo of where they had corn and where they didn't have corn because they were shorted the water that they deserved. This is an important project for western Nebraska, and this is an important project for eastern Nebraska if we want water flowing down the Platte River. And I think we do. We talk often about how important water is. If you really think about the true value of water, this \$600 million is chump change. Take the water away, 10 years from now, 20 years from now, we're going to look back if we don't do this, and say we were stupid for not spending that money when we could at the time to prever-- preserve the future of water down the Platte River. So as it relates specifically to this bill, this portion to LB564, which is-- and, and particularly the amendment-- is we're really--

KELLY: One minute.

JACOBSON: --dealing with the design-build, which is the most cost-effective way to do a project like that. Because you've got the design people that start from the beginning. They can be cut off at any time through the process and bring someone else in. But you're not reeducating new people, studying the designs and trying to get it done. So I love the bill. I'm going to support the bill fully throughout. I serve on the Natural Resources Committee. And again, I

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thank Chairman Bostelman for all of his work on this. Thank you, Mr. Chairman.

KELLY: Thank you, Senator Jacobson. Senator Machaela Cavanaugh, you are recognized to speak.

M. CAVANAUGH: Thank you, Mr. President. OK. LB723. So I pulled that up. And now I seem to have misplaced it. OK. It didn't have a fiscal note, so that's always a big hurdle. The bill's purpose is to authorize the Department of Natural Resources to have flexibility to utilize alternate contract delivery methods for state-sponsored, water-related infrastructure projects, specifically authorizing the use of the construction management/general contractor design-build and progressive design-build, as well as utilizing public-private partnerships for project financing. These methods will provide the department the ability to deliver certain projects in a timelier and cost-efficient manner when deemed to be in the state's best interest. So that sounds like a good thing. Sort of my next step in the process is to look and see if there were any online comments submitted for LB723. No online comments. So when you don't get a committee statement with a bill-- although I-- actually, I shouldn't say that because there's a committee statement with the underlying bill that probably has LB723 in it. So that will tell us who testified on it. And-- I'm just looking through here. We've got LB567, LB568 and LB723. OK. LB723 creates the Public Water and Natural Resources Project Contract Act, which enables, enables the Department of Natural Resources to employ alternative methods of contracting for public water and natural resources, public service-- surface water or groundwater-related infrastructure project regardless of the funding source. The act authorizes the department to solicit and execute three additional methods of contracting: design-build, progressive design-build or construction manager/general contractor contracts for public surface water or groundwater-related infrastructure projects. LB723 authorizes the department to hire an engineer or architectural consultant to assist with the development of the performance criteria and requests for proposals and any additional services as requested by the department in relation to a project and precludes consultants used from providing services in a proposal for a project upon which they have consulted. Oh, interesting. So I'm going to reread that part. If I can get some light here. OK. It says, LB723 authorizes the department to hire an engineering or architectural consultant to assist with the development of project performance criteria and requests for proposal and any additional services as requested by the department in relation to a project. And it precludes the consultant used from providing services in a proposal for a project upon which

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they have consulted. That's a great guardrail. Makes a lot of sense. LB723 directs the department to obtain requests for qualifications and compile and publish a prequalified contractor list and authorizes the use of public-private partnership with the department responsible for oversight of any function that is delegated to or otherwise performed by a private partner. A technical amendment, AM232, replaces statutory references to references provision-- to reference provisions within the act itself.

KELLY: One minute.

M. CAVANAUGH: Thank you. AM232 replaces statutory reference to the Department of Transportation's similar authority to relevant references to the Department of Natural Resources' authority within the act itself. I do recall Senator Bostelman answering a question about that for me last week when we talked about this bill. It removes reporting requirements to Appropriations Committee and replaces a reference from director-state engineer to director of Department of Natural Resources. So-- and it came out of the committee unanimous, it would appear. So-- OK. I think I am about out of time, so I yield the remainder of my time. Thank you.

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

WAYNE: Thank you, Mr. President. Colleagues, I'm still-- first of all, I want to start off with, I think water is life. It's very important. We should, we should cherish it. I'm still waiting for an Attorney General's opinion on this legality question of the Perkins Canal. I'm trying to figure out if we go into-- and I've asked this for three years in a row now and I still haven't got it. So if Attorney General Hilgers is listening, this is my official request for an Attorney General's Opinion. I don't think that's how you do it, but we'll just go ahead and try it. We are actually going into Colorado and digging a canal. It could be six feet wide and six feet deep. My question is, who is going to police the canal? Is it State Patrol going into Colorado or is Colorado? And the real question is for some of my criminal clients that I represent is, is it legal to smoke on the canal if I'm in the water or do I have to be on land? These are serious issues facing Nebraska. We need to figure that out today. Thank you, Mr. President.

KELLY: Thank you, Senator Wayne. Senator John Cavanaugh, you are recognized to speak.

J. CAVANAUGH: Thank you, Mr. President. I appreciate Senator Wayne's questions. I would also like to know the answers to those. So I just-- well, first off, I just printed out the compact because I wanted to see how many pages it was. And, and Senator Jacobson, it's eight pages printed off. So a little bit longer. I guess that we, we both underestimated it. It might have been longer when they did it or maybe they did it, like, in 1923, it was, like, on just one piece of vellum or something like that, you know, just one big piece of paper. But I will refresh my recollection on this at some point. But I just wanted to be clear that my position on the canal is not that I'm opposed to the canal at this point. I just have always wanted to be very, I guess, play the role of the, of the-- what do you call it? The cynic, the person who's questioning what's going on before we spend \$600 million on something? And I know, like-- if you go out there, if you had the opportunity to go out and tour, which I have. I've been out to Julesberg, which is in the state of Colorado, and seen the Julesburg Gage and been through some of the western irrigation district there and seen their dry irrigation canals. And I've been to Lake McConaughy and seen how low the water was there. And actually if-- Senator Jacobson probably remembers this when we were out there last fall, a, a truck with hay on the back of it caught fire right in front of us while we were all waiting to eat lunch when we stopped at Lake McConaughy. It was quite a, a sight. But that's how dry things were out there this year. You know, we saw pictures of the Platte River being basically a dry riverbed and how-- and Senator Jacobson is correct that they-- there's a heavy dependence for cooling at Gerald Gentlemen, that we used it for hydroelectric generation at both the Kingsley Dam and-- I guess I don't remember the name of the other dam, but the one that's just east of Gerald Gentleman, or I guess, just a hydroproduction. But we use it for all those things. We use it for irrigation. So water is, as Senator Wayne just said, life. And so it's really important that we secure our water rights and that we make sure that we have this opportunity. And there's a lot of things, a lot of good uses that we can put this water to. And, of course, it's our water. We should make sure-- it's our responsibility to make sure we get it. I'm just saying, as it pertains at least to this bill, at this moment, I'm still, you know, not going to be 100 percent in support of spending the money to build the canal. That said, I see the value the canal brings. I have questions about-- I, I, I do-- I'm still questioning whether or not this-- building the canal will actually ensure that we get the water. And those are questions I'm hoping we can get answered satisfactorily before we spend the money. And, of course, I am curious about how Colorado will react once we start, when we drive the backhoes in and start dredging up this canal in the state

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of Colorado. But I, I would say this is the interesting thing for those of you who haven't been out there, you go to Colorado and you see the area where the canal-- you can actually see where the original canal was begun. There's kind of like berms and gullies that kind of parallel the road in part of the-- northeast Colorado, where they had begun digging and then stopped back 100 years ago. So that's, you know, interesting sightseeing out there. But that's-- I just wanted to make sure-- be clear. I'm not speaking against the canal at the moment. I'm speaking in favor of, if we do build the canal, let's do it as efficiently as we can. And I will take some time to read the compact because I'm sure we'll have the opportunity to revisit all of the eight pages of it in the near future, including--

KELLY: One minute.

J. CAVANAUGH: Thank you, Mr. President. I'll just give you a, a little preview. We can talk about Delph Carpenter, who I believe was called the Silver Fox of the Rockies. So, thank you, Mr. President.

KELLY: Thank you, Senator Cavanaugh. Senator Machaela Cavanaugh, you are recognized to speak, and this is your third time on the bracket.

M. CAVANAUGH: Thank you, Mr. President. OK. So, yeah. This is my last time to speak on the bracket, so we'll probably go to a vote on the bracket any moment now. Yeah. I had things to say, but you know what? I'm just going to yield the remainder of my time. Thank you.

KELLY: Thank you, Senator Cavanaugh. There's no one in the queue. Senator Hunt, you're recognized to close on the bracket. Don't see Senator Hunt. So the question is for the body, the bracket motion. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 0 ayes, 27 nays on the motion to bracket, Mr. President.

KELLY: The bracket motion fails. Turning to debate on AM1240. Senator Bostelman, you're recognized to close on AM1240.

BOSTELMAN: Thank you, Mr. President. I ask for your green vote on AM1240. That is-- the bill is LB723. The bill come out of committee with an 8-0 vote. I ask for your green vote on AM1240. Thank you.

KELLY: Thank you, Senator Bostelman. The question for the body is the adoption of AM1240. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

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CLERK: 33 ayes, 0 nays, Mr. President, on adoption of the amendment.

KELLY: The amendment is adopted. Mr. Clerk, for items.

CLERK: Mr. President, some items quickly. Your Committee on Enrollment and Review reports LB243 and LB3-- excuse me-- and LB583 to Select File, both having E&R amendments. Additionally, your Committee on Appropriations, chaired by Senator Clements, reports LB130 to General File with committee amendments. Returning to LB565, Mr. President, the second division consists of AM1242. Mr. President, I understand that is LB567, AM1242.

KELLY: Senator Bostelman, you're recognized to open on the second division.

BOSTELMAN: Thank you, Mr. President. Good evening, colleagues. As a reminder, LB567, which is AM1242, was part of the committee priority bill that come out of LB565 as-- the committee priority come out as 8-0 vote, so. AM1242 includes the provisions of LB567 which strikes language that prevents special high-level managers of a district from running for the board of directors of any district. Specifically, a high-level manager of a rural electric association is disqualified from running for the board of directors of a public power district, which would be NPPD or OPPD, unless they resign or take a leave of absence. Currently, 12 of NREA's 34 members receive their power wholesale from companies located outside of Nebraska. Of those 12, 10 members receive their power wholesale from Westminster, Colorado, and two more receive their power from Rushmore Electric Power Cooperative headquarters in Rapid City, South Dakota. Currently, a person who resides in Nebraska that's a high-level manager of Chimney Rock Public Power District who receives its power-- wholesale power from Colorado is prevented from running for the board of directors of NPPD. Similarly, a high-level manager of Burt County Public Power who receives its power wholesale from NPPD and lives in OPPD service area is disqualified from running for OPPD's board of directors. In the committee hearing, we had a gentleman from Chadron, Nebraska testify. He is a retail customer of NPPD and has a vested interest in serving on their board of directors. However, he is prohibited from doing so because he is a general manager of Northwest Rural Public Power District. Northwest Rural Public Power District does not purchase its power from an NPPD. They receive it from Colorado. Simply put, this change would allow a high-level manager of one district to be qualified to run for a board position of another public power district, similar to how a mayor of one of the 30 municipalities who purchases power wholesale from NPPD can already run and serve on the

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board of, of NPPD. Some have raised concerns about the potential for conflicts of interest in having someone who works for the rural public power district serve on the board of another public power district such as NPPD. However, under State Statute 70-655, all-- quote, all rates, tolls, rents, charges shall be fair, reasonable and nondiscriminatory, end quote. This means that all rates are uniform. That means the contract-- for all of their contracts that they have, everybody that purchases power, it's all the same. One cannot be any different than the other. I've also spoken to the executive director of the Accountability and Disclosure, Frank Daley, about this issue. He has explained to me that a conflict of interest does not exist if it involves businesses between one governmental entity and another governmental entity. The only situations where a conflict of interest could exist is if a person, their family or a, or a business they own is gaining financially. The bill also adds a definition of a reliable or a liability. This does not create a new standard for an electric supplier, and the definition only applies to transmission and distribution of electricity. Section 70-1001 was drafted in 1963 with an emphasis on adequacy and transmission, which we have defined in statute. Since 1963, the term "reliable" has become more prevalent in the public and in the energy electricity industry conversations. Further, the Power Review Board has indicated LB567 seeks to give a basic uniform understanding of the term when being discussed in the context of public power in Nebraska. The bill also adds a new section to the "load and capability" portion of 70-1025. The new section allows a power review board to request information to be included in the annual report as long as the request is feasible and can be performed at a reasonable cost. I want to thank both Public Power and the Power Review Board, who have both worked on the writing of this bill. The committee voted yes-- 6 aye-- 6 yes and 2 present not voting to include LB567 and the committee amendment. Again, I ask for your green vote on AM1242 and the underlying bill, LB565. Thank you, Mr. President.

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

DeKAY: Thank you, Mr. President. I rise in support of LB565 and AM1242. As Senator Bostelman put it, pretty straightforward on what we are talking about today with these officers being able to be elected to the Nebraska Public Power Board, OPS and LES. The entities involved in this regard public power managers, board of directors from rural public powers to be able to run for these boards. They have a vested interest in NPPD and LES and OPPD. There are right now people that are living-- that are employees for NPPD that live in the OPPD district

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that cannot run for this board, but yet they're still paying their power, power charges to OPPD. Vice versa, OPPD has people living within the NPPD district that-- they cannot run for these. And on the other side of the coin, there are retail power suppliers that-- for Nebraska communities that can run. So this just evens the playing field and makes it fair for everybody involved to be able to run for these boards. And they are being supported by Nebraska Rural Electric, the public power districts of the state and Nebraska Power Review Board. So I-- like I say, I rise in support of AM1242. And I yield back the rest of my time. Thank you.

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

BRANDT: Thank you, Mr. Lieutenant Governor. I stand in support of AM1242 and the overlying bill, LB565. This bill that was proposed originally happened in 2016, when a general manager of Norris Public Power tried to run for the Nebraska Public Power District Board and was unsuccessful. After that, then they passed a statute that said GMs could not run. I think that was a mistake. As with most elections-- and I think nobody in the state other than what's in this room has a real grasp on what an election can be like. The voters can decide whether that person is qualified for that position. And I guess with that, I would ask if Senator DeKay would yield to a question.

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

DeKAY: Yes.

BRANDT: Senator DeKay, you ran and were successful to be on NPPD's Board several times. Is that correct?

DeKAY: I was on for one term, so yes.

BRANDT: But you ran for election.

DeKAY: Absolutely.

BRANDT: And you invested a lot of time and effort to convince voters that you were the right person for that job. Is that correct?

DeKAY: Absolutely.

BRANDT: So, I mean, if, if a general manager from one of the power districts were to run for this position, it isn't a slam dunk. They

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would have to go out and convince their constituents that they were the best person for the job.

DeKAY: Absolutely. And if I can expound on that just a little bit. While I was on the board, a retired manager from Stanton Public Power with vast knowledge of the industry, from distribution to generation to transmission, served and was very, very well-accepted on the board. And his expertise was very valuable to the board of NPPD.

BRANDT: All right. Thank you, Senator DeKay. I would yield my time back to the Chair.

KELLY: Thank you, Senator DeKay and Brandt. Senator John Cavanaugh, you are recognized to speak.

J. CAVANAUGH: Thank you, Mr. President, Mr. Lieutenant Governor, as Senator Brandt said. I usually stick with "Mr. President" so I don't screw up, but. Well-- so I rise in opposition to AM1242. I was one of the two not votings in committee. I still supported the whole package and still do support the whole package, but I was opposed to this section. So I appreciate what Senator DeKay is saying in his experience about that. And, and I did want to say I do appreciate-- there's a lot of parts to this particular section. And Senator Bostelman, you know, did a nice job of explaining all of them, but you kind of-- some of the other parts get lost, and the kind of reliability part-- portion of it. And I know that Senator Bostelman worked very hard over the last two years as I've been on the National Resources Committee with kind of the stakeholders about that. And I think if this bill were brought or was brought the previous session, you would have seen the power companies were, were opposed to power-- the public power entities were opposed to that similar reliability and the Power Review Board study portion. So Senator Bostelman did work diligently to get that into a position where he brought those folks on board. So I appreciate his work and diligence on that. I know it wasn't easy to get it to that point. But having you know, sat on this-- in the hearing and listened to the testimony of the folks who came in favor and opposed, as Senator Brandt pointed out, there was an incident-- I guess "incident" is probably not the right word. But there was a time when somebody who was a high-level employee at one public power district wanted to run for a board of another public power district, and that person ultimately lost. But it did create the precipitating event for the Legislature to make this change in the statute that I think passed something like unanimously, 43 votes or something along those lines, what we were told. But, you know, there-- we have a wonderful system in the state of Nebraska with our public

utilities, public power. And we're very blessed in that regard. It's one of the things that sets us apart from everybody else. [INAUDIBLE] first only entirely public power state. And so we benefit greatly, I think, from that unique structure. And it should be-- we should be careful about how we structure that. There-- these are businesses that are not necessarily in direct competition, but some of them do purchase power from each other. And so there is a, a pecuniary and monetary interest in how these work. And, so there is a concern about industries becoming too insular, like there's-- it's great to have experience. And as Senator DeKay pointed out, a retired member serving on the board brought great experience. But that was a retired member, and so it didn't have a current active interest ongoing. And so there-- we should be very careful about allowing that kind of cross-contamination. I've often noted that, as members of the Legislature, we're not allowed to work for other parts of the state. So, you know, we can't be professors at the university. You can't work for one of the other departments. You can work for a different part of government. We had-- I remember hearing about somebody running last time or thinking about running last time who was a city administrator. But that gave me a bit of a pause, too, to think that somebody that was running a city would be serving in the Legislature. And so it is-- I, I understand the attractiveness about this and I understand that it seems like a small thing to say, let's let people who have this particular expertise in this field serve on these boards. And they-- there are some of them, as Senator Bostelman correctly pointed out, who don't actually engage in commerce with the other power districts we're talking about.

KELLY: One minute.

J. CAVANAUGH: Thank you, Mr. President. But that said, that, that maybe is an argument for structuring a ban in a different way, to say that if you don't-- if you serve on a-- work for a power board that doesn't engage, doesn't buy its power from the elected board, then maybe you could run for that board, or something along those lines. There's some sort of-- still separation. So these are not people who are working for essentially a customer of the public power entity because we need to make sure that we are make-- protecting these entities. So that's why I voted against it. But like I said, I still supported the whole package. Thank you, Mr. President.

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

DUNGAN: Thank you, Mr. President. I do rise in support of LB565. I guess I still have some questions regarding AM1242. Like many others in this body, I receive a number of emails that I do go out of my way to try to read all of them myself. And I actually received a, a surprising amount of emails regarding AM1242. I think this is-- this bill is a good example of why it's so helpful to have members in the committee that can talk to us a little bit more about the amendments and the bills they heard. So I've had a chance to speak with a number of senators who were on this committee about this amendment and kind of where it came from. I think the bulk of my concerns have, have been sort of at least previewed by Senator John Cavanaugh and also Senator DeKay and, and Bostelman spoke as to some of the things that are contained in the amendment. We've talked a little bit about the provision in AM1242 with regards to who can run for what. The provision that I actually received the most emails about was the reliability standard that's put in there. You know, one thing that I think we can all agree on is that we need energy that is reliable and we need energy, power that's provided on a regular basis. I know that's something we all share here in this state and we share here in this body, is ensuring that all of our constituents have power when they need it ,because we hear stories from other states about rolling blackouts and we hear stories from other states regarding some of the problems they've run into. And I'm very excited to say that Nebraska doesn't really have a lot of those problems. And I too am a big fan of our public power districts. I personally am served by LES. And I've had a chance to speak with them a number of times this session. And so I, I do appreciate the work that's gone into this bill as a package from Senator Bostelman and the rest of the folks on the committee. I think the question that's been raised with regards to putting in that reliability standard is a concern that it's going to, in some way, shape or form, stifle the possibility of growth when it comes to renewable, renewable energy. And I understand there's a lot of differing opinions regarding renewable energy, but I think, at the end of the day, I would at least hope we can all agree that when you take concerns like cost and things like that out, that we all want to make sure we're being responsible stewards of our land, of our water, of our air and things like that. And I think we've seen great developments over the last few decades, in particular when it comes to renewable energy. And one of the things that I think is important to note is though-- is that despite the fact that a lot of renewable energy is inherently variable in its nature, that technology and other things that we've developed over the last couple of decades have made it so that, despite the variability of some of that renewable energy, it can be managed in such a way that we still get consistent power and

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consistent benefits. This was raised in an email that I received that I think a few of us got. And I just wanted to read a part about that, to kind of, I think, further define some of the concerns. And that person wrote, with respect to the definition of reliability, it's important to ensure that our energy sources are dependable. But defining reliability too narrowly could stifle innovation and limit the potential benefits of renewable energy. Again, as I just stated, renewable energy sources are inherently variable. The wind doesn't always blow and the sun doesn't always shine. This variability, however, can be managed through a combination of technologies and strategies such as energy storage and smart grid systems. Narrowly defining reliability could limit the growth of renewable energy in Nebraska, discourage investment in renewable energy projects and ultimately, limit the economic benefits that come from a thriving renewable energy industry, including job creation and increased tax revenue. Since I've been involved in the Legislature, I've had an opportunity to speak with many people about the benefits that renewable energy brings to our state. I think this email we received touches on a number of those. But specifically, the job creation that we see and the innovation that we see from that is incredibly important. And so I want to make sure that we, as a state, are doing everything we can to balance that concern, right? You can balance on one hand being an innovator and--

KELLY: One minute.

DUNGAN: Thank you, Mr. President-- being an innovator and being a state that does our best to create new energy sources and create jobs while still ensuring that we're making sure that people have reliable energy, that they don't have these rolling blackouts. And so I do think this bill overall, LB565, addresses a number of those concerns. I remain curious to hear a little bit more about the reliability standard contained in AM1242, but overall rise in support of the package. Despite my concerns about this amendment, I do think it represents a, a compromise. I just want to make sure that we, as a body, continue to do everything we can to be good stewards of our earth and try to do our best to develop renewable energy sources that are reliable when we can. Thank you, Mr. President.

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

DeKAY: Thank you, Mr. President. There might be some concerns that special rates might be negotiated because of the opinion of a board member. That won't happen because of, of an 11-person board. And the

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mission of it is still to have reliability and cost-efficiency. And conflict of interests won't happen because of the 35 public power districts and co-ops that make up our public power grid in the state of Nebraska all have the same rates. And public power is a not-for-profit organization. And public power also needs all of its customers to achieve its mission statement, which is reliability and cost-efficiency. We have a-- in the state of Nebraska, we have a great energy portfolio, which includes nuclear, coal, natural gas, wind, solar arrays. So we do-- we're trying to touch all the buttons. And we are working at everything going forward in the state of Nebraska to have the best portfolio to be as cost-efficient, environmentally friendly as we can be, but to keep it within the rates that our ratepayers can afford. So with that, I yield back the rest of my time. Thank you, Mr. President.

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

BOSTELMAN: Thank, thank you, Mr. President. I'm going to address a couple comments from Senator Dungan, which I appreciate. First of all, we're not creating a standard. We're not creating a standard. So a standard applies to any type of generation. So we're not creating a standard. We're providing a definition. The definition is for the transmission and distribution of the aggregate of all of the businesses, whether it's wind, solar, gas, coal, nuclear, hydro. What the reliability-- what the definition says is that you are able to-- the NPPD provides that down the power lines and to the end customer. Does not set up a standard of saying this one type of generation source over another. It basically takes the FERC and NERC definitions because what we hear in committee and when we talk with public power and others, we hear the term "reliability." Adequacy was a term that was used back in the '60s. And since that time, more and more, we've gone away from adequacy and we've gone to reliability. Adequacy deals with the same thing: delivering that power down the lines to the end customer. Reliability, what this is, is, is definition saying that exactly, you're going to deliver that down the transmission line to the end customer. Takes all-- it doesn't, it doesn't delineate, doesn't-- it isn't prescriptive to any type of generation, but it takes all that generation and says we're going to reliable-- take that aggregate of all that generation and deliver it down the wire to the customer where we need it. So that's what we're doing with the definition. Again, it's not a standard. I went back and forth with public power on this quite a bit on the standard, and that ain't, that ain't-- that's not what this is. This is specifically on the reliability of the transmission, getting the electricity down the

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wires and to the end customer. I hope that answers your question. I'll be, I'll be glad to talk to you more off the mic, if you like. The other question-- I wonder if Senator DeKay would be willing to yield to a question or two.

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

DeKAY: Yes.

BOSTELMAN: Senator DeKay, thank you. As you stated before, you, you sat on the NPPD board of directors, correct? You were a director?

DeKAY: Absolutely, yes.

BOSTELMAN: So one of the comments that we're hearing is conflict of interest. And as your-- if you reflect back on your time as, as a director, do you feel one director specifically or two directors or three directors would have the opportunity to really sway? Because you don't set rates by area. It's the entire contract. I mean, do you think that any of the-- what you've seen, any of the directors would have the remote possibility of, of really making a, a direct conflict within this?

DeKAY: No. It would, it would take the effort of a majority of the board to work on that. But we also-- or, Nebraska Public Power, from my experience there, also uses the resources of our management team to give us the right information so we do know what our fixed costs are going to be, what our cost of generation transmission and the millions of dollars it takes. So we, we did take that all into account. And that's how rates are set and that's how we go forward. Yeah.

BOSTELMAN: Thank you. So, yeah. So I, I think the conflict of interest from Senator DeKay's experience on the board is, is remote at best, if at all. You know, the other thing I want to, I want to, I want to touch on, too, is that we've had lobbyists for generation companies that sat on the boards already. OPPD had two lobbyists that sat on their board of directors that passed contracts that benefited those who they represented. So a conflict of interest-- that's a significant conflict of interest. We also had a, a gentleman on NPPD's Board who installed solar panels. So if we're having presidents of company or lobbyists who are representing companies who actually can benefit from this directly, I, I really-- I don't think from, what Senator DeKay has said and, and talking to John McClure from NPPD-- you know, that conflict is remote at best, if it can happen at all. I think it's-- they do a very good job on OPPD and NPPD with the direction and

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oversight from the, from the CEOs and presidents. I, I just-- I think that we just need to move on. I-- again, I support AM1242 and LB565 and would ask for your green vote. Thank you, Mr. President.

KELLY: Thank you, Senator Bostelman. Senator John Cavanaugh, you are recognized to speak.

J. CAVANAUGH: Thank you, Mr. President. I appreciate the conversation. And it looks like I'm the last one in the queue on this one. And I really do appreciate, you know, having expertise. This is a good lesson in expertise. Senator DeKay previously served on the NPPD Board, and he brings that expertise to the conversation we're having, and I appreciate that. And I would just point out to Senator Bostelman's last point, when we had this conversation, I think during the hearing, I brought up-- or, that-- the example of other folks serving on the board having those other conflicts was brought up. And I suggested, why don't we ban that, as well? I do think there is an argument to be made to make sure that we're not having people with financial interests in this industry being-- participating in those decision making. But I'm not suggesting that at this point. The bill's baked, and I don't have an amendment to propose or anything along those lines. But I do think it is important that, though there is-- the folks who serve on these boards are public servants and they-- I don't know what NPPD gets paid, but I think the OPPD Board gets paid about the same as we do. And it's the regulating-- they, they're overseeing a hugely important industry in the state. And reliability is key to that. And we had a hearing last year, two years ago now, about the rolling blackouts. And we were the first hearing of its kind after there were those rolling blackouts as a result of the freezing storm in Oklahoma and Texas. And I remember the guy from SPP came up and said, you guys are the first ones to be asking all these questions. And we had that hearing because we were-- in Nebraska, we're so shocked at having something like that happen because of the diligence of our public power companies and their elected boards and everybody who works for them because everybody has such pride in the work they're doing. That said, it really is-- what do they say? "The road to hell is paved with good intentions," right? People who were intending to bring their expertise and are intending to bring their objectivity and intending to recuse themselves, which I'm sure they certainly would do if somebody gets elected, will do all the things right and, and tend it with all the best intentions. But it's the relationships and those side conversations and all those other things that, you know, are a potential recipe for a problem. And so that is generally why I'm opposed to this, is just it, it gets too close to the potentiality for a conflict and, and getting into that area of

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causing a problem for our public powers providers. And so, that's why I'm opposed to that. Like I said, I voted present not voting in committee. I plan to vote against this section today. And then we can have the rest of the conversation about LB565, so. I think I'm the last one, so thank you, Mr. President.

KELLY: Thank you, Senator Cavanaugh. Mr. Clerk, for an announcement.

CLERK: Quickly, Mr. President. Thank you. Announcement: the Agriculture Committee will meet in Executive Session under the north balcony at 7:15. Agriculture Committee, Executive Session, north balcony, 7:15.

KELLY: Thank you, Mr. Clerk. Seeing no one in the queue, Senator Bostelman, you're recognized to close on AM1242.

BOSTELMAN: Thank you, Mr. President. I want to thank Senator John Cavanaugh, Senator Dungan, Senator DeKay for participation in the AM1242. Again, I would ask for a green light on AM1242 and underlying bill, LB565. Thank you.

KELLY: Thank you, Senator. Members, the question is the adoption of the second division, AM1242. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 31 ayes, 2 nays, Mr. President, on adoption of the amendment.

KELLY: AM1242 is adopted. Mr. Clerk, for items.

CLERK: Mr. President, concerning LB565, the third division is AM1244, which I understand is LB565.

KELLY: Senator Bostelman, you're recognized to open on the amendment.

BOSTELMAN: Am I on LB565 or LB568, Mr. Clerk?

KELLY: LB565.

BOSTELMAN: LB565? OK. AM1244 to LB565. Thank you, Mr. President. AM1244 includes the provisions of LB565, which would assist the Hydrogen Hub Working Group in continuation of their work authorized by the Legislature in 2022. Nebraska has a tremendous opportunity to lead in the growing hydrogen economy, economy, benefiting Nebraskans by creating new products and markets for our ag industry, providing high-quality jobs, including in rural communities, solidifying access to the fertilizers necessary for Nebraska and our region and providing

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more food security for the people we feed around the globe during a time of international energy and fertilizer shortages. The federal Regional Clean Hydrogen Hubs Program, or H2Hubs, was part of a larger \$8 billion Regional Clean Hydrogen Hubs Program funded through the Infrastructure Investment and Jobs Act. The program proposes to establish 6 to 10 Regional Clean Hydrogen Hubs across America. These hydrogen hubs will create networks of hydrogen producers, consumers and local connective infrastructure to accelerate hydrogen as a clean energy resource. During the 2022 Nebraska legislative session, LB1099, a bill to create the Nebraska Hydrogen Hub Industry Workgroup, was passed and signed into law. The industries represented on the workgroup include Monolith Materials, Werner Trucking, Union Pacific, Nebraska Farm Bureau, Tallgrass Energy and Nebraska Public Power District, who has taken the lead on this effort. They've worked with a leading engineering firm on sophisticated linear programming modeling that put forth a competitive proposal. There is a potential for more than \$1 billion of matching dollars from the federal program for the projects identified in the regional hub application. This would serve to accelerate the development of production, transportation and ultimately consumption of hydrogen-related products in Nebraska and our other partner states. Nebraska has partnered with Iowa, Missouri-- and Missouri to form the Mid-Continent Clean Energy Hydrogen Hub, or MCH2, and submitted their initial proposal to DOE for the hydrogen hub. Of the 79 proposals submitted to DOE, only 33-- 1 of which was a Nebraska, Iowa and Missouri proposal-- were encouraged to move to the next phase. The H2Hubs will be a central driver in helping communities across the country benefit from clean energy investments, good-paying jobs and improved energy security. This opportunity gives Nebraska and our agricultural producers and industries an opportunity to further diversify their product offering-- offerings and revenue streams with hydrogen-enhanced biofuels, including sustainable aviation fuel from ethanol, renewable diesel for trucks, tractors and trains. It helps create better, more secure access to the fertilizers necessary to continue being a leader in global ag production, and it creates an opportunity for our transportation industries and electric-generating utilities to further diversify their fuel sources. The next steps included submit-- submitting a full application to DOE. We'll require significant additional engineering and modeling, showing the DOE the production capabilities' necessary connective infrastructure to move the hydrogen and hydrogen-related products and the potential consumption in the state. The engineering and modeling will be needed as-- the-- needed as projects progress through the FOA timeline, which are normally, normally two to three years for the first set of projects to get off the ground. That brings us to LB565 or AM1244,

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which allocates \$250,000 in FY '23-24 and FY '24-25 from general funds to the Department of Economic Development for the purpose of providing grants to the Nebraska Hydrogen Hub Industry Workgroup to continue their work. These grants would be utilized by the group for engineering and modeling work to prepare and support the group in the next step of their submission for one of the Department of Energy's Regional Clean Hydrogen Hub designations and associated funding. I want to thank NPPD, who has taken the lead role in pulling these industries together to put forth this competitive proposal. This includes submitting a full application to DOE, which will require significant additional engineering and modeling, showing DOE the production capabilities' necessary connective infrastructure to move the hydrogen and hydrogen-related products and the potential consumption in the state. LB565 will ensure the workgroup has the funds to carry out any needed engineering and modeling. I would ask for your support of LB-- or, AM1244. LB565 did come out of the committee with an 8-0 vote, so I'd ask for your green vote on AM1244 and the underlying bill, LB565. Thank you, Mr. President.

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

DeKAY: Thank you, Mr. President. I rise in support of LB560 and AM1244. From my experience on Nebraska Public Power District board of directors, I think we already have a good blend of power generation that is both reliable and affordable to consumers. We get about 50 percent of our power from coal out of plants like Gerald Gentleman and Sutherland-- in Sutherland, 18 percent from nuclear out of Cooper Nuclear Station, about 25 percent from wind and the rest from a variety of sources such as solar and natural gas. At the same time, more can be done to diversify where Nebraska gets its electricity. I believe hydrogen has great potential. From what I have learned, hydrogen is a very clean, reliable source of energy. Green hydrogen takes the carbon black out of natural gas, the product left over in the process of hydrogen, which can then be used to generate electricity or create ammonia for fertilizer. About 99 percent of the remaining residue is water. With this in mind, hydrogen offers a pathway to create a cleaner electric grid that offers more reliability with less infrastructure build out, which could complement the reliable clean energy-- clean electricity. Additionally, there is a growing hydrogen economy growing in this country. We have an opportunity to try and bring some of these dollars and benefits to Nebraska, such as creating new products and markets for our ag industry, providing high-quality jobs, including in rural communities, enhancing access to fertilizers necessary for food product amidst--

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during a time of international energy and fertilizer shortages. We have a potential to fuel trucks, heavy machinery, ag equipment, locomotives, airplanes with hydrogen. There are billions of dollars out there for states who claim to develop hydrogen hubs. I know Nebraska Public Power District has taken a lead role in pulling together industry partners to put forth this competitive proposal. Now they need our assistance from the statewide. LB565 with AM1244 would help make Nebraska more competitive in securing these funds. Thank you. I yield back the rest of my time.

KELLY: Thank you, Senator DeKay. Mr. Clerk, for a priority motion.

CLERK: Mr. President, Senator Machaela Cavanaugh would move to bracket LB565 until June 1, 2023.

KELLY: Senator Machaela Cavanaugh, you are recognized to speak.

M. CAVANAUGH: Thank you, Mr. President, colleagues. OK. We are on AM1244, which is LB565. And I'm just going to get back into my groove, after-dinner groove of chitchatting it up again. So let's see here. LB565. Underlying bill. Oh, that is the underlying, the underlying bill. OK. So, LB565, introduced by Senator Bostelman, amends Section 66-2301, to fund steps necessary to continue forward with competition for designation by the United States Department of Energy as one of four regional locations sought for Clean Hydrogen Hub. LB565 follows the first round's success of competition under Nebraska-- by Nebraska under LB1099 in 2022. LB565 directs appropriation of \$250,000 from the General Fund for FY '23-24 and \$250,000 for FY '24-25 to the Department of Economic Development for the grants needed for engineering and modeling work to prepare and support the next round of competition for the regional hub designation and associated federal funding. Section by section. Section 1, legislative findings about, quote, unique benefit for the state to compete by designation-- for designation by the U.S. Department of Energy as a location for a Regional Clean Hydrogen Hub, end quote. Appropriation intention: directs the Department of Economic Development to adopt and promulgate rules and regulations to carry out the program. Section 2 repeals original section. Section 3, emergency clause. OK. So let's see here. Underlying bill, LB565. Let's see. The A bill is after this. And the A bill: appropriate \$250,000 from the General Fund and \$200,000 from the Nuclear and Hydrogen Development Fund for FY '23-24 and \$250,000 from the General Fund and zero from the Nuclear Hydrogen Development Fund for FY '24-25 to the Department of Economic Development for Program 603 to aid in carrying out the provisions of LB656 [SIC-LB565]. So

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would Senator Bostelman yield to a question? It's about the fiscal-- or, the A bill.

KELLY: Senator Bostelman, will you yield?

BOSTELMAN: Of course.

M. CAVANAUGH: Thank you, Senator Bostelman. So in the A bill, it, it appropriates \$200,000 the first year from the Nuclear Hydrogen Development Fund, but nothing the next year. Is that some sort of set-up cost or, or what is that about?

BOSTELMAN: So the \$200,000 is the question. So the \$200,000 is for per diem for those who may travel to come in to, to allow for that for the time of the extent of the-- of that group existence.

M. CAVANAUGH: OK. And I'm not familiar with the Hy-- so we have a Nuclear Hydrogen Development Fund currently?

BOSTELMAN: No.

M. CAVANAUGH: Oh. Are we creating it?

BOSTELMAN: Yes.

M. CAVANAUGH: OK. We are creating it and putting \$250,000 in it and then using \$200,000 of it?

BOSTELMAN: So on, on LB568 is what we're-- so what you're talking about, there's the two different ones. So for the hydrogen working group, the \$200,000 we're creating so they have per diem because we had individuals come in and testify from Arkansas and South Carolina that do this. And then you'll also have the community colleges or state colleges. You may have NPPD. You may have at-large people that may travel in for meetings. So we just want to make sure we had something there just to cover travel costs, if they wanted it.

M. CAVANAUGH: OK. But so-- but we're cre-- we're-- I'm just-- I'm curious. We're creating a fund.

BOSTELMAN: For \$200,000--

M. CAVANAUGH: OK.

BOSTELMAN: --for that working group to use for per diem.

M. CAVANAUGH: OK. And then we're not--

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BOSTELMAN: And if they don't use it, it comes back into general funds.

M. CAVANAUGH: OK. Do they have to use it in that-- in the one-year period or do we leave it there for the biennium--

BOSTELMAN: They leave it there for the biennium.

M. CAVANAUGH: OK. OK. Thank you.

BOSTELMAN: You're welcome.

M. CAVANAUGH: Sorry, I didn't-- I, I put you on the spot there and you answered my questions wonderfully. Thank you. This is the dangerous thing about when I start reading things, I start to get questions about them, so. OK. So we are on LB565. And the amendment is LB565. And so I appreciate Senator Bostelman answering my questions about that, the A bill. I'm trying to find the fiscal note on LB565. So our, our bills are actually kind of color coded. You have the green copy, which is the original introduced bill because it's on green paper. There's white pages in between, usually if there are more than two pages, but. That's the green copy. Then the pink page is the fiscal note. It's usually pink-- printed on pink paper. And so I have found the pink page. So it intends to appropriate \$250,000. OK. So then I'm going to another pink page. So, much like when earlier today I was discussing the revenue package or packages of bills and the article in the Nebraska Examiner talking about how there is all these packages of, of bills. And now we got the fiscal notes back from them once we move them from General to Select. So that'll happen with this because there's multiple bills within this bill. And so as the bill moves, we will have a new fiscal note. And it'll be just one fiscal note instead of having to look through all the fiscal notes. And every bill gets a fiscal note. Sometimes it is literally nothing-- like, basically a blank page because it says this does not appropriate any money or cost anything. Ah. OK. LB568. I, I got there eventually, Senator Bostelman. I found LB568, where we are creating the Nuclear Hydrogen Development Act. Thank you. I-- you know. Getting a little tired. Dragging a little bit. My brain is slowly catching up to, to the bill itself. OK. How much time do I have, Mr. President?

KELLY: 2:21.

M. CAVANAUGH: So-- well, I don't want to jump, jump ahead on LB568, so I guess I should go back to LB565. And the amendment to LB565 is-- wait. That's the original amendment. Oh, and then these are the individual amendments. I've got a lot of, lot of paper here. OK. So

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the original amendment was 24 pages. The original bill itself was three pages. Not-- two and a half, really. So, you know, that's what happens when we build our, our beautiful Christmas trees. It's the intention of the Legislature to appropriate \$250,000 from the General Fund and \$250,000 in FY '23-24 and FY '24-25 to the Department of Economic Development for the purposes of providing grants to any public power district that serves a majority of the counties in the state to be used for engineering and modeling work to prepare and support the state in competing for one of the United States Department of Energy's Regional Clean Hydrogen Hub designations--

KELLY: One minute.

M. CAVANAUGH: Thank you-- and associated federal funding. The Department of Economic Development shall adopt and promulgate rules and regulations to carry out the grant program described in subsection (3) of this section. OK. I am in the queue and I think there's other people in the queue, so I will yield the remainder of my time. Thank you.

KELLY: Thank you, Senator Cavanaugh. Senator John-- oh, excuse me. Mr. Clerk, for a clarification.

CLERK: Mr. President, I just want to clarify. Senator Cavanaugh, you opened on MO938. Pursuant to that rule change, the, the bracket motion-- we had already had a bracket motion, so we'll consider this the, the recommit, MO938.

M. CAVANAUGH: Senator John Cavanaugh, you're recognized to speak.

J. CAVANAUGH: Thank you, Mr. President. Well, I rise in opposition to the motion to recommit. And I was opposed to the bracket motion. But I am in support of AM1244. I think this is-- the opportunity presented for the Regional Clean Hydrogen Hub is an exciting one. And we are uniquely situated in Nebraska for a number of reasons: geographically situated and, you know, the participation of our local government. But also, the business partners that have grown up and developed in Nebraska I think is a really great opportunity. But I wanted to kind of read-- this is from the Department of Energy's website. And it's actually from seven hours ago, I think it said. Trying to find the timestamp on here. But when I opened it, it said seven hours ago. The Regional Clean Hydrogen Program, or H2Hubs, includes up to \$7 billion to establish 6 to 10 clean regional hubs across America as part of the larger \$8 billion hydrogen hub program funded through the bipartisan infrastructure law. So that was the Infrastructure and Jobs Act that

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was passed in spring of 2021 to jumpstart the economy and to reinvest in lots of industries in the-- across the country. So this is a federal act passed during the previous session of Congress, signed by President Biden, to fund \$700 billion in investment in jumpstarting a new industry or taking an industry that exists and helping it grow to maturity and incentivizing businesses and governments to work together to capture that kind of innovation. And as you heard Senator Bostelman talk about, our partners here in Nebraska have worked to partner with our neighboring states and other entities to put forward a package, an application that made it past the first round and is advancing on to the next round. And-- so we have a, an opportunity to bring home up to \$1 billion, sounds like. An investment in a technology that could foster an industry here in Nebraska that could make us a, a envy of the rest of the country. And I appreciated Senator DeKay's recitation of a lot of the energy production we have in the state. And it-- so the name I couldn't remember I went and found out is North Platte Hydro Plant. And I said the reason I couldn't remember it is it wasn't a very exciting name. Not to malign North Platte, I just-- you know, it's not an exciting name when you have something like Gerald Gentleman and Kingsley Dam and Lake McConaughy. A lot of, you know, just more exciting names. But, anyway. I digress. We have a, a great portfolio of generation in the state of Nebraska. But one of the, the problems that everybody experiences going forward is finding these cleaner, renewable energy sources that can serve-- replace some of the things that you just can't really do with, say, batteries. You know, there's just some jobs you need a liquid fuel for. And Senator Bostelman talked about, you know, ethanol and jet fuel and things like that. And that's-- there's a real opportunity--

KELLY: One minute.

J. CAVANAUGH: Thank you, Mr. President-- to advance this technology and for Nebraska to be one of the centers where this happens going forward in this country. And we get to do that in partnership with our local governments, our public power districts, our business partners, our neighboring states, to create a hub to develop this. And so this \$250,000 investment is the next step after we passed a bill last year to continue down this process, to continue pursuing our application and to make sure we put the best foot forward to try to bring home \$1 billion in federal funds to build up this industry, to make us an even more attractive place for this kind of research and development and industrial-- industry. So I would, again, be opposed to the motion to recommit in favor of AM1244. Thank you, Mr. President.

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KELLY: Thank you, Senator Cavanaugh. Senator Hunt, you are recognized to speak.

HUNT: Thank you, Mr. President. Good eye, guys. I changed the mic. I had a couple questions about renewable energy as it pertains to LB565 and the amendments therein. But I wanted to finish some thoughts that I had on this on Thursday when we were talking about this and also continuing the conversation that we were having earlier today, as well. I would like to be in a Legislature where somebody who is a registered Republican, someone who is conservative, would stand up and condemn the Westboro Baptist Church. I think that in past years, when I-- this is something I can picture Senator Williams doing or Senator Stinner doing. When I talked to Senator Stinner after the January 6th insurrection happened, he was horrified. And I was like, hey, man. That's your team. And he's like, yeah, I cannot believe what a situation we've gotten ourselves into. And, you know, the Westboro Baptist Church, these are the people who hold up signs that say "Thank God for dead vets," "Thank God for dead cops." They came and protested at the funeral of Kerrie Orozco in Omaha, when she died in the line of duty. And I can hardly think of anything that's more of a bipartisan handshake in this country than not wanting the Westboro Baptist Church to be showing up, especially in support of a bill. And this is the danger of the anti-trans, anti-LGBTQ rhetoric that we see growing around this nation, which, by the way, is not a winning electoral issue. All over the country, people are losing on this issue. And people are facing inflation. People are facing economic hardships, education, healthcare. And there was this video that went kind of viral yesterday on Twitter of this guy drinking a Bud Light, just being like, I don't-- OK. So you know how Bud Light did this commercial with Dylan Mulvaney, who I had never heard of, but she's apparently a trans model or celebrity and-- she's trans. And she got a, a contract with Bud Light. And as a result, a whole bunch of people are boycotting Bud Light. Travis Tritt, the country singer, is saying, like, I'm never going to support Anheuser-Busch again, this and that. The thing that you-- the, the predictable thing has happened, which is, like, people buying all of these huge cases of Bud Light just to destroy it, which is not really, you know, getting the company at all if you're spending a whole bunch of money to buy their product just to destroy it. But I'm really curious about how this anti-trans stuff even benefits the GOP. It played very badly in Wisconsin last week in the Supreme Court election. And there's reason to think that it doesn't play well elsewhere either. There was a post I was reading and they, and they make the point, of the massive trail of destruction wreaked by American movement conservatives, their persecution of

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sexual and gender minorities has been of one of their most utterly vile projects. Out of murderous bigotry and a desire for votes, they have spent decades leveraging the power of the American state to make the lives of LGBT people as miserable and short as possible. From the genocidal neglect of the HIV/AIDS crisis to the criminalization of the most basic acts of daily life for LGBT people to the constant demonization of innocent people to win votes--

KELLY: One minute.

HUNT: Thank you, Mr. President-- the right has committed innumerable atrocities to destroy the lives of LGBT people. Through it all, their only limits have stood where their hatred started to become a political liability. The only limit stands when the hatred starts to become a political liability. So the gist is that anti-trans politics don't help the GOP-- I should say what that was from. This was from Ettingermentum Newsletter. This is a substack that has a whole bunch of subscribers that I read sometimes. And I totally agree that most people, Republicans for sure, do not care about this issue at all. They want government out of their lives. They want a high quality of life, and they want to be happy people around other happy people. And my question to Nebraska is, how can we represent the best of Midwestern values and ideas without letting one party have ownership of that? Thank you, Mr. President.

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

M. CAVANAUGH: Thank you, Mr. President, colleagues. Thank you to the Clerk. Yes, there was a motion before we got our new rules thing, so we got to do our thing with the motions and the thing and the guy at the place around the corner. Just kidding. So now it's a motion to recommit. So, thank you to Senator Bostelman, for coming over and talking with me through some of my, my own confusion over which amendment/bill we were on and getting clarification. I am a curious cat. I love to learn. And I once did the Gallup Strengthsfinder-- and there's all different versions of it-- but I did Gallup Strengthsfinder. And they say your strengths are also probably kind of your weaknesses, as well, because it can kind of go in both directions. And so "strategic" was one of them, "analytical." I think "communication." But "learner" was definitely in my top five. And I am definitely a learner. I love to learn things. I love to just, like, go down weird rabbit holes of information and not even know that that's what I was going to do until I'm doing it. I think my learner attribute had Senator Riepe on high alert when we were getting to the

claims bill because he didn't know what questions I might ask him. And, frankly, I didn't know what questions I might ask him either. But I think we both let him off the hook on that one. So right now, I am looking at-- I went down this weird information of looking at Omaha Wasteline because it's the spring cleanup. So this is my PSA for anybody in Omaha. Spring cleanup is happening in April and May. It looks like April 22, April 29, May 6, May 13, May 20. I know this, again, from my local resource of, of all things that are a public good, Senator John Cavanaugh, constantly keeping me informed on public goods. I'm talking about the spring cleanup, Senator Cavanaugh. So Senator Cavanaugh had mentioned the spring cleanup over the weekend and then my husband mentioned the spring cleanup. And then I was like, when is the spring cleanup? And I wanted to know. I need to figure out when the one is closest-- well, doesn't have to be closest to me, but-- so that I can make sure that I get rid of whatever items I need to get rid of. And, interestingly, you can do a yard waste one. So I should probably figure out that one because I have yard waste that-- I have a compost, but the compost isn't, like-- you can't-- it's not going to break down branches. So if you have big branches, you kind of want to have some place to put those. And the spring cleanup is a good-- the ones that collect yard waste. It's also great-- batteries. I, I save all my old batteries. Don't want to just throw those in the trash because then they leak into everything. So I keep all my batteries. And very oddly-- now, my son is going to be five this summer. But I keep my batteries in an old canister of formula. I don't know why. It just seems to work. I guess because it's got, like, a plastic lid on it. And I wrote in a sharpie at some point in time, "batteries." And it sits on a shelf in my garage. So you take those-- whether it's the spring cleanup-- or you can take it to UnderTheSink, which is in Omaha, where you can take your old paint cans and batteries and hazardous household waste, like cleaning products. Not hazardous waste, but look at the list: UnderTheSink, things you can take. Another valuable resource.

KELLY: One minute.

M. CAVANAUGH: I don't-- thank you. I don't buy cleaning products so much anymore. I use vinegar for pretty much everything. I use it for salad dressing, which we can go back to talking about salads. I use vinegar for salad dressing, but I also use it to clean. I use it to clean my kitchen countertops. I use it to clean my floors. I just buy huge things of vinegar at Aldi or Costco, wherever. And I just use that to clean everything. And I got to tell you, it is fantastic. And sometimes if something's extra hard, what you do is you just put some baking soda down and then you spray it with a bottle of vinegar, and

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it's a fun science experiment in addition to cleaning. So, yeah. That's a-- that's the rabbit hole I was going down after talking with Senator Bostelman about the A bill and figuring out that I was on the wrong bill. Then I went down a rabbit hole of the Wasteline, thanks to Senator John Cavanaugh reminding me that it's spring cleanup.

KELLY: That's your time, Senator.

M. CAVANAUGH: Thank you, Mr. President.

KELLY: Thank you, Senator Cavanaugh. Senator John Cavanaugh, you are recognized to speak.

J. CAVANAUGH: Thank you, Mr. President. I just had a few more things to say about this. But I don't know if Senator Machaela Cavanaugh pointed it out, the, the website is Wasteline.org. And it's-- the Omaha cleanup dates start April 22, April 29, May 6, May 13, May 20. And if you're interested in taking something, you basically just drive to one of the locations. You have to go to the website and see what the specific locations are. But they have some prohibited items. And then there are some items that you can only take to certain places. Like, if you have a big appliance, it needs to go to a certain place, or tires, I think they take it certain places. So you need to look if you got some of those specific things. And then, of course, if you bring old bikes, they usually have somebody there that'll take the old bike. And they'll either recycle them for scrap or they'll take them to someplace that sells, refurbishes bikes. And they'll have scrappers there as well. So there's a lot of-- you know, it's a great, it's a great event. I volunteered at my neighborhood association. It has helped out at one of these at the-- usually, in the Baxter Arena parking lot on what, 67th and Center. I don't know which state that one is at this point. But, anyway. So that's-- it's a great program. You should take advantage of it. So today, we talked about the library, the seed library and the Wasteline cleanup day. So if you're in Omaha and you need either something for your garden or you need to clean out your backyard to get your garden bed ready, now you know and everything. But, anyway. I had this little handout that somebody gave me from Monolith, which is a clean hydrogen company here in south of Lincoln. And the part that kind of jumped out at me, as it pertains to the issue we're talking about here, is we've got the economic growth in Nebraska today and growing our facility is an impact. So they have economic growth in Nebraska today, \$100 million from the construction of their facility, and 201 jobs: 93 direct and 108 indirect. And as they seek to expand, they're expanding to-- so Monolith is proud to own and operate the world's largest commercially operating clean

hydrogen and carbon black facility-- which, if you have the opportunity-- I know that-- I can't remember if it was Senator DeKay or Senator Bostelman talked about carbon black. But Senator Moser can really talk about carbon black. It was one of my favorite Natural Resource hearings, where he explained to everybody what carbon black is and what it's used for. So he knows his stuff. But they built-- it's Olive Creek 1, located in Hallam, Nebraska. Construction will soon begin on the company's latest expansion: Olive Creek 2. The Olive Creek 2 facility will generate more than \$1 billion in capital investment and create an additional 200 direct jobs. So this is the growing capacity. It'll be \$100 billion plus-- or, I'm sorry. \$1 billion plus for Olive Creek expansion, 758 Nebraska jobs: 222 direct, 536 indirect. Annual economic impact: \$323 million. Labor income: \$78.2 million. So this is a company that's located in Nebraska and one of the reasons that we are, I think, uniquely situated to be one of these hydrogen hubs that is being funded by the Biden administration through the Infrastructure and Jobs Act. And if we are successful, we bring in another billion dollars in investment to perhaps expand Monolith, perhaps spin off some other businesses and, and industries surrounding that area. I think Hallam is in Senator Brandt's district. He's not here at the moment, but I'm sure he's around here somewhere and he could confirm or deny that, but that's my understanding. So it's not too far from Lincoln. But this is the economic impact from the current industry here. We have the potentiality to draw in, with this \$250,000 investment, the opportunity to compete for that billion dollars, opportunity to build an industry for the future-- a future-looking industry in the state of Nebraska. And I haven't even talked about that some of this can be used for fertilizer, which--

KELLY: One minute.

J. CAVANAUGH: Thank you, Mr. President-- obviously, there's a bigger conversation to be had about maybe how we're applying fertilizer these days. But if we've learned anything from the war in Ukraine and the trouble over there, that we need to be looking into domestic-- more domestic production of fertilizers. So there's a lot of upside to getting the hydrogen hub built here, and there's a lot of opportunity going forward. And so that's why I've been supportive of the previous hydrogen hub bill, supportive of this hydrogen hub bill, and encourage your green vote on AM1244. Thank you, Mr. President.

KELLY: Thank you, Senator Cavanaugh. Senator Slama, you are recognized to speak.

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SLAMA: Thank you, Mr. President. I, I appreciate Senator Hunt raising the comments about the Westboro Baptist Church. And I don't want to give anybody the line that nobody in the Republican Party has condemned the Westboro Baptist Church today. We've-- it's not been relevant to debate. So I'm more than happy to stand up here right now and say that the Republicans in this Legislature, myself absolutely included, absolutely condemn the Westboro Baptist Church, their actions and how they operate. It is horrifying. It is terrible. It really brings out the worst in-- the worst you can see in the United States of America. So we absolutely, wholeheartedly condemn them and their actions. Thank you, Mr. President.

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

HUNT: Thank you, Mr. President. And Senator Slama, thank you. I, I get, I get your point totally about it not being relevant to debate, but thank you. Thank you very much. Given that they're coming here on Thursday and-- you know what you say about it bringing out the worst in our country, these people. These people are brought out by bills like LB574 and LB575, that are anti-trans, that are hateful, that are brought into the spotlight where they don't belong. I mean, nobody would be surprised or shocked to see a conservative Legislature in a red state, like we have here in Nebraska, introduce an abortion ban, introduce anti-trans stuff, introduce anti-LGBTQ stuff. This is all, like, you know, what, what your party's about. And-- but I guess what surprises me in Nebraska is just seeing them raised to the level of such a priority. And, well, you could say, you know, you're the one making a priority. You're the one who's making the whole session about this. And I guess that's a valid argument, but I just don't see it that way because, from day one, we set out from the very get-go, that if a bill like LB574 made it to the floor, if it made it out of committee, if it got a priority, if it was anything that was taken seriously, that would be a line in the sand. And that would be a nonstarter for us in the Legislature. And-- so I think, I think we're playing a game that we all knew the rules to. Also, when that bill was first scheduled a couple weeks ago, and perhaps probably coming up again on Thursday when it's showtime for the Westboro Baptist Church, the bill was understood at the time to not have the votes to pass. And I don't know what kind of, of bargain or, or thing that a lot of people against the bill came around. Maybe, maybe it was one of those things where it's like, let's get it to Select and see if we can fix it with an amendment. Let's get it to Select and see what happens. Maybe it'll die on Select, this and that. But we aren't bluffing. I'm not, I'm not bluffing. I almost swore. I'm not kidding. I'm not, I'm

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not messing with you. It's gone too far already. It's gone too far already. This anti-trans stuff does not benefit us politically. It doesn't benefit the GOP. It played really badly in Wisconsin this last week. And most people, Republicans for sure, in Nebraska don't care about this issue at all. The status quo is fine to them. And in Nebraska right now, the status quo is that we leave families alone, we trust them to make the right decision for them and their kids and their families. We have resources available to people. We have plenty of homophobia in this state. We have plenty of bigotry. And we don't really pass laws to increase that. We don't need to. We don't need to go that way. My question in Nebraska is, for real, how can we represent the best of Midwestern values and ideas without letting one party have ownership of that and without making it partisan at all? This is the story I was telling before lunch that got me into politics, this work I did with Omaha Public Schools on updating their human growth and development curriculum. It was so intoxicating and so exciting and cool because it felt like a progressive win against a lot of odds. But at the end of the day, nobody lost anything. Our rate of STDs and STIs in Douglas County went down. People have had such good outcomes because of this small change in policy that no one had to lose anything by passing. And that--

KELLY: One minute.

HUNT: Thank you, Mr. President. That, to me, is what is so intoxicating and cool about the potential of deliberative political bodies like the Nebraska Legislature. How can we get some wins on some things without there having to be a loser too? And with this issue, LB574, LB575, if these bills just die off, we don't have a loser because these bills aren't seeking to solve a problem that ever existed. It's inventing a problem based on fear, hate and bigotry that's been risen to a level of, you know, seriousness that's just not warranted by the people of Nebraska in our state, in our, in our country at all. And it's completely counter to the principles of freedom, self-determination, autonomy, the right to pursue happiness. So if we just kill these bills, nobody loses, actually. Senator Kauth can be embarrassed, but she probably already is.

KELLY: That's your time, Senator.

HUNT: Thank you, Mr. President.

KELLY: Thank you, Senator Hunt. Senator Machaela Cavanaugh, you are recognized, and this is your third time.

M. CAVANAUGH: Thank you, Mr. President. My middle kid was sending me text messages from their dad's phone, wondering if I watched the video of them playing soccer tonight. They had a soccer game. I actually haven't found out what the score was, but. So I was just letting her know that, yes, I did see the video and that she was doing a great job. And then I had to send her a bunch of emojis because, you know, she's seven and emojis are a big thing. So I was trying to figure out what emojis to send to her. So, yeah. I-- for me, every bill, every bill is about LB574. Every time I'm up here talking, even though I try to stay as much as I can on topic with the bill at hand, I am up here talking because of LB574. And I would not be talking on LB565 if we didn't have LB574 looming around the corner. So I get that people are tired of me talking about LB574 when we're on a different bill, but that's because you view it differently than I do. I am here. I am standing at 7:51 p.m. on a Tuesday talking on a hydrogen hub bill because I oppose LB574. I appreciate the comments about not supporting what the Westboro Church does. I think that's important for us as a body to acknowledge the inappropriateness of this church. I, I don't like saying "church," but I guess "church" is in their name, so. But I am concerned. Why are they here on Thursday? How did they know before most of us knew that LB574 was going to be debated on Thursday? It is not a coincidence. It is by design. And it is problematic. Because someone who had access to that information made that connection for them and told them. I did not have access to that information. I didn't know that LB574 was even potentially on the agenda for this week until I arrived here today and people started talking about it, which is a different level of upsetting that I wasn't told that it was going to be scheduled this week. We were told that LB626 was going to be scheduled. We were told publicly that-- last week that LB626 was going to be scheduled this week because it's such a significant and important bill for the right to life people. And it's scheduled on the Catholic lobbying day. So that's, again, not a coincidence. So everybody in the, the Catholic lobbying day could make sure that they showed up to show their support for LB626. But we weren't told about LB574, which takes away parental rights in healthcare. And we've had parents showing up here for weeks to talk to you all about that bill. And the fact that there wasn't an announcement made to inform the body and to inform the public that such a consequential legislation was going to be scheduled this week is upsetting. It is upsetting. And it's even more upsetting that not only was it scheduled this week and we weren't--

KELLY: One minute.

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M. CAVANAUGH: --publicly told, but the Westboro Church was. That's problematic. You all have had parents and children coming here to the Rotunda, asking to meet with you, many of you refusing to meet with your own constituents. But you know that they've been here. You know that they've been coming here to talk to you. They deserve a public announcement of that being scheduled. They deserve that. And the fact that it wasn't publicly announced-- it still hasn't been publicly announced. This is pure speculation from Senator Hunt and myself. But nobody has gotten on the microphone and told us that we're wrong. It still hasn't been publicly announced. That is upsetting. That is hurtful to those families.

KELLY: That's your time, Senator.

M. CAVANAUGH: Thank you.

KELLY: Thank you, Senator Cavanaugh. Senator Hunt, you are recognized to speak, and this is your last opportunity.

HUNT: Thank you, Mr. Lieutenant Governor. Good points raised by Senator Cavanaugh there. LB574 is one of the most consequential bills-- we're going to pass two this year probably. I'll pray to whatever god you want that we don't, but LB574 to ban healthcare for trans kids, making us just like, you know, any backwoods state that, that you can find in the country going the wrong way. And then the ban on abortion care, LB626. These are the two most consequential bills for the erosion of healthcare rights of families, for the erosion of civil rights in Nebraska. And to have both of them coming up the same week is rough, but to not give notice to the parents, many of whom are already looking for new homes, already looking to move out of the state because of this bill-- yeah. If I was a supporter of that bill, I would be pretty embarrassed. And it ties to LB565 because, as I was coming down here from my, my meetings earlier in my office, I heard Senator DeKay and others talking about how the provisions of LB565 and the amendments contained therein are going to be so good for the economy of this state. You guys will do literally anything for the economy of this state-- quote unquote, our economy-- than give people civil rights, than actually make this a place where people can have a high quality of life. You would trip over yourself and do anything to make the state more hospitable to business, hospitable to energy extraction from our, our planet, from our Earth. But then when actual living, breathing people are out in the Rotunda telling you how something is going to affect them, this is controversial? This we don't have the votes for? That doesn't make any sense to me. And that's-- it's un-Christian and it's an embarrassing misplacement of

values. I used to get-- I, I get asked a lot when I do interviews or, like, speak to kids or something. One of the most common questions I get is, how do you get along with people who are so ideologically different from you? And I used to say-- I mean, I used to have a lot of good answers that I really believed, that you have to believe that everybody's doing their best with the information they have. I no longer think that, because you guys have different information and either refuse to believe it or don't care and go against the facts and evidence anyway, go against what experts say, go against what Nebraskans say how things are going to affect them and have an outcome for them. So it's not that you're ignorant. You do know better. Or I used to say, you know, you just have to find one thing about every person that you like and that you can, you know, think about when you work with them so that you can look past what makes you so different. But this session has really radicalized me. The session has really made me see the fraud and the sham that this political system is when we are literally prioritizing pet insurance over letting actual human kids get healthcare. Like, are you serious? Are you serious? It is so fake and stupid. And that you all have a colleague, me, who LB574 is going to affect personally--

KELLY: One minute.

HUNT: Thank you, Mr. President-- you can't claim ignorance at all. You can't claim ignorance anymore and be like, well, I don't know-- I didn't know this was a problem, blah, blah, blah. You know, to say nothing of the anti-abortion bill, I-- again, I thought this whole session was going to be about abortion. I thought the whole session was going to be about this body's efforts to cut down the rights of women as it's been chipping away at for the last 30 years. But it's all of that. It's bodily autonomy. It's the right to control our own reproductive destiny. It's the right to live as we are without interference from the state that you're so against. And it's because you hate us. It's because you hate us. Thank you, Mr. President.

KELLY: Thank you, Senator Hunt. Senator John Cavanaugh, you're recognized to speak. This is your last time on the motion.

J. CAVANAUGH: Thank you, Mr. President. So, again, in opposition to the motion to recommit, in favor of the underlying AM. And I just thought I'd read a little bit more from the Department of Energy's website about this particular program. Again, \$7 billion to be spread out across the country, establishing 6 to 10 Regional Clean Hydrogen Hubs across America. And one of-- they kind of go on to talk about, clean hydrogen hubs will create networks of hydrogen producers,

consumers, local-- and local connective infrastructure to accelerate the use of hydrogen as a clean energy carrier that can deliver or store tremendous amounts of energy. The production, processing, delivery, storage and end use of clean hydrogen include-- including innovative uses in the industrial sector-- are crucial to DOE's, Department of Energy's, strategy for achieving President Biden's goal of a 100 percent clean electrical grid by 2035 and a net-zero carbon emissions by 2050. So this is basically investing in this hydrogen hub. It is exciting for a number of reasons, but one of them is it's part of a broader approach to decarbonizing our electrical generation, which I know some people have been generally opposed to around here. But I think that's maybe because they didn't like the particular things that they thought were decarbonization. But there's a lot of folks who are interested in decarbonization for a number of reasons, and they want to take, like, an all-of-the-above sort of approach, and this is part of that. Hydrogen energy has the power to slash emissions from multiple carbon-intensive sectors and open a world of economic opportunities to clean energy businesses and work across the country. Getting hydrogen right would mean unlocking new sources of clean, dispatchable power. So that, that goes back to our conversation about reliability earlier in this bill. You know, there's-- one of the knocks on people that have problems with, say, solar and wind is they're nondispatchable. What that means is you basically take the electricity they generate when they generate it because when the sun is shining, solar is going to generate. And when the wind's blowing, wind turbines are going to generate, and they're not going to generate at other times. So you've got to take it when it comes, right? But hydrogen has the potential to be a dispatchable source of power because, one, you can produce the hydrogen. You can burn it. And when you burn the hydrogen, you know, in a potential turbine or in, say, a hydrogen fuel cell or something along those lines, you could ramp it up like you can with a natural gas plant or coal plant or even nuclear, which is technically, I suppose, dispatchable, but not on any reasonable timescale. It takes a while to warm up and turn on and shut down a nuclear power plant. But, again, I would suggest if you have the opportunity to tour our nuclear power plant we have here in the state of Nebraska, Cooper Nuclear down in Senator Slama's district-- I personally have toured it twice. And it's really interesting. They're very knowledgeable. They answer all your questions. They'll give you a, I think it was a six-hour tour. Your tour probably wouldn't be that long. I don't want to-- mean to dissuade you. But what I mean is they will take as much time as you are willing to answer all of your questions. Anyway, the bipartisan infrastructure law included several requirements for H2Hubs, including feedstock diversity and end use

diversity. So I think feedstock diversity would be what is your fuel source, natural gas or other. Electrolysis, I guess, through water is another option for hydrogen. And then end use diversity. You know, obviously, that Monolith plant's talking about using-- producing hydrogen, carbon black, producing fertilizers. So I think the opportunity to produce a lot of different uses.

KELLY: One minute.

J. CAVANAUGH: Thank you, Mr. President. The program will develop H2Hubs that demonstrate the production, processing, delivery, storage and end use of clean energy in support of the Biden administration's climate goals. H2Hubs will form the foundation of National Clean Hydrogen Network that will contribute substantially to the decarbonization-- decarbonizing multiple sectors of our economy and creating good-paying jobs. So, you know, now that I'm getting to the-- close to the end of my opportunity to talk on this part, at least-- this is going to create jobs. We have the opportunity to get this federal money, bring in a large chunk of federal money, help build up an industry here. This industry has the opportunity to create jobs, to create innovative technologies, to create clean energy, sustainable, dispatchable, baseload power generation. Checks a lot of good boxes. And so that's why I've been excited about this concept, why I think we should continue to invest in it and why we should be supportive of the opportunity for the state of Nebraska to qualify and to win one of these hydrogen hubs--

KELLY: That's your time, Senator.

J. CAVANAUGH: Thank you, Mr. President.

KELLY: Thank you, Senator Cavanaugh. Seeing no one else in the queue, Senator Machaela Cavanaugh, you're recognized to close on your motion.

M. CAVANAUGH: Thank you, Mr. President. Well, it's starting to get dark in here, which is why these lights are very important. So, motion to recommit. And then we have another amendment on this bill. Dropped my-- oh, here we go. The next amendment is-- what are we on? We're on AM1244. So then we have AM1241 before we go to a final vote under the underlying bill. And then we have the A bill. So, yeah. I don't know about you all, but I am mentally tired. So tired. I have been standing up here since, like, 9:13 this morning talking about-- it's been a journey, let me just tell you. It has been a journey. I don't even remember how I got on the seed library earlier. Thank you to Senator Hunt for reminding me. Public good conversation. Oh, I was talking

about Wasteline and my obsession with cleaning with vinegar. And I am a purist. I don't water down my vinegar when I clean with it and I don't add lemons to it. So if you walk into my house and it smells like a salad, that's probably why, because I probably just cleaned my kitchen counters with vinegar. I got these spray bottles that are really nice from the, like, dollar-- it's not really a dollar-- but the dollar, \$3, \$5 area at Target, I don't know, like, two years ago. And they're glass and they've got a nice, little, like, rubber bottom on them so they don't break. And, miraculously, my children haven't broken them. But I just refill them with vinegar and use the vinegar to spray down my countertops. And when there stains-- so my kitchen counter is Formica, and it's, like, white Formica with speckles in it. So it can absorb colored things pretty easily. And that's when you got to break out the baking soda. And you put down-- just, like, sprinkle a little layer of baking soda on the kitchen counter and then spray it with the vinegar. And then it's like when you make a volcano; it just starts to bubble. And the kids think it's really funny. Not funny enough for them to actually help me clean. But, you know. They're still entertained by the science experiment. Yes. I just remembered that I promised-- I don't know that he views it as a promise-- but I promised Senator Lowe I was going to tell-- talk about something about him. A couple hours back, Senator Wayne was talking about, if you're on the canal and you're smoking weed and you're on the water-- like, the legality of it all. And I got to tell you, Senator Lowe, one of my favorite things you ever said on the floor of this Legislature was about cows eating weed and people getting high from eating a steak. This was, like, four years ago. And I did not know Senator Lowe at all at that point in time. And I have been a vegetarian for over 30 years. And I thought, maybe I should start eating steak. Is that where we're going with this, Senator Lowe? I need to hang out with you more often. Pretty sure that's not how it works, but I could be-- again, I stand for correction. Maybe cows eating a marijuana plant can translate into you getting high off of eating a steak. I feel like it would have to be at least--

KELLY: One minute.

M. CAVANAUGH: --a steak tartare. It's not? Well, it seems like it's real science. But it was one of my absolute all-time favorite John Lowe speeches on the floor of the Legislature. Probably a blip in your radar. But when Senator Wayne started talking about marijuana on the canal-- Perkins Canal, it reminded me of that story. Thank you, Mr. President. I'm cool with a machine vote. Thank you.

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KELLY: Thank you. Senator Cavanaugh. Members, the question is the motion to recommit. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 2 ayes, 32 nays, Mr. President, on the motion to recommit.

KELLY: The motion fails. Seeing no one in the queue, Senator Bostelman, you're recognized to close on AM1244.

BOSTELMAN: Thank you, Mr. President. I ask for a green vote on AM1244 to LB565. Thank you.

KELLY: Thank you, Senator. The question is the adoption of AM1244. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 35 ayes, 0 nays, Mr. President, on adoption of the amendment.

KELLY: AM1244 is adopted.

CLERK: No, sir. One more division.

KELLY: Mr. Clerk, for a division.

CLERK: Mr. President, the fourth and I believe final division will be AM1241, which I understand is comprised of LB568.

KELLY: Senator Bostelman, you're recognized open on the amendment.

BOSTELMAN: Thank you, Mr. President. AM1241 includes provisions of LB568. The bill would establish a Nuclear and Hydrogen Development Act, which directs the Department of Economic Development to establish a workgroup whose members would be appointed by the Governor. The workgroup will identify workforce needs of the nuclear and hydrogen, hydrogen industries and collaboratively recommend educational programming to train and develop a workforce critical to our nation's growing energy needs. The work-- the workgroup will consist of 12 members. The makeup of the work-- working group includes one representative from the community colleges, one from the state college system, two of the representatives of the nuclear industry, two representatives of the hydrogen industry, one representative of Public Power District and two at-large members, the director of economic development or a designee, the Chairperson of the Natural Resource Committee or a designee, the Chairperson of the Government, Military and Veterans Affairs Committee or a designee. LB568 also appropriates \$200,000 of general funds, which the workgroup may utilize for travel

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and lodging reimbursements as well as per diem for when the working group is engaged in business. Both the hydrogen and nuclear industries are rapidly expanding and advancing. Monolith Industries in Hallam is set to expand its facilities with its Olive Creek 2 plant, and NPPD is currently conducting a feasibility study for a potential siting of advanced nuclear technology. This act is targeted to address the needs of both industries by training, building and supporting a highly skilled workforce. This workforce will not only address the needs of both industries, but also provides programming to establish a skilled workforce that will support many other industries statewide, such as information technology, welders, pipefitters, electricians and many, many others. With the new advancements, advancements in these industries, it is vital that we develop a skilled workforce that can meet the industry's needs. The working group will spearhead a dynamic and collaborative process, bringing industry and education together to recommend the needed coursework and opportunities for Nebraskans, making Nebraska a leader in this type of programming. The committee voted to include LB568 and the committee amendment with an 8-0 vote. I would ask for a green vote on AM1241 and the underlying bill, LB565. Thank you, Mr. President.

KELLY: Thank you, Senator. Mr. Clerk, for items.

CLERK: Mr. President, I've got two amendments here: AM1227 and AM1228, both from Senator Hunt with notes that she wishes to withdraw.

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

M. CAVANAUGH: Thank you, Mr. President. AM-- OK. AM1241 is LB568. And I just tried to get ahead of myself the last time. Hold on. OK. I tried to get ahead of myself the last time when I was, like, looking at the A bill, reading through it, asking Senator Bostelman questions. And he was like, you are talking about the next amendment. So, LB568 is this amendment. And that's why I was getting confused about the hydrogen development fund. And then the amendment changes how much money is in the appropriations. So I was looking at the A bill, LB568, and that A bill is no longer the A bill for the amendment because when we amend one bill into another bill, we sometimes make changes, which happened in this instance. So AM1241 is LB568. So I'm going to look at what it says in the committee statement because the committee statement will be the synopsis of LB568, but it will tell us what it actually is as opposed to the underlying LB568. It's the amended version of LB568 into LB565. Follow? Clearly. Easy peasy. Lots of numbers just jumbled around. Also, if I were to call in to that, my-- one of my favorite shows on NPR, A Way with Words, I would ask about

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the saying "easy peasy." Like, where does that come from regionally? "Easy peasy lemon squeezy" is what my kids always say. What does that even mean? Right. I don't know. OK. So, LB568. Here we go. LB568, introduced by Senator Bostelman, creates the Nuclear and Hydrogen Development Act to support workforce development and advancement of, of-- an advancement of advanced nuclear and hydrogen industries in Nebraska; creates a workgroup to evaluate and make recommendations regarding the workforce training needs of the nuclear and hydrogen industries in Nebraska; and provide an opportunity for collaboration of the industries and higher education in the state to provide grants, training, curriculum, programming and marketing to meet the workforce needs of the industry as identified by the workgroup. Nonlegislative members of the workgroup can get paid \$60 per diem a day when performing workgroup functions and may be reimbursed for travel and lodging. The fund terminates on July 31, 2028. AM849 slightly changes board composition, reduces funding ask from \$5 million to \$200,000-- that's a big reduction-- and only allows use of funds for per diem and reimbursement of nonlegislative group members for travel and lodging. So we previously-- we, we-- I previously talked about legislative per diems and reimbursements and when we're not in session and you're doing workgrouped or special committee travel outside of not coming to the Capitol, we do get per diems for the-- no, we don't get per diems. Sorry. We do get mileage reimbursements. You do not get a per diem for travel for special committees. And you don't get mileage, actually, either, unless it comes to the Capitol or if the Executive Board--

ARCH: One minute.

M. CAVANAUGH: --approves that, which we have had in the past. The Youth Rehabilitation Treatment Center Oversight Committee had such a reimbursement when we had to travel and stay overnight somewhere. Maybe. Did we stay overnight somewhere? Maybe I'm just dreaming that. I feel like we went to Kearney and stayed over-- we did stay overnight because I remember having dinner with Senator Lowe in Kearney. I did not have the steak. And Senator Hansen was there. I do remember that because he was hungry. What was the restaurant we went to? It was lovely. Well, anyways. It had a buffet. I remember that. And it was a lovely restaurant and a great time in Kearney. So, thank you for, for showing us the town, Senator Lowe, even if you didn't get me a steak with marijuana. But, next time. There's always next time. I think you said I had one minute, so I'm probably just about done.

ARCH: Time, Senator.

M. CAVANAUGH: Thank you.

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ARCH: Senator John Cavanaugh, you're recognized to speak.

J. CAVANAUGH: Thank you, Mr. President. Well, I appreciate, again, Senator Bostelman and this bill. His introduction was pretty instructive and helpful, but this is another bill that's kind of forward looking. And at, at the hearing, I was just looking at the committee statement and re-- recalling who came and testified. And I would just note that it was several members of the community college. Let's see. Here we go: Southeast Community College, Southeast Community College; Monolith; Day and Zimmerman-- who I think are consultants for a nuclear industry; and the Power Association and the Power District of Nebraska. So these are all folks who-- looking to fill jobs, looking to train people in these jobs, looking to, as Senator Bostelman pointed out, not just jobs that might be at Monolith or that might be at the Hydrogen Hub, that might be at Cooper Nuclear, but other jobs in growing industries. And when we're talking about bringing businesses to the state of Nebraska, one of the things that you'll hear from people is, can we hire the workforce who's going to be skilled to do this? And should we invest in training the workforce? Or is it, you know, is it more cost effective for us to move to a place that does have the workforce and train it? Or would it be better to find a-- move to a place where we can hire some people who are already in the pipeline or hire them away from somebody? So, creating a critical mass of a workforce. And so that's another part of this whole broader opportunity here, is to create these programs that are-- get, get people trained in these fields, which then will help us grow and build a virtuous cycle off of all of this opportunity and move forward. So I'm in support of AM1241, but I wanted to make sure I had the time. So I have a book here that's about idioms, which is sayings, and I was looking through it. I don't have "easy peasy" in here, but there is several different idioms that I was looking through. And there is "pie in the sky." It's a pretty good one. It's a fantasy, an unachievable dream. In the, in the context, he was talking about setting up his own business. His plans were pie in the sky. So "pie in the sky" is an-- of American origin and was coined by Joe Hill in 1911. Hill was an instrumental member of the radical labor organization, the Industrial Workers of the World, known as the Wobblies. He wrote a number of songs for the Wobblies, including "The Preacher and the Slave," which parodied the Salvation Army's hymn, "In the Sweet Bye and Bye." Hill's song criticizes the Salvation Army's philosophy, in particular, their desire to save souls rather than feed the hungry. The lines in Hill's parody: you will eat by and by in the glorious land in the sky. Work and pray, live on hay. You'll get pie in the sky when you die. So that's the origin of the phrase "pie in

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the sky." So I don't think Senator Machaela Cavanaugh was listening, but maybe we'll give her another lesson on idioms later. Thank you, Mr. President.

ARCH: Senator Hunt, you are recognized to speak.

HUNT: Thank you, Mr. President. So, yeah. I, I wanted to finish this thought. People have asked me how I get along with folks who-- well, they didn't even say who you don't get along with. That's not even even the question. The question is, how do you get along and be collegial with people who want to take your rights away? That's, direct quote, a question I've gotten dozens and dozens of times. And, I mean, I don't know. Maybe, maybe everybody has to come to that point at some time-- at some point in their work for justice, I don't know. But I'm, I'm really at that point. I, I admire so much, people like Senator Machaela Cavanaugh or Senator John Cavanaugh or-- I just heard him go, "yes!--" Senator Danielle Conrad, who are able to stay in relationship with people who want to take their rights away. And I just don't want to. Like, I just really don't care anymore. You guys are so rude. You're so rude. And you think I'm rude, all the stuff I've said about Kathleen Kauth and stuff like that, Senator Kauth. She wrought this upon all of us. And I don't care about being rude to people who want to take my rights away. I don't-- I think that we've done too much of that in this country, actually. And I think that it's time to draw a line that's a little bit brighter and say, literally, you've done too much. You've burned the bridge. It's not reparable. It's not normal what you're doing. This Republican slide to the far right, one of you has got to put a stake in the ground and say, enough. And Senator Slama got up and talked about, you know, condemning the Westboro Baptist Church, which is great. But why are they even coming here? Why are the "thank God for dead cops," "thank God for dead veterans," "God hates fags" people coming to this Legislature? Because of Senator Kathleen Kauth, and because it was prioritized and because one of you couldn't be bold and brave enough to vote against a bill that you don't even support in the first place. Imagine if somebody stood up and condemned what happened in Tennessee, the way those three members of the Tennessee legislature were-- I don't know what the name of the motion is in their legislature, but they took a vote to kick them out. And the two young black men were kicked out, and the older white woman stayed in by one vote. It's like they're just out in the open with the racism. They're not even hiding it. It's like, we knew you were that way, but you're not even hiding it. We knew you hated gay people and trans people and trans kids and drag queens, etcetera. But now you're not even hiding it. It used to be collegial and polite to at least hide it. That would be Nebraska

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nice to, to talk crap in the background behind their back, but not introduce a whole bill just banning it. Insane. And it's really got me in a different place. Imagine if LB574 failed. Imagine if somebody decided today that it's never the wrong time to do the right thing, that enough is enough. Let's put it up Thursday. It'll fail. We're not going to get to that amendment, first of all, and it's going to fail. What if we just got that over with? And then I will take apologies because, you know, if you vote no on that bill, we're not automatically cool again, because you've put people in this state through a lot. You've put the LGBTQ community in Nebraska through a lot. And not just the people who are gay or trans, but their families, their loved ones and friends, their bosses and coworkers, the people who are looking for new states to move to and a new place to live because of the threat that this Legislature has put them under. But all this could go away, like, tonight. And this is why I just can't take you seriously. This is why when you stand up on LB565 and you say-- I don't know what this is-- Hydrogen Hub-- I don't know. Every bill's got 40 bills in it now. Oh, it's so good for the state. Good for bottom line. We're going to have carbon black and it's really going to recruit a lot of people to come to the state. Listen to yourselves. Like, I can't even say it with a straight face. People don't want to live in states that discriminate.

KELLY: That's your time, Senator.

HUNT: Thank you, Mr. President.

KELLY: Thank you, Senator Hunt. Senator Machaela Cavanaugh, you are recognized to speak.

M. CAVANAUGH: Thank you, Mr. President. Do I have another time after this? I can't keep track. Yes?

KELLY: One more after this.

M. CAVANAUGH: Thank you, Mr. President. OK. So, yeah. It is getting late. It is 8:28, and it is late. Easy peasy lemon squeezy. If anybody has a connection with A Way with Words, I would love to know the history of that phrase because my kids say it all the time, and it's just a fun-- does Senator John Cavanaugh know the answer? Would you like me to ask you to yield to a question? Would Senator John Cavanaugh yield to a question?

KELLY: Senator John Cavanaugh, will you yield?

J. CAVANAUGH: Yes.

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M. CAVANAUGH: Did you want to share with the class what "easy peasy lemon squeezy" comes from?

J. CAVANAUGH: Well, on my last time on the mic, I read from this book of idioms.

M. CAVANAUGH: Oh, I'm sorry. That's why you're upset.

J. CAVANAUGH: I didn't read "easy peasy lemon squeezy."

M. CAVANAUGH: OK. Well, then--

J. CAVANAUGH: But--

M. CAVANAUGH: --is it in there?

J. CAVANAUGH: It is not in here.

M. CAVANAUGH: OK.

J. CAVANAUGH: But Senator Dungan did a little research and, and found out the answer to your question.

M. CAVANAUGH: Oh. Well, then-- thank you, Senator Cavanaugh. Would Senator Dungan yield to a question?

KELLY: Senator Dungan, will you yield?

DUNGAN: Yes.

M. CAVANAUGH: Senator Dungan, did you find the origins of "easy peasy lemon squeezy?"

DUNGAN: My very brief research is not definitive, but I believe there was a product in the '50s or '60s called, like, Lemon Squezy or Squezy Lemon or something to that effect in the UK. It was a soap. And so although they cannot directly tie it back to a particular ad campaign, it is more likely than not that it derives from that in some capacity.

M. CAVANAUGH: Did they say "easy peasy" in that ad campaign?

DUNGAN: I don't know.

M. CAVANAUGH: Well, they definitely said "lemon squeezy."

DUNGAN: Correct. Lemon Squezy was a product.

M. CAVANAUGH: Lemon squeezy.

DUNGAN: And so the "easy peasy" and the "lemon squeezy" being combined were most likely part of some, some connection there. That's my very brief googling that I did.

M. CAVANAUGH: OK. So we still need A Way with Words to research this for us.

DUNGAN: Correct.

M. CAVANAUGH: Are you familiar with the show?

DUNGAN: I am.

M. CAVANAUGH: I love that show. And they do a deep dive. So, thank you, Senator Dungan. And thank you, Senator John Cavanaugh. I apologize. I missed the reading of the idioms previously. Yeah. Easy peasy lemon squeezy. We will, we will persevere on that and find the answer to its origins at some point in the next 30 days, I'm sure. So, LB656, AM1241 is the divided question. I believe it's the last piece of the divided question of LB565. And then, it'll probably get adopted and move on and then we'll go do the A bill. Easy peasy lemon squeezy. I do hope that that's not offensive. Sometimes, you know, you have to-- like, you say things that were just sayings that you were used to saying most of your life. And then it's like, wait a second. And I remember-- I don't know. Well, Senator Ben Hansen was here. And I said-- not Senator Ben Hansen. Senator Ben Hansen is still here. Senator Matt Hansen was here. And I said on the mic "gobbledygook." And I instantly was like, what does that mean? Is that a bad thing to say? And he had the same thought. And he looked it up and he said, no, it means, like, gobbledygook-- like, nonsense. So that one's cool. Yes. Senator Ben Hansen, I already talked about you and dinner in Kearney with Senator Lowe. You may-- you might, you might have heard it. You might have missed it. It was just a fond memory of--

KELLY: One minute.

M. CAVANAUGH: --good times in Kearney. Thank you, Mr. President. So, idioms. I'm looking forward to Senator John Cavanaugh's book of idioms. Going to have to borrow that. I love a good idiom. Oh, it's not your book or you're not going to share it? He'll share it. He's, he's a good sharer. He's also a good brother, even though he votes against my stuff sometimes. Again, awkward drive home tonight, where we are going to have a conversation about our votes and whether or not we vote against each other. But that'll-- somebody-- I think somebody

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asked me if I would record the conversation about-- our conversation about you voting against me today, but I won't do that to you. I'll just talk about it publicly instead. Thank you, Mr. President.

KELLY: Thank you, Senator Cavanaugh. Senator John Cavanaugh, you are recognized to speak.

J. CAVANAUGH: Thank you, Mr. President. It's always a joy. So-- well, I wanted to go back to the underlying bill, and, and I had a couple of points that I wanted to make about it. First off, just to revisit the facts of this. Partly, it creates the Hydrogen Industry Working Group. That includes 12 members: community colleges, state colleges, nuclear industry, hydrogen industry, Public Power District, two at-large members, economic development or a designee, Chairperson of Natural Resources, Chairperson of Government, Military and Veterans Affairs and-- but I would just point out that doesn't list our state universities that have engineering schools. That was pointed out to me by someone, and I just was-- would hope that we have the opportunity, with those at-large spots at least, to include our university system as well, who has great capacity and has demonstrated ability to contribute in these sorts of spaces going forward. And so I just wanted to make sure and point that out. But as I was sitting here reading my book of idioms, I stumbled on the one-- and I've actually been thinking about this one a lot. It's the phrase "Pyrrhic victory." And-- I mean it was kind of-- Senator Hunt made me think of that one in the last statement, that it does feel like sometimes we're having these conversations about, like, you know, I'm in favor of this because I do think it is good for the economic future of the state of Nebraska. But we can make certain advances so-- well, I should go back. Pyrrhic victory comes from-- I didn't actually read the, the definition here, but if I remember right, from the time of the Greeks when there was a war and the Pyrrhics, I guess, or the Battle of Pyrrhic, they-- the-- one side won. And the result was they said, if we win any more battles like this, we'll lose this war. Because basically, like, it's the idea of you win the battle, you lose the war. And that's what it feels like with some of this around here. It's like we can put all the effort in the world. We can do-- lower taxes. We can incentivize businesses to come here. We can do all these things. But if you create a hostile environment that nobody wants to live in, of course, the-- that-- there's not really a point to doing that. If everybody-- if young people run from the state because they don't want to live in a state like this, what was the point of winning the victory of getting the hydrogen hub and bringing this technology and these jobs here if-- and you set up a system to train young people in these fields? You have to have both of these things. You have to be

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a welcoming place that people want to live. So we can invest in these sort of economic development things and we can tell ourselves that's the thing that checks the box for people. But, ultimately, people are going to want-- they want to live where, where they feel welcome. They want to feel-- they want to live where they fit in. They want to live where there's opportunities for them, both personally, socially, emotionally, to grow in their life and to have a happy life. People aren't just going to move somewhere just because it has the most favorable tax climate, necessarily. So that's why those things kind of struck me. Same time is that I'm in favor of these things, but-- and-- for all of the reasons I've talked about over the course of the day. But it-- we do a disservice to each of these projects and to all of the other economic development projects we're talking about here, when we talk about all of these other exclusionary things like LB574 or LB626 or-- I'm trying-- I'm not really good at remembering other bill numbers, but those are the two that come to mind immediately because people talk about them so much. But when we talk about doing those sorts of things that are going to drive away, particularly--

KELLY: One minute.

J. CAVANAUGH: Thank you, Mr. President-- drive away, particularly the young, professional-type people that we're talking about fostering in both this section and-- well, in LB565 generally, but in the last two portions of this section. So when-- you know, going back to the beginning of the day. What's relevant to the conversation? And all of these things are relevant to each other. Because our ultimate objective is to make Nebraska a better place and a place that people want to live, people are going to come to, people want to stay, people want to grow their lives and their families, want to build businesses, and all of those things tie together. So I continue to support AM1241 and will oppose some of those other bills when they do come up to the floor. So, thank you, Mr. President.

KELLY: Thank you, Senator Cavanaugh. Senator Hunt, you are recognized to speak.

HUNT: Thank you, Mr. President. Senator John Cavanaugh, you totally get it. That's my point. We quibble over, you know, \$1 million for this and \$1 million for that too, to create a bunch of jobs for a big corp-- I mean, I sound like Adbusters. I sound like, like a 15-year-old who just discovered punk or something. But we-- who cares if there are jobs? No one wants to live here. No one wants to live here. We can't attract and retain talent. We had guys from Union Pacific, from the State Chamber, from the Omaha Chamber, from

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Signature Performance, from-- I think there was another guy from Union Pacific. All these old, white men coming in here for the hearing on my bill to stop LGBTQ workplace discrimination. One of the most spectacular stories in modern American political history is the story of how public opinion on LGBTQ issues has changed over the past few decades. And, you know, with the legalization of same-sex marriage-- when Barack Obama ran for president, he didn't even support same-sex marriage. We had to say "civil unions" because it was too edgy and leftist to say "same-sex marriage." And now look at where we are. It's fine. It's fine. Even, even Republicans in the U.S. Senate are not in favor of getting rid of the right to gay marriage because public opinion has shifted so much. So we've got all these old, white businessmen from, from Nebraska coming to Megan's hearing about workplace equality, saying, here are some literal stories, some actual anecdotes that happened to me in my business of people turning down jobs because they said, yikes, I don't want to live in Nebraska. Y'all are getting an abortion ban. This literally happened. Not once, like, dozens and dozens of times. And I've also heard from department chairs at University of Nebraska-Lincoln and University of Nebraska-Omaha who have said the same thing. They're trying to recruit faculty. Some departments have three, four, five-plus faculty openings that have been sitting vacant for over a year. People go get a PhD; they want to become a professor. And we've got more jobs for professors in Nebraska than we've got professors, not because we are, like, investing so much in education, but because we can't get qualified people to move to our state because they don't want to live somewhere with LGBTQ discrimination and with an abortion ban. This afternoon, I had the most novel experience for me. I had lunch with the Governor by myself. It was me and him and his staff. But I had never-- you know, none of y'all were there. And, you know, Governor Ricketts never did that with me. He only met with me one time in four years, and it was to tell me no. It was, it was to basically slap me down and give me a hard no on food assistance for people with drug convictions. And it was a pretty unpleasant meeting. And Governor Pillen and I today over lunch-- first, the lunch was great. The lunch was really good. And I'm such a picky eater and I hate eating lunch with people. It's, like, my biggest anxiety. I hate it. And we had a really nice lunch. The food was great. The conversation was nice. We talked mostly about our pets, which is, like, the universal thing that people who politically disagree are allowed to talk about. You can talk about your kids-- well, I can't talk about my kid anymore because my kid is trans. So, like, I literally will not talk to you about my kid because I don't want to hear some hateful crap coming out of you. So we didn't talk about my kid--

KELLY: One minute.

HUNT: --but we talked about our pets. Thank you, Mr. President. We talked about being business owners-- like I'm anything like Jim Pillen, but it was lovely. And he wanted to talk about his school funding plan. And I joked that I'm obviously the key vote or something. Like, why am I here? Literally, why am I here? You don't need my vote. The bill has the votes to pass. You don't need anybody's vote. We're good. But just, you know, that he reached out and wanted to talk to me and make a connection. Like, that's nice, right? That was pretty nice. But the whole time, I'm just thinking, you think we're going to fix this state and fix the problems recruiting teachers, fix the problems of underfunding for our rural schools with this bill when people just straight up don't want to live here? The call is coming from inside the house. Thank you, Mr. President.

KELLY: Thank you, Senator Hunt. Senator Machaela Cavanaugh, you are recognized to speak. This is your last time on the amendment.

M. CAVANAUGH: Thank you, Mr. President. This is possibly my last time speaking tonight. So, it's been fun. It's been a fun day. It's been a long day. It's been an interesting day. We moved some things forward from General File, which is good. It was really fun when we started moving bills and the bell would just ding and everybody machine voted. And you do the, the-- you do the hustle, where you come running down and you're, like, kind of skirting your way through the rows trying to get to your, to your button to do it before the President calls for the vote to be recorded. You want to get your vote recorded. And I didn't see anybody, myself included-- but sometimes it's fun. We'll see somebody, like, running in, raising their hand, basically being like, don't call the vote. Don't call the vote. I got to get over there. And every time it dings, it's like everybody just comes from, like, swoops in, whoosh, like, from the cloakroom, that hallway, out there, everybody sitting under the balconies. And it's just like a swoop in, whoosh. And it was fun. It was fun to have sort of the normal, old groove of how we would just move bills. I would love to have that for the rest of session. I really would. I would love to have that. It's-- I enjoy talking to, to colleagues about stuff. I've had a great time on this bill, which I never probably would have paid this close of attention to if I weren't taking so much time. But I've really enjoyed and appreciated Senator Bostelman talking to me about this bill on the microphone, off the microphone. I've probably learned more about hydrogen hubs that I will also forget eventually, because there is only so much capacity at this point in time in my brain. But it was a long day. It was a tiring day. I'm hoping that the day is

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concluding soon. If it's not, I'll get back in the queue and do the dance all over again. But, but it was nice to see some progress, and I'd like to see more progress. And, unfortunately, as long as LB574 exists, that-- we're not going to continue seeing progress like that. And I would really like to see more progress like that. And I'd really like to talk a lot less. I've got a million things to talk about constantly. I will come up with a million more things to talk about, but I don't think any of you care to hear any more from me. I don't really care to talk anymore. I will, but it'd be really great if, when LB574 comes up supposedly on Thursday-- if it doesn't have the votes, then I get out of your hair. It's that simple. So I'm looking forward to wrapping things up on General File on LB565. And, again, I appreciate Senator Bostelman for educating me on this issue. It's been interesting. Thank you, Mr. President.

KELLY: Thank you, Senator Cavanaugh. Senator Hunt, you're recognized to speak. This is your final time on the amendment.

HUNT: Thank you, Mr. President. Colleagues, I got this email to my legislative account since the very last time I just spoke. And the person says, good evening. I know I cannot be the only person to thank you, but listening to you tonight made me reach out, too. All the time, I think you are saying exactly what is in my mind or what I'm trying to tell people. I'm a single mom of a teenage daughter who is trans. She's brilliant and refusing to consider going to college here because of LB574 and LB575. I do not blame her. We have been reaching out to friends and family in other states in case we have to leave. I have a career here that I have been building for a long time, but my daughter's health isn't worth staying. Not being able to continue hormone replacement therapy is not an option. Like you, I didn't mourn when she started transitioning. I am in awe all the time of just how more her she is: more confident, more social, more comfortable in her skin, more engaged in school and community. She's the person she was meant to be. I understand you being over it and feeling the need to cut ties. I need you to know that you are exactly the voice trans parents need right now, and everything you are saying is spot on. That's-- it goes on. It's really nice. I say that to continue to make the point that, whether we're talking about executives at Union Pacific or this mom who just emailed me two minutes ago after hearing me speak, Nebraskans don't want to ban healthcare for trans people. And Nebraskans do not want an abortion ban. Senator Riepe was passing out an article to his, his Republican colleagues earlier today from Wall Street Journal on April 6 titled, "The GOP's Abortion Flop." And it's talking about-- it's, it's written from a conservative voice. I mean, the, the author's clearly a Republican, a conservative, and he's

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talking about how this abortion ban is such a losing issue for states. People are not tolerating this anymore. And it's, it's becoming an anchor that's weighing you guys down. And you're going to fall off the edge of the boat with this thing tied to your leg. They say, the U.S. Senate, a half-dozen governor's mansions, four state legislative chambers and now control of the Wisconsin Supreme Court. At some point, the GOP might want to acknowledge its glaring abortion problem and do something about it. Colleagues, without the backstop of Roe v. Wade-- I remember talking to a conservative colleague who was still here last year, when we were talking about the total abortion ban that was proposed by Senator Albrecht, which she still stands by and said she would like to introduce again. That's the bill she likes: the one that banned IVF, the one that banned long-term contraception, the one that banned IUDs. And my colleague said, well, I support it because we have Roe v. Wade. And-- like, you guys are using that as an excuse to tell yourselves, well, it's OK if we ban abortion in Nebraska because they can still go to somewhere else and get the care. You're admitting and saying that, that people need abortion care. And you don't care if they don't get it in Nebraska. But as long as we have Roe v. Wade, they can go somewhere else and get it if they need it. Well, we no longer live in that reality. We don't have that backstop. And that's why this is such a losing issue for you. And thinking people around the state who are conservative, who are Republicans, they're asking us to come off this because--

KELLY: One minute.

HUNT: --it doesn't matter to them. You don't have to subvert-- thank you, Mr. President-- you don't have to subvert your values and your beliefs to just leave people alone and stop seeing your role in the Legislature as a mandate to push these conservative culture war issues on a population that just isn't asking for it. Like, make me shut up. Make me stop this. I have a price. It's very low. Thank you, Mr. President.

KELLY: Thank you, Senator Hunt. There being no one in the queue, Senator Bostelman, you're recognized to close on AM1241. And waives closing. Members, the question is the adoption of AM1241. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

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

KELLY: The amendment is adopted. There being no one in the queue, Senator Bostelman, you're recognized to close-- excuse me. Excuse me. Mr. Clerk.

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CLERK: Mr. President, Senator Machaela Cavanaugh would offer M0937 to indefinitely postpone LB565.

KELLY: Senator Machaela Cavanaugh, you're recognized to open on that bill.

M. CAVANAUGH: I withdraw the motion. Thank you.

KELLY: It is withdrawn. Senator Bostelman, you're recognized to close on LB565.

BOSTELMAN: Thank you, Mr. President. Thank you all for the time that we spent on this bill today, on the amendments. I do appreciate your green vote on LB565. Thank you, Mr. President.

KELLY: Thank you, Senator Bostelman. The question is to advance LB565 to E&R Initial. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 35 ayes, 0 nays, Mr. President, on advancement of the bill.

KELLY: It is advanced. Mr. Clerk.

CLERK: Mr. President, next bill: LB565A, introduced by Senator Bostelman. It's a bill for an act relating to appropriations: appropriates funds to aid in the carrying out the provisions of LB565. The bill was read for the first time on April 5 of this year and reported straight to General File.

KELLY: Senator Bostelman, you're recognized to open on the bill.

BOSTELMAN: Thank you, Mr. President. This is the A bill to LB565. Basically, there's two parts to this: \$250,000 for FY '23-24 and \$250,000 for FY '24-25 for the Hydrogen, Hydrogen Hub Application Engineering Consultants and Modeling of LB565. The other portion of this is \$200,000 for travel and lodging reimbursements and per diem for the hydrogen workgroup in FY '23-24, that's LB568. I'd ask for your green vote, vote on LB565A. Thank you.

KELLY: There being no one else in the queue, you're recognized to close. And waive closing. The question is the advancement of LB565A to E&R Initial. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 34 ayes, 0 nays, Mr. President, on advancement of the bill.

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KELLY: The bill does advance. Mr. Clerk, for items.

CLERK: Mr. President, a single name add: Senator Bostelman, name added to LB626. Priority motion: Senator Raybould would move to adjourn the body until Wednesday, April 12, 2023, at 9:00 a.m.

KELLY: Mr. Speaker, for an announcement.

ARCH: Thank you, Mr. President. Given the continued discussion of LB574 on multiple bills over many days, I have decided to schedule the Select File debate of LB575-- LB574 for Thursday morning. We're at the very same place we were prior to the General File debate of LB574. Every day, every bill is a debate of LB574. I think it's time to actually debate the bill. I did not make an announcement on Friday that LB574 would be scheduled on Thursday because I had not made that decision on Friday. Also, contrary to some comments made earlier today, it is a coincidence that I'm scheduling LB574 for Select File debate the same morning as a demonstration in support of the bill. I made my decision to schedule the Select File debate of this bill when it was obvious this morning that, until we complete debate of it, one way or another, some members intend to continue to make the debate of every bill about LB574. I do not intend to let an outside group, whether a group is for or against legislation, to influence when I schedule bills for debate. Quite honestly, the Westboro Church could have known LB574 would be talked about on Thursday even if I had not decided this morning to schedule the bill for that day because LB574 has been talked about every day. Additionally, on Thursday, we will take up the Select File debate of LB753, the bill to adopt the Opportunity Scholarships Act. Also, a reminder that we will begin tomorrow morning with the General File debate of LB626, the bill to adopt the Nebraska Heartbeat Act. Cloture on that bill will be around 7:00 p.m. After that bill, we will pick up with LB254 from today's agenda. Tomorrow is a late night until at least 9:00 p.m. Thank you, Mr. President.

KELLY: Thank you, Mr. Speaker. The motion is to adjourn. All those in favor say aye; all those opposed, nay. We are adjourned.