

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 19, 2023

KELLY: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the sixty-fifth day of the One Hundred Eighth Legislature, First Session. Our chaplain today is from Senator Holdcroft's district. He is Jaison Samuel, Crossover Church, Bennington. Please rise.

JAISON SAMUEL: Let's pray. Dear Heavenly Father, we are so grateful for today. Thank you for giving us this beautiful day for us and we can walk in the calling that you have for each one of us, God. Thank you, God, for this huge privilege that you've given me. I had never in my wildest dreams I thought that I would be able to do this, leading a prayer session in Nebraska Legislature, growing up in India, God. Thank you for the divine provision that you make way for us, God. God, I pray that your presence will be so real in each one of our lives. I pray that you will just continue to anoint each of the servant leaders who are here, God, representing all of Nebraska citizens from north, south, east, west of the state, God. I pray that, God, as they serve you with that passion that they have, I pray that you will combine that passion with compassion and overall build that each one of them with your wisdom, God, so that they can make the right decisions. They can make the right choices as they are going over each of the legislative sessions, God. I pray that you just be with each one of them, strengthen them, cover them under your grace, God. Give them the energy and the tenacity to serve your people in the, in the state. I pray for each of the branch of government of Nebraska. Pray that you will be over every one of them, God, the executive, the legislative, and the judiciary, God. I pray for your presence here. Thank you again that you are with us, God. And in Jesus' name we pray. Amen.

KELLY: Senator Brewer, for the Pledge of Allegiance.

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

KELLY: Thank you. I call the order the sixty-fifth 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: Are there any corrections for the Journal?

CLERK: There are no corrections this morning.

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

CLERK: There are, Mr. President. Bills read yesterday were presented to the Governor this morning at 8:14. That's all I have at this time, Mr. President.

KELLY: Thank you. Senator Bosn would like to recognize the physician of the day, Dr. George Voigtlander of Lincoln. Please stand and be recognized by your Nebraska Legislature. While the Legislature is in session and capable of transacting business, I propose to sign and do hereby sign LR88, LR89, LR90, LR91, LR92, and LR93. Mr. Clerk, for items. It's Final Reading, all members in your seat. Mr. Clerk.

CLERK: Mr. President, Final Reading, engrossed LB77. I have a priority motion from Senator Raybould. She would move to recommit LB77 to committee.

KELLY: Senator Raybould, you're recognized on your committee amendment. Excuse me, amendment.

RAYBOULD: Thank you, Mr. President. Good, good morning, colleagues. Good morning, fellow Nebraskans watching this debate on this important measure today, this morning. I stand in full support of recommit to committee. This bill is not ready. I'll spend some time this morning and I know my other colleagues will do the same, showing why it is a mistake and how you have all been misled on what LB77 actually does. We are a nation held in the grips of senseless gun violence. This stops today when we vote this lawless concealed carry down, not our state, not our children, not our officers. Please stand with me and other law-abiding, responsible gun owners for commonsense gun safety. Please, please vote no on LB77. Facts matter. Keeping our children and law enforcement safe matters and local control matters, as well, as the extremely high price we are paying for giving up our local authority if we approve this bill. We have so much at stake on this vote. Children, families, law enforcement, and communities will be at greater risk if we pass this bill. They are relying on each and every one of you here today, my colleagues, and your vote as legislators to keep them safer and protect their right to life and liberty that are enshrined in our Nebraska Constitution. We have become one nation under guns, and that is not an American value, nor even a moral value. Facts matter. Tragically, more lives are lost this year to gun violence than last year. Recently added states with more right to

carry laws have increased rates of violent crimes and gun violence and road rage incidents. States with tighter gun control laws have fewer gun-related deaths, even Illinois has a lower record of gun deaths per 100,000, despite the horrific things going on in Chicago. And please, please, colleagues, do not use a misinformed argument that the U.S. has more mental health issues than any other country. We don't. We do not. We simply have more guns than any other country on this planet. Study after study shows more lax gun laws result in more gun violence like our neighboring states of Missouri and Kansas. And on your desks, you should have another CDC handout that shows the, the ranking. Our state of Nebraska is ranked number ten. We are in the top ten with the lowest incidence of gun deaths per 100,000. Why are we passing this LB77? This harms individuals. Countless studies have proven that there is a link between right to carry and increased rates of violent crimes and gun violence. Just one study that shows this connection is research published by Johns Hopkins Bloomberg School of Public Health in September of 2022 that showed the average rate of assaults with firearms increased an average of 9.5 percent. Did everyone hear that? Gun violence increased 9.5 percent relative to forecasted trends in the first ten years after 34 states relaxed, relaxed restrictions on civilians carrying concealed firearms in public. Every round of debate we have had, you have denied, denied, distorted, and dismantled the truth. However, I, I did actually appreciate your efforts at even discrediting Fox News reporting of May of 2022 that gun violence is now the number one cause of death for U.S. children. Gun violence is the number one cause of death in U.S. children. Every single major news network, every single major publication in the United States has stated that, and yet, you seem to ignore that. I have to tell you, in my 12 years of government service, I have never been in a Chamber where people have distorted facts so much. As a business owner, I just don't have that luxury of doing things like that. And when I listen to things, I have to go to a safe place and I get grounded by quotes. Aldous Huxley said, "Facts do not cease to exist because they are ignored." Daniel Patrick Moynihan actually gets credit for this quote: Everyone is entitled to his own opinion, but not his own facts. Or Daniel Patrick-- or another good one is by James Loewen: Every man has a right to his own opinion, but no man has a right to be wrong in his facts. No more thoughts, no more prayers, no more lip service. If you have ever had a question about what you could and should do to help, if you are a parent, a grandparent, now is the time, now is the time to act. Vote no on cloture. Vote no on more guns. Vote no on lax laws that your-- that put your families at risk. Vote no. I gave you another handout that talks about LB77 and what you were sold. LB77 is

very clear in its intent to prohibit certain regulations of weapons by cities, villages, and counties. It is not just concealed carry handguns that this bill is going after. It is all firearms. Please look at the handout that has the two columns and it has the side-by-side comparison of what the current law is and what happens if LB77 is passed. Currently, the state of Nebraska expressly grants limited authorities to local jurisdictions to regulate firearms. This bill takes that away. As someone who has been honored to serve my county and my city, this bill is a big deal that impacts all cities on their rights to regulate, punish, and prevent the discharge of firearms. This should be a big, huge deal to all cities in our state. Omaha is the city of the metropolitan class and Lincoln is the city of the primary class. We have different issues of safety versus what the rural communities face. Losing our local authority and losing local control is just plain wrong. Let's be clear, it is not just our cities, it's Grand Island, it's Hastings, it's Scottsbluff, it's Chadron, and Albion, and more. However, there is another goal that has been prevalent in every single legislative-- legislature-- legislative body across the United States of gun lobbyists to pass state legislators-- to pack state legislators with conservative gun rights politicians that take away the city's ability to do what is in their own best interests. You have heard from law enforcement and the chiefs of police on how insistent they are to keep conceal carry permit in place for the protection of their officers and communities and how important it is to kill this bill. It was pointed out to Senator Brewer that there are substantive changes to the time, place, and manner requirements such as, one, changes to the definition of concealed that will confuse our attorneys; two, changes to whether a city can ban weapons on its buses, changes to whether and if which weapons a city may ban from its place and premises. You were sent a very detailed summary that points out some of these substantive changes and that is why this bill needs to be sent back to committee. We cannot put the lives of our children, families, and law enforcement at risk until we get this bill right. And Senator Brewer wasn't open to making these important changes and wouldn't consider sending it back to committee for the much needed amendments--

KELLY: One minute.

RAYBOULD: --and revisions. Thank you, Mr. President. I was so concerned that I wrote a letter to the Attorney General and I asked him clearly, and I have not heard from our Attorney General, please address these issues. If LB77 is passed, would a city or other political subdivision have the ability to prohibit concealed handguns

on publicly controlled or jointly owned property? Would a city or other political subdivision have the ability to prohibit other concealed weapons or firearms on publicly controlled or jointly owned property? Would a city or other political subdivision have the ability to prohibit openly carried weapons or firearms on publicly controlled or jointly owned property? Lastly, would a city or other public subdivision have the ability to prohibit concealed handguns or weapons on public transportation? This bill is not ready for us to pass or approve. There is way too much at stake. Thank you, Mr. President.

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

J. CAVANAUGH: Thank you, Mr. President. Well, I rise in support of the motion to recommit and opposed to the bill. And we had, I think, eight hours of debate on General, four hours on Select, and we've debated similar bills in the past so I don't think it's any surprise to anybody what my feelings are about this bill and this subject. But-- and I see the queue is pretty full and we've only got about two hours. So I'm just going to try and focus on the one biggest point to me, one of my biggest concerns with this bill, which is the fear that "unintendedly" this bill creates a lesser penalty for individuals who are prohibited persons. And so we've made a policy decision to prohibit certain individuals from possessing firearms in the state and I think most states have done something like this. And it is described under 28-1206: Possession of a deadly weapon by a prohibited person and penalty. And it goes through and lists off some of the people who are prohibited persons, including persons who have previously been convicted of a felony, people who are a fugitive from justice, or somebody who's on the run, or somebody who has-- is violating a valid domestic violence or sexual assault protection order. So all of those things, there's a few others as well, are people who we have previously determined should not possess a firearm and the data backs up why we've made that decision. If a person is convicted of possessing a firearm and meets one of those criteria, so say previously convicted of a felony or if violating a domestic violence protection order, the penalty for that under current statute is a ID felony, which is a 3 to 50, minimum 3 years, maximum 50 years. Under this bill it creates a section which, I believe, is Section 8 of the Final Reading copy and it amends 28-1202 to include: A minor or a prohibited person shall not carry a weapon or weapons concealed on or about his or her person, such as a handgun, knife, brass knuckles, iron, or other deadly weapons. A violation of this section is a Class I misdemeanor for the first offense and a Class IV felony for the

second offense, second and subsequent offenses. What that means is if somebody meets that definition of the prohibited person in this section and they have a weapon concealed upon their person, that offense could be construed to be a Class I misdemeanor. So a decrease, a Class I misdemeanor is an offense for which you can do up to a year in county jail, so not even going to prison. That is a pretty substantial decrease in the penalty for the same conduct. The distinction in the conduct is that under 28-1206, the, the conduct is the person is a prohibited person so previously convicted of a felony, violating a domestic violence protection order, and they have a gun. The conduct under 28-1202 would be previously convicted of a felony or violating a domestic violence protection order, but they have the gun in their pocket or under their coat, as has been described before. And so, essentially my concern and one of the reasons I support the recommit is, I'm concerned that this bill inadvertently will create a climate where people are-- and criminals are incentivized to conceal a gun upon their, their person because the penalty is so much less than if they just have a gun on them overall. And so that is why, I think, I have suggested originally when we were debating this bill, that this particular section was-- should be taken back for--

KELLY: One minute.

J. CAVANAUGH: --thank you, Mr. President-- additional hearing, why I continue to support the motion to recommit here. There are other problems, as Senator Raybould has articulated, I think other folks will articulate some of their concerns, as well. But it's just as we get to this final stage, and I appreciate everybody sitting here quietly and listening, I feel very-- I feel heard, but that, that is a serious issue with how this bill could be implemented in our court system. So I would just encourage you in the next two hours take a look at the bill, take a look at that and listen to the other parts but I will be supporting the recommit and I will be opposing the bill. Thank you, Mr. President.

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

DAY: Thank you, Mr. President. And good morning, colleagues. I rise in opposition to LB77 and in support of the motion to recommit. I just wanted to read a few things from one of the handouts that Senator Raybould had passed out yesterday evening, I believe, onto our desks and she has this here discussing pre-LB77 and then if LB77 passes, which first I want to note just for anyone watching at home the

incredible leadership that Senator Raybould has demonstrated on this bill and her relentless, tireless efforts on working to stop this bill from passing have been extremely admirable. So down at the bottom on the left-hand side, it says supposedly LB77 was supposed to remove the permit requirement to conceal carry a handgun, and that was repeatedly represented as the only intent or impact of this bill. If LB77 passes, the statute regulating concealed weapons will read in its entirety "A minor or a prohibited person shall not carry a weapon or weapons concealed on or about his or her person, such as a handgun, a knife, brass or iron knuckles, or any other deadly weapon. A violation of this section is a Class I misdemeanor for a first offense and a Class IV felony for a second or subsequent offense." That means only minors under 21 years of age and those meeting the prohibited person criteria generally in 28-1206 and federal law are banned from carrying concealed weapons. Everyone else can carry a concealed weapon, handgun, assault rifle, knife, etcetera. Consider: That means that a 22-year-old with, with six misdemeanor nondomestic assaults can carry a weapon concealed. That means that an 89-year-old with dementia can carry a weapon concealed. That means that any drunk adult can carry any weapon other than a handgun concealed. That means a person who is just put into emergency protective custody due to an officer believing they are mentally ill and dangerous can agree to voluntary treatment and immediately carry a weapon concealed because they were not involuntarily committed. They are not a prohibited person. That means under some courts interpretations of Bruen that a person being tried for a violent felony crime but not yet convicted can carry any weapon concealed. Is this result consistent with what you understand-- or excuse me, with what you understood when you were told that all LB77 does is say that if you can lawfully hold a handgun in your hand without a permit, you should be able to put it inside your coat without a permit. Weapons I can now conceal if LB77 passes: As an adult who is not an otherwise prohibited person are: a handgun with some restrictions, an AK-47 with no restrictions, a dagger with no restrictions, short rifle with no restrictions, grenade with no restrictions, taser with no restrictions, brass knuckles with no restrictions. Additionally, there is no language in LB77 to expressly allow a city or municipality to prohibit the above weapons from being carried, concealed or open, in a city building, bus, or park. Are you comfortable with this result? Additionally, for me, continuing to come back to this bill and, and, and this type of legislation, relaxing gun laws always makes me think of my kids. I have two kids in public schools. And, for me, whenever I see the news and I see--

KELLY: One minute.

DAY: --most recently, you saw the picture of the little girl in I think it was Nashville, I could be wrong, in the bus with her hands up against the glass crying looking out of her-- of the window. I see the faces of my kids in those kids. And I just don't understand how those of you who have children or grandchildren in schools, going to grocery stores, these things happen everywhere in the United States, how you could vote green on this bill and not understand how it is going to directly impact the lives of the families and the children in the state of Nebraska. We know this is a uniquely American problem. It has nothing to do with mental behavioral healthcare. It has nothing to do with video games. Those things exist in every other country on this planet. I will yield the rest of my time. Thank you, Mr. President.

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

CONRAD: Thank you, Mr. President. I'd yield my time to Senator Raybould if she desires.

KELLY: Senator Raybould, that's 4:55.

RAYBOULD: Thank you, Mr. President. Thank you, Senator Conrad. You know, we had a, a wonderful Lincoln city attorney in her off-time, as a busy mom, spent hours compiling and looking at the legal ramifications of this. And, you know, she shared them with Senator Brewer and these are her comments: I want to let you know that Senator Brewer was extremely gracious and generous with his time and allowed me to meet with him on Friday, March 31, to express my concerns, foremost as a mom, but also informed by my education and experience. I left that meeting extremely impressed with his willingness to meet and the very respectful attention he paid as I spoke. I also left that meeting feeling more concerned by the language of the bill, because when the attorney who was with Senator Brewer spoke about some of my concerns, rather than tell me I was reading it wrong, seemed to ratify my reading in many respects. So I somewhat hesitate to send this letter to you all-- and she sent this letter to each and every one of my colleagues here-- because I do not want to in any way disrespect Senator Brewer, but I cannot sit quietly simply because it is on Final Reading and time is short. I remain willing and wanting to stay in touch with Senator Brewer to find language that gets him what he wants and needs for a successful permitless carry of a concealed handgun while still getting what I need to feel safe in my work environment

and to know I can interpret and apply the law and to know I can send my kids out with reasonable laws relating to handguns and other weapons. And I'm, I'm thankful to Senator Day because she read the essential components, talking about what we were told about LB77. We were told it's just as simple that you don't have to pay the fee, you don't need to do the background check, and you don't need the training. We just want you to be able to when you have your gun and you put on your coat you're not going to be fined for that. But this is what the attorney said: When you voted to advance LB77, what did you think the addition of the words by another person would mean in practice? The protections under Sections such as 69-2440 says: whenever a permit holder who is carrying a concealed handgun is contacted by a peace officer or by emergency services personnel, the permit holder shall immediately inform the peace officer or emergency services personnel that I, the permit holder, I'm carrying a concealed handgun are relevant only now when the handgun is concealed. When you voted to advance LB77, did you know you had changed what it means to be concealed? Did you know the rules were indeed changing for when a person had to reveal the presence of a handgun to a peace officer? They were changed because the predicate definition of concealed is changed, and it is only when a handgun is concealed that those protections come into play. Of note, there is no mention of a concealed weapon other than the handgun needing to be disclosed. Keep in mind, you could be carrying a AK-47, you could be carrying brass knuckles, you could be carrying and hiding a long, long gun-- I'm not sure how you would do it-- but you would not need to disclose that to the peace officer. She went on to say that keep in mind on page 15, lines 22 to 26 of LB77, you make it so only persons under 21 years of age and prohibited persons are banned from carrying concealed weapons, apparently--

KELLY: One minute.

RAYBOULD: --of all types-- thank you, Mr. President-- she says seems odd, seems dangerous. And if you realized you were allowing 26-year-olds to conceal carry every weapon, including, as I read it, long guns and daggers, unless they are a prohibited person, not just a handgun, why should they only have to reveal it to a law enforcement official if it is a handgun? That is why this bill needs to go back to committee. There are so many unintended consequences that all of us are willing to help Senator Brewer with. Thank you, Mr. President.

KELLY: Thank you, Senator Raybould. Senator Fredrickson, you are recognized to speak.

FREDRICKSON: Thank you, Mr. President. Good morning, colleagues. Good morning, Nebraskans. I continue to have serious concerns about LB77, and I spoke about this previously when I've spoken on the mic about this bill when it was on Select as well as on General. You know, one thing that I have, and I've had a lot of conversations with different collasees-- different collasees-- different colleagues about this policy. And I think, again, this is with everything we're doing here, the nuance of making statewide policy is, is, is, is complicated. And, you know, I can speak for the district that I represent, but after having conversations and, and hearing different stories from colleagues from other parts of the state, you know, is, is it possible that LB77 makes sense in more rural parts of the state? Sure. You know, I'm-- I, I, I-- I'm, I'm not sure I can say it doesn't make sense there. What I do feel pretty strongly about is that this does not make sense in Omaha and it does not make sense in the urban parts of our state. It just doesn't. And I think we can all acknowledge if we are looking at what's happening throughout our country, that we, we truly are in a gun violence crisis. Just this week, a Walgreens employee shot a pregnant woman that he thought was shoplifting. This happened in Tennessee. There's a news article from CBS News about this and I was reading it this morning and it was particularly concerning to me. It says: A woman who was seven-months pregnant was shot by a Walgreens employee in Nashville, Tennessee, this week after he suspected she had stolen cosmetics from the store's pharmacy. Now, she, she and her newborn baby remain hospitalized and undergoing-- after undergoing an emergency C-section. A Walgreens team leader shot 24-year-old Miss Ferguson in the store's parking lot on Wednesday evening after he followed her out of the store when he was tipped off to the alleged shoplifting. And this is a part that is concerning to me. So Mr. Boyd, who is the employee who, who shot Miss Ferguson, Mr. Boyd claims he fired his semiautomatic in self-defense because he was, quote, in fear. He didn't know if Ferguson and another woman she was with were armed. And I bring that up specifically because one argument that I've heard is that if you don't know if other folks are armed that that might decrease crime, because people might assume that other folks are armed and that would deter them from engaging in criminal behavior. But that's just not how human psychology works. You know, we can, we can see from this story that this individual became a bit trigger happy. He, he shot a pregnant woman because he was fearful that she might be armed. When no one knows who is carrying a weapon, that's what we create here. We create a culture and a society of fear and we also create more pressure on our already overstressed law enforcement officers. If law enforcement officers are not--

KELLY: One minute.

FREDRICKSON: --thank you, Mr. President-- are not clear whether or not folks are armed or not, we're putting them in very precarious situations. So as I said earlier, I, I, I appreciate the nuance of the diversity of our state and it is possible that this might make sense in more rural parts of our state but it does not make sense for Omaha, so I will continue to oppose this bill. Thank you, Mr. President.

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

DUNGAN: Thank you, Mr. President. And colleagues, I rise today, again, opposed to LB77 and in favor of the motion to recommit to committee. I think that we've obviously had a number of discussions about this before and I'm listening intently to a number of the points that are being made. But I wanted to sort of talk about, again, some of the concerns that I had with regards to LB77. When this was on General File and Select File, I expressed some concerns about the writing of this piece of legislation. And I had talked with Senator Brewer about that, and I'll probably be asking him a couple of questions here in just a moment, which I did talk to him about ahead of time. But the questions that, that I have primarily rest on what is and what isn't allowable for a city to prohibit in buildings they own. So, obviously, I think Senator Fredrickson hit the nail on the head here that the state of Nebraska has a wide array of needs and what makes sense maybe in rural Nebraska is slightly different than other places, but I live in Lincoln. And I've had an opportunity to speak with individuals who work with the city and for the city and there's been a concern, a number of concerns that have been expressed about the way that LB77 is written. I think that when you just look at this compared to what is the current state of the law, there's a concern that, as Senator Raybould pointed out, courts, for example, a court building would no longer be able to prohibit somebody carrying a weapon into that court. Under the current city law, the city of Lincoln does have a statute or a, a, a code that says that you cannot carry a weapon, essentially, concealed or otherwise, into a building that's owned by the city or the county, with certain exceptions. So when you go check in at the courthouse, there's sheriffs that stand at the front door and you go through a metal detector and you're not allowed to carry, for example, a, a gun or a machete, which is a thing we actually see a lot, blades, knives, brass knuckles, things like that. You're not allowed to carry that into the courtroom. But my concern is the way that this is currently written in the section on page 17, that prohi-- that allows

the prohibition of carrying certain things into police stations, courthouses, it only references a concealed handgun. A concealed handgun is the language that's used, not weapon, not firearm, and not open carry. And so, again, my concern becomes if this is adopted, individual municipalities, cities, villages, you know, whatever it is, are going to lose that local control that they have to be able to, to make the best decisions for their area. And so the concern then is, let's say you walk into the courthouse, would you be able to walk in with an AR-15? Would you be able to walk in with a, a blade that's, you know, seven inches long? Would you be able to walk in with a handgun, but it's not concealed? And that's just a question that I had. And so I was wondering if Senator Brewer would yield to a couple of questions here just to clarify a few things on the, on the record?

KELLY: Senator Brewer, would you yield to some questions?

BREWER: Yes.

DUNGAN: Thank you, Senator Brewer. And we talked about this last time and also off the mic, but I just wanted to clarify. Is it the intention of LB77 to further restrict what cities or individual places could do with regards to the banning of, of weapons on their premises, so like carrying an open-- or, sorry, open carrying a firearm, for example, into a courthouse? What's the intention of LB77 as it interacts with those, those local laws?

BREWER: The intent was that the rules as they are with where the restrictions, say, to Pinnacle Bank Arena, those are posted and they would continue to be restricted there. It is the city's ability to restrict that. On the courthouse issue, keep in mind, that was only added for the judges and, and no one else so it was never the--

KELLY: One minute.

BREWER: --intent that that be the general public that would be allowed to. The procedures to enter that courtroom area is still, you know, the, the, the metal detector and the search that goes on there. So there was never intent to change any of that, it was simply that judges could be armed.

DUNGAN: OK. And then one other question I had that I just wanted to clarify here on Final Reading. You remember the discussion we had with regards to public transportation. Do you believe that currently a city could restrict the carrying of weapons on, say, StarTran here in

Lincoln on the buses? Does that count as a place and premises under the law?

BREWER: It is owned by the city. The issue would be that there was a placard placed in a visible point of entry so that people are aware of it when they make that entry.

DUNGAN: OK. Thank you, Senator Brewer. I appreciate that. And those are just points that I wanted to make sure we clarified here. I think there's still concerns I have about the writing. There's still concerns I have about some of the, the parts of this law. But at the end of the day, I do appreciate this discussion and I remain at this point opposed to LB77. Thank you, Mr. President.

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

JACOBSON: Thank you, Mr. President. Well, Senator Brewer, it's been seven years. Seven years, this has been your priority bill. Had a lot of discussion about this. I'm amazed, truly amazed at all of the new unique nuances that come up every year. If we could just send it back to committee and spend one more year thinking about it, it'll fix everything. Let's forget about people's constitutional rights. Let's hold it off for another year so we can study it a little more. I said before on the mic on Select and I'll say it again, we have a significant drug problem in this country led by fentanyl. We have laws that I recall, I think there's laws out there that say you can't possess illegal drugs. How well has that worked? When we pass laws and they're broken, who are the people that are breaking the laws? Criminals. Right? So do we think that we can pass another law or prevent people from having their constitutional right to conceal carry because by doing that we're going to restrict the law-abiding citizens from having their constitutional right. But guess what? The criminals don't care. Does anyone really believe that the criminals aren't going to do what they're doing today, regardless of what the laws are? I can tell you as a rural senator, we get out into areas where you're out in the wide-open spaces, having the ability to carry a firearm, having the ability to lock that in your console, lock it in your glove box is important. That should not be restricted. Seven years, seven years, eight hours of debate on General, four hours of debate on Select, here we are, here we are again. It's time to move this bill forward. It's time to give the citizens of Nebraska the ability to exercise their constitutional rights. It's time for us to allow law-abiding citizens over the age of 21 who have gone through all of the requirements for

an open carry permit to be able to conceal that gun, as well. Again, that's what this bill is doing. And, in fact, we will be protecting kids because we're going to allow citizens to protect themselves. When we hear about these horrific shootings, where's that happening at? It's happening in soft targets where we've banned, we've banned anyone from carrying a gun. So the law-abiding citizens, they don't have an ability to shoot back. In fact, they don't even have to shoot back because if the criminals knew that there was somebody who could shoot back, they're probably not coming there to begin with. If anybody thinks you're going to go eliminate guns in this country, it's just not going to happen, any more than we're going to eliminate drugs. This is about exercising constitutional rights. Mr. President, how much time do I have left?

KELLY: 1:30.

JACOBSON: Senator Brewer, I'll yield the remainder of my time to you. Thank you.

KELLY: Senator Brewer, you're recognized, 1:20.

BREWER: Thank you, Mr. President, and thank you, Senator Jacobson. With just this time left, what I'm going to do, and if you guys get tired of hearing it I really don't care because it's the constitution you swore an oath to and for some reason, you're strategically remembering what you want when you want and not the--

KELLY: One minute.

BREWER: --entire thing. This is the Nebraska Constitution, Article I: All persons are by nature free and independent, and have certain inalienable, inherent rights; among these are the life, liberty, and the pursuit of happiness, and the right to keep and bear arms for security or defense of self, family, home, and others, and for the lawful common defense, hunting, recreational use, and all other lawful purposes, and such rights shall not be denied or infringed by the state or any other subdivision thereof. I think that's pretty clear. So everybody that's got all bent out of shape because the mayor of Omaha and the mayor of Lincoln don't want it, it's because of preemption. They want a gun registry.

KELLY: That's your time, Senator.

BREWER: Thank you, Mr. President.

KELLY: Senator Kauth, you are recognized to speak.

KAUTH: Thank you, Mr. President. I rise in support of LB77 and oppose the motion to recommit. I strongly support our Second Amendment and admire Senator Brewer's persistence and commitment to that Second Amendment. I also appreciate his willingness to make adjustments to the bill to better reflect the urban concerns and to work with Omaha Police Officers Association to improve the bill. Senator Brewer, I yield you time.

KELLY: 4:35, Senator Brewer.

BREWER: Thank you, Mr. President. All right, let's go back and go through some of what Senator Jacobson said. It has been a seven-year labor to try and get this into law. Between testimony in committee and filibusters and pull motions, we're on hour 43. Just digest that for a minute, 43 hours we have fought to give a constitutional right to the people that's in the constitution. Remember the struggle I had because we sent this three years ago to the Attorney General and we had a carve out for Lincoln and Omaha. We were trying to do the right thing. Every other county in Nebraska had declared themselves Second Amendment counties, and the Attorney General come back and said: As state senators, you legislate for all of Nebraska. You cannot carve out parts of it and only legislate for it. So they found the bill unconstitutional, and I was forced to take that bill and turn it into a bill that helped Lincoln and Omaha with securing of guns. So we went back to the drawing board and the hundreds of hours and all of the attorneys and the Attorney Generals, from the last and the current, that have looked at this, I will tell you, it has been gone through with a fine-tooth comb. And you may not like the wording in a certain sentence, but just step back and think about the simple fact of what we're trying to do here. We can't carve out so we have to work with the entire state of Nebraska. And when we do that, for some reason, it is the rest of the state that seems very concerned and committed to try and get constitutional carry. So obviously if it doesn't get through this year, I'll be back next year. It's not something, like, I'm going to, I'm going to walk away from. That's how much I believe in it. That's how much I believe in the constitution. And you guys can say what you want about being too committed to the constitution, but there are some of us that have paid a very dear price for that constitution. So if we seem committed, it is for a reason. So if we go back and try and establish the groundwork on LB77 and not get too wrapped up in emotion, let's just do that for a moment. This would authorize a concealed carry without a permit by people who can legally

possess a firearm. Pretty straightforward. It would require that a person immediately notify a law enforcement officer or emergency responder upon contact while carrying a concealed weapon. I think that's fairly straightforward, too. Now you've heard the rambling about, well, you could be carrying a bazooka or a handful of brass knuckles, again, this is just a way to confuse the issue and try and figure out a way to kill the bill. There are those who do not want to openly, publicly admit that they hate the Second Amendment and would like to do away with it. So they do it through tactics like this. What will LB77 not do? Well, it will not allow felons--

KELLY: One minute.

BREWER: --thank you, Mr. President-- perpetrators of domestic violence or those with dangerous mental illness or other prohibited persons from carrying a weapon. It would not change the list of locations where concealed weapons, concealed handguns are prohibited. It would not stop businesses from prohibiting weapons on their premises. They simply put a sign in the front door just as they do now. And it would not change the requirement for a background check in order to buy a gun. That's one of the things that make me so frustrated in here. You can get up and say anything on the mic, but again, go down and try and buy a gun without a background check. See what happens. It isn't going to happen. The pistol permit part is still required. You get that through the sheriff in your county and that is his opportunity to go back and look at issues such as mental health or other crimes.

KELLY: That's your time, Senator.

BREWER: Thank you, Mr. President.

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

VARGAS: Thank you very much. I am in support of the recommit to committee for different reasons, actually, which I'll explain, and I'm opposed to LB77. I have been in the past, this is nothing new. I respect Senator Brewer beyond belief and I think that's important to then just rephrase here especially in the Final Reading, which is it is possible to respect the people bringing each of these bills. It's also possible to disagree on policy. For me, it's not about emotion. It's not about whether or not he is wrong or right in the absolute, because the bills that we passed are dictating what is wrong or right in the nature of we're passing legislation. So I'm not judging Senator

Brewer for saying he is wrong, but I think it's OK and healthy for our body to disagree on the policy. And I think that's important for us to just reframe when we're talking about these issues. So in my disagreement, and I've made this clear in the past, it-- for me it's, it's not necessarily only because there might be differences in what's happening in rural Nebraska versus urban Nebraska. And I understand this, this rationale for treating the entire state the same way. But it's also not that simple. There are instances where we do create differences in how we create legislation for different congressional districts or different municipalities of different sizes or different counties. We have done that before. In fact, the laws currently on the books create these different laws that provide local control. It has been on the books. I want to continue to support the local control. On behalf of my constituents I have still heard, and for me it's not a wait and see, it's not a tactic, and I'm not saying it's a tactic either way on either side. I am not saying that more time is necessarily going to make this bill better. For me, it's I continue to hear from my constituents that this is something that they don't want to pass. I have heard from my mayor in Omaha and from our police chief that they're against this bill, not solely on the basis of preemption, not solely on the basis that we're not going to, just because they don't like being told what to do. Look, I've got bills that are fine with telling municipalities what to do. It's they don't like being told what to do when it comes to public safety in regards to guns. That's the issue. It's not just on being told what to do. That's the reason why I remain opposed to this, because I continue to hear from people in my constituency, I think to Senator Fredrickson's point, that are not trying to say-- maybe it is different for rural Nebraska. Maybe it is different for different counties outside of a city like Omaha or Lincoln, maybe it is. But for the people in our district or in my district that are saying more so than the opposition right now, we don't want to change this law and we want to support what our local elected officials are deeming best for the public safety. That's why I remain opposed to this bill. The second thing I want to react to is and, again, I have respect for Senator Jacobson. I disagree with his comments on states with some of the soft targets are the places with the weakest laws. And it's not about emotion for me, I got this-- I have this map that was handed out, firearm mortality by state. If you're looking at the states that have some of the least restrictive gun laws have the highest firearm mortality by state. Now we may be picking and choosing when we're talking on the mic about real consequences in terms of mass shootings--

KELLY: One minute.

VARGAS: --when I'm looking at this map, the places that have the least restrictions on firearms or gun laws are the places where we have the highest mortality. It's not soft targets. The places that already have these looser laws are doing things like what we're doing right now. For whatever the reason may be, for whatever the senator may be, are the places that have the highest mortality for gun deaths. So, colleagues, this is not about emotion, this is about whether or not we agree with the bill on behalf of our constituency like every single issue. And afterwards, it's also whether or not we can still look at each other and say I have respect for you what you're trying to do for your constituency for the state, which I will absolutely do after this with Senator Brewer. I want to make sure we get back to that. And with that, I still remain opposed to LB77 for the reasons that I stated and I know everybody will vote on how they've been viewing this, this issue.

KELLY: That's your time.

VARGAS: Thank you.

KELLY: Thank you, Senator Vargas. Senator Murman has guests in the north balcony, high schoolers from Holdrege High School. Please stand and be recognized by your Nebraska Legislature. Senator Bostelman, you're recognized to speak.

BOSTELMAN: Thank you, Mr. President. Good morning, colleagues. Good morning, Nebraska. I think we'll come back to what Senator Brewer's been talking about is we're talking about the ability of an individual who has a right to bear an arm, a handgun or others, law-abiding citizens to be able to continue to do that and if so happens to carry as concealed. Law-abiding citizens, someone who's never had a, a need-- a criminal activity that prevents them from carrying a firearm. Remember that every person, as far as a handgun goes, every person who purchases or has a handgun has to have a background check. You either have to go to the county and get a handgun permit or you go and get a concealed carry permit, one of the two, and both of those require background checks. All the current laws that prohibit someone from carrying continue to stay in place. It doesn't change that. You cannot go to another state and purchase a handgun. You cannot give a handgun to another person to own. That's yours that you're safe keeping. I spoke before on General and Select File about training. We have thousands upon thousands of students in this state who compete with

handguns, with long guns, with .22 rifles, with shotguns in competition year round in the state. The largest national trap shooting event in the country is in Donovan, Nebraska, coming up the first part of May. Thousands, over three days, of kids will be there and shoot. They're all required before they can start that competition or start the training to have safety training, hunter safety courses or other training, whether it be with a handgun, a long gun, either one. There's been that training been going on for a long time. And again, we're talking about law-abiding citizens. Twenty-one states: Alaska, Arizona, Arkansas, Idaho, Iowa, Kansas, Kentucky, Maine, Mississippi, Missouri, Montana, New Hampshire, North Dakota, Oklahoma, South Dakota, Tennessee, Texas, Utah, Vermont, West Virginia, and Wyoming already allow law-abiding individuals to carry a concealed handgun without a government-issued permit. I believe it's been testified on the record before, that those states who actually have a concealed carry permit, opportunity constitutional carry on that side, more individuals take the concealed handgun permit training and receive that training and certification. Constitutional carry simply allows a person who is otherwise legally able to possess and carry a firearm to do so in a discreet, concealed manner. Constitutional carry does not change prohibited persons' laws or any law governing the misuse of a firearm, illegal brandishing, discharge, threatening, etcetera, prohibit places where a firearm cannot be carried or when force may be used in defense or self-- of, of self or others. Private property owners still maintain--

KELLY: One minute.

BOSTELMAN: --discretion over their own property, including whether or-- whether and on what terms to allow firearms. We've heard some talk about long guns, about AK-47s, any automatic rif-- firearm in this country, you have to have a special federal permit. No one can carry that unless you have a special permit. Again, we're talking about law-abiding citizen. I feel a constitutional right, something that we all hold very dearly to ourselves and to others. I, as like Senator Brewer, spent 20 years defending that right. I stand opposed to the recommit. I support LB77 to its fullest and I urge everyone to vote green on LB77. Thank you, Mr. President.

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

BRANDT: Thank you, Mr. President. Thank you, Senator Brewer, for bringing LB77. And thank you, colleagues, for a very well-reasoned

debate this morning. It's been echoed, and I'll say it, LB77 is about legal gun ownership. Would Senator Bosn be available for a question?

KELLY: Senator Bostelman, will you yield for question?

BRANDT: Bosn.

KELLY: Excuse me. Senator Bosn, will you yield to some questions?

BOSN: Sure.

BRANDT: Thank you, Senator Bosn. There's a lot of concern, I get a lot of emails about this. There's a lot of concern that, that everybody is going to stuff a gun in their pocket and that, that things are going to happen. Today regarding the law and tomorrow when this passes, whether it's concealed carry or constitutional carry, an individual pulls a gun out of their pocket and waves it at another individual, what would be the charge on that?

BOSN: Is this during a dispute?

BRANDT: This is, yeah, probably. I mean, just say two guys are, are having words.

BOSN: That would fall under terroristic threats. If you're using the weapon, you can also enhance the charge with terroristic threats with use of a weapon.

BRANDT: So really, anybody that would be threatened in this manner has the right to call the police or the sheriff's department and have them come out, investigate, and the county attorney's office would or could charge them with terroristic threat?

BOSN: Under the fact pattern that you've given me, if someone is having a dispute and feels threatened by the presence of the firearm they could call the police, indicate what's going on, and I believe the police would investigate that, potentially refer that to the county attorney's office for prosecution under terroristic threats, potentially disturbing the peace, potentially the use of a weapon during the commission of either one of those crimes.

BRANDT: So there is no free pass if this, if this law were to pass to anybody with constitutional carry.

BOSN: Under the fact pattern that you've given me, no.

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BRANDT: OK. So let's move on to alcohol. How much alcohol can an individual consume and have a concealed carry weapon on them?

BOSN: It's my understanding under this law that you can neither consume alcohol nor have alcohol in your body, blood, breath, or urine while carrying a handgun.

BRANDT: So if they have any alcohol in their system at all, they are in violation of the law. Would that be correct?

BOSN: Based on my reading of this, I believe that's correct.

BRANDT: What about narcotics?

BOSN: Same.

BRANDT: All right. Thank you, Senator Bosn. I, I appreciate the background on that. I know there's concern about police officers. In talking to my sheriff's departments, and I, I do live in a rural part of the state, when they stop an individual today they just assume they have a weapon. That's today and that's before this law passes. And, and I think there's a great deal of care and we have a great deal of support for our law officers out there. As Senator Bostelman mentioned, 21 states today have constitutional carry. And when we opened this debate this morning, there were discussions about AR-15s. This is specifically about concealed handguns, not long guns, not AR-15s. When you go to Nebraska Statute 28-1201 defines the terms of many things, but number (3) [SIC], "Handgun means any firearm with a barrel less than sixteen inches in length or any firearm designed to be held--

KELLY: One minute.

BRANDT: --and fired by the use of a single hand." There's definitions in here for machine guns, there's definitions for long guns, there's definitions in here on brass knuckles, on any dangerous weapons in the state. I welcome you to go and research that. LB77 also creates a new charge of carrying a firearm during the commission of a dangerous misdemeanor. That addresses some of the concerns that Senators Dungan and Cavanaugh had about existing law and the interaction with that. And we've got a third-time offense, that's a Class IV felony. To wrap it up, I'm opposed to the recommit and I fully support LB77. Thank you.

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KELLY: Thank you, Senator Brandt. Senators Holdcroft and Arch have visitors in the south balcony, fourth graders from Walnut Creek Elementary in Papillion. Please stand and be recognized by your Nebraska Legislature. Mr. Clerk, for items.

CLERK: Mr. President, your Committee on Education, chaired by Senator Murman, reports LB708 to General File. Additionally, amendments to be printed from Senator Raybould to LB754, and new LR, LR101 from Senator Day. That will be laid over. That's all I have at this time.

KELLY: Thank you, Mr. Clerk. Senator Brewer, you are recognized to speak.

BREWER: Thank you, Mr. President. All right, I'm going to go back and, since I didn't get an opening, do an opening. Forty-third hour, we're about to start-- oh, we are in the 44th hour now of filibuster. And I say that more than anything to remind folks back home that are just tuning in and hearing this for the first time, the process that we've gone through to get to this point. So we've gone through the process of trying to carve out. As we said before, that didn't work. So last year, we, we made it a comprehensive bill. We got through the pull motion. We got to General File, Select File, and it was in Select File that Senator Pahls, at that time was ill, later passed, and left me a vote short there. So you can see how I have been in a place where you put enough energy and effort into a bill that in your district is, is a 90-some percent winner that everyone wants. And you struggle when you have others who find reasons to avoid wanting to give to the people a constitutional right. And that was actually brought up earlier. They said, you know, you're going down the wrong road here. What you need to do is do a ballot initiative and have the people vote on it. And the Attorney General reminded me that you can't do that because it's already in the constitution. And all of a sudden I stepped back and I thought, wow. So I am desperately trying to get a bill passed that's already in the constitution. So I can't do a ballot initiative. I can't carve out. We banged our head on every route possible with this bill. So I've got to follow Senator Jacobson's lead and tell you that those who are opposed are opposed. And there is nothing that can be said on this mic that will ever change their mind. And those that support it, understand it, they support it and they understand it. And that's where we are here today. Now we have to go two hours. And we're going to hit a point here where we go over all the issues and we're going to just-- unlike other times, you can get up and leave, you're trapped. So I'm going to make an offer. If we get through enough of the issues of LB77, because I have the unique

history of having been shot, I would take some time and share that with you. What I will share comes from a book called: The Bone Yard. It is about a firefight in Afghanistan. And I want folks to understand that this was not an easy thing to take up this challenge, because if you're on the receiving end of a bullet and in the case of the 12th day of October 2003, seven of them, you understand how that can change and impact lives. But I also understand how important it is for those who feel that protecting their home, protecting their business, protecting their family are the most important thing in the world to them--

KELLY: One minute.

BREWER: --and that we should not dictate to them their ability to do and have that right. Because unlike as we said before, driver's license and other things, a constitutional right is just that, a right. It is not a privilege that you're given. Thank you, Mr. President.

KELLY: Thank you, Senator Brewer. Senator Briese, you are recognized to speak.

BRIESE: Thank you, Mr. President. Good morning, colleagues. I rise today in support of LB77, and I thank Senator Brewer for his relentless efforts in protecting our Second Amendment, Second Amendment rights. And I want to address some of the conversation that had occurred previously, surrounding law enforcement in this piece of legislation. I understand there may be some law enforcement leaders and organizations out there who have some hesitancy around this bill, but they're certainly not the majority. Since this bill was introduced, I have heard from law enforcement officers, sheriffs, and a chief of police in my district who have been absolutely behind these efforts to expand and protect our Second Amendment rights here in Nebraska. I've not heard from a single law enforcement officer, police chief, or sheriff in my district who has any reservations about this bill. And I've heard from a lot of constituents in my district, probably 95 percent of whom are completely in favor of LB77. You know, I come, come from a place where I was-- when I was a kid, we started hunting and shooting guns when we were seven or eight years old. And, and out where I come from, we really want our Second Amendment rights protected. And, again, I thank Senator Brewer for his efforts here. And so I'd urge my colleagues to consider what one police chief called that, quote, great big state that exists outside of Lincoln and Omaha and I-80, unquote, and consider a green vote here. Support this bill.

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Thank you, Mr. President. With that, I would yield the balance of my time to Senator Brewer.

KELLY: Thank you, Senator Briese. Senator Brewer, that's 3:30.

BREWER: Thank you, Mr. President, and thank you, Senator Briese. All right, again, we need to go over some of these details to make sure that it is on the record. And the issue of any drugs or alcohol in your system, I'm glad that was brought up and that was an absolutely accurate statement. We built that in on purpose. We did that at the recommendations of law enforcement. We also, with law enforcement, made the requirement that just as with the concealed carry permit program, that they are required to do the same actions. So upon being stopped, you provide information at that time that you're concealed carrying, and then the officer will tell you what actions you're to take next. And, and that was just part of, of those checks that we went through to make sure this bill protected law enforcement because we didn't want to be in a position where we made their lives more difficult. We talked about background checks. Again, I invite you to go down, pick the gun store, go in, and try to buy a gun without. If it's a handgun, you go down to the courthouse, pay for a pistol permit. That pistol permit is issued to you, with that is a background check. Your other option is to go through the State Patrol permitting program, have that permit, and then when you go in to purchase you use that as your authorization. So, so that, that I hope is clear to everyone. And we've talked a lot about gun violence. What I would ask you to also remember is that what we're going to do is we're going to take everything bad, everything evil that anyone has done here in the United States and we're going to say, you know what, we are going to restrict Nebraskans from being able to have this constitutional right because of what happened in California, New York, you pick it. How fair is that? If we have low right-- rates of, of crime, of murders, it's because we have good law enforcement. And by letting law-abiding citizens have the right to protect themselves, how are we changing any of those dynamics? We cannot stress enough that this is not about the criminals.

KELLY: One minute.

BREWER: Criminals are going to be criminals. I did not want to see this turn into a back and forth on emotion. And I understand, Senator Vargas said, well, it's not about emotion, it is about emotion because-- did you say something? Oh, how much time do I have left?

KELLY: Thirty seconds.

BREWER: OK, I'll rush it. One of the things that, that we have to throw in here at some point is talking about how can we help law enforcement? And the offer I made to Senator Raybould was let's have a bill that will authorize resource officers in every school who needs them, whether it'd be through a grant program where they ask for it, because some schools may not need it, we make it available. That way, we have schools that if they need it and want it it's possible for them to have it. Thank you, Mr. President.

KELLY: Thank you, Senator Brewer. Senator Halloran, you are recognized to speak.

HALLORAN: Thank you, Mr. President. Good morning, colleagues. Good morning, Nebraska. I'm standing in full support of LB77 and in opposition to the recommit to committee motion. Colleagues, today would be the most appropriate day to pass LB77. Today marks the 238th anniversary of the battles of Lexington and Concord, which kicked off the Revolutionary War. Unless these men exercise-- and women exercise these rights to bear their arms and create a militia, the war for our independence would not have started. The British attempted to take away the guns of the colonists, and it was met with a resounding over our dead bodies. And they won the war, giving us independence so, ultimately, wrote a constitution that laid out our rights, God-given rights, not granted by the government, but by God. And, of course, one of those we're debating today, and that's the Second Amendment. So what exactly does history show about gun confiscation and gun restrictions? In 1911, in Turkey, guns were restricted and the result: one and a half million Armenians were unable to defend themselves and were ethnically cleansed by the government. They were killed. In 1929, the former Soviet Union established gun control and as a result, Stalin's government killed 40 million Soviets. Hitler, in Nazi Germany, to establish his version of gun control in 1938, where millions of Jews, gypsies, homosexuals, mentally ill, disabled, and eventually, some of the brown-- brownshirts who work for the government were killed. In 1935, Communist China established gun control and 50 million political dissidents were arrested and killed. In 1964 to 1981, Guatemala established gun control and 100,000 were killed. In 1970, Uganda established gun control, and from 1970 through 1979, 300,000 Christians were killed by a dictatorial government. In 1975 through 1977, Cambodia, Cambodia gun restriction laws prevented people from defending themselves against a tyrannical government who arrested and killed one million people. In 1994, Rwanda disarmed the

Tutsi people, and being unable to defend themselves, one million were executed. Overall, over 70 million people, because they had no means of defending themselves, were killed. It's a fundamental right and, and I have the deepest respect for Senator Brewer for enhancing and defending that right to bear arms. How much time do I have?

KELLY: 1:45.

HALLORAN: There's been a lot of talk about training, the need for more training if we pass this law and that's good and that's fine. There will be. I have jokingly suggested to a few people that maybe next year I will sponsor a bill that will require all criminals to take gun safety courses. Think about that. That'd be a good idea, right? They commit most of the crimes, the murders, they should have gun safety courses. Well, of course, it's a silly idea. It's one more of those instances Senator Jacobson pointed out that criminals don't care about the law so they're not going to take the gun safety course. It's a silly idea.

KELLY: One minute.

HALLORAN: But what's not a silly idea is to have more citizens armed through constitutional carry. And you know who's opposed to that mostly, besides a handful of people here in this body? Who's opposed to that mostly are criminals because when they're doing their job, their vocation, their occupation of being a criminal, the last thing they want are, are more citizens in the crowd that might be bearing arms and defending themselves and the people around them in taking the criminal out. So vote green on LB77. I yield the balance of my time. Thank you.

KELLY: Thank you, Senator Halloran. Senator Blood, you are recognized to speak.

BLOOD: Thank you, Mr. President. I rise against the motion to recommit, but also against LB77 and, and Senator Brewer is aware of that. I am standing not to talk as much about the bill, but about some of the consequences, be they good or bad, that I would like to see as a result of this very, very long debate. So I'm going to tell a story and it's not to pull at your heartstrings, it's to prove a point. Ryan Helbert, 28, Nathan Pastrana, 22, dead; Kenneth Gerner, 25, Zoey Lujan, wounded. Three others fled. Remember those numbers. At 9:23, the first call to police, it was reported that a U-Haul truck was on fire with some wires and tubes sticking out of it and there was a

possible bomb. At 9:24, shots were fired. At 9:26, the first units, because we have an awesome law enforcement in Bellevue, were looking for a six-foot, six-inch tall suspect. At 9:31, police received information on how to locate the suspect. And at 9:39, the suspect was in custody. This was the Sonic shooting that happened in November of 2020, November 21, 2020, in Bellevue. And Silva threw an explosive device into a rental truck and opened fire on the staff. And the reason that he did that is because he had been arrested for using someone else's payment methods to obtain food items from the same Sonic restaurant just days before shooting. And the day before the incident, he had been released from custody. And many of you might remember him as the smiling shooter that, that made national news because the guy had mental health issues. He did have a concealed carry permit, which is not part of the issue, it's just part of the facts. Excuse me. I don't know if I said concealed carry, concealed carry permit. He drove the U-Haul truck to the Sonic restaurant and opened fire. The reason I'm telling you the story is not to preach to you about guns. I'm telling you the story because we've heard throughout this debate about mental health, the three that fled witnessed the massacre. And, you know, you always hear the thoughts and the prayers and we're going to help our employees any way we can. Well, one of the young women who was under the age of 20, and, you know, you guys all stood here on the mic and said people's brains aren't developed. And you know how hard it is for people to make decisions and deal with crises before age 25 on other bills here this year. She was diagnosed with severe PTSD. And guess what? In Nebraska, when you witness something like that, our workmen's comp will not cover that. Even if diagnosed by a professional, a trained professional, you cannot get coverage for PTSD on workmen's comp. Now you can if you're a first responder. I'm sure Senator McDonnell can tell you all about that, and I've been a part of many of those conversations and committees because they know that when you experience things like that, it's traumatic. It doesn't have to be directed at you. You just have to be there to experience it. And if you know any veterans, you know that PTSD is real, it's not make believe. So when we talk about these issues, I think it's interesting how in this body we don't really give a damn outside of the issue. It was the bankers that came out against my bill, LB5, because God forbid there should be a holdup at a bank and somebody witnesses violence and they have--

KELLY: One minute.

BLOOD: --PTSD, why should they be held responsible? I just want you to be thinking about that as we pursue this, this discussion. And I also want to point out that I remember the time when the NRA used to be primarily about safe and proper use of firearms. In fact, I remember the Army used to donate surplus weapons to them for training and New York State donated, I think, their first training range, firing range. They even participated in good policy like the National Firearms Act of 1934 and the Gun Control Act [SIC] of 1938. And then they realized, as many groups have over the last few decades, that there is money to be had by instilling fear and making us further apart than working together on good policy and working together on gun safety. And I really think that's unfortunate because now this is what we're left with. And so if you're not familiar with the history, if you only know the history of NRA in the last decade or two, I think you should look back at it.

KELLY: That's your time, Senator. Thank you, Senator Blood. Senator von Gillern, you're recognized to speak.

von GILLERN: Thank you, Mr. President. I want to start off today addressing a few comments that have been made on the floor on this, on this topic, important topic. I want to first address a few things that Senator Raybould said, and, and forgive me if I didn't get the quotes exactly, but the comment that was made that we need to disconnect the mental health conversation from the gun conversation. And, and I really struggle with that and I want to thank Senator Blood for just visiting on that topic more specifically and about how closely linked these two issues are. Clearly, we do have a mental health crisis in the United States and, and even in Nebraska and, unfortunately, many who are suffering from mental health issues use weapons to injure and kill others and, seriously, an unfortunate situation. But we cannot and should not limit the rights of law-abiding Nebraskans due to the unfortunate illness of a few, especially when limiting those rights may actually put you in a position to defend yourself and others from those who are mentally ill. Senator Raybould also stated that Nebraska is in the top ten for lowest gun deaths and she believes that this is due to our current gun laws. I can test that it's due to the fact that by and large, we have a responsible citizenry here in Nebraska. And that's a point that Senator Bostelman clarified in talking about the high school trap and skeet competition that takes place here. And something else that occurred to me as I was making my notes that all of these same arguments were made a number of years ago when permitted concealed carry was debated and passed in this body. You can pull up the testimonies from, from that debate and they're nearly identical to

what we're hearing today. Senator Raybould also stated that she simply wants to work with Senator Brewer to somehow "improve" LB77, and I make air quotes for the Transcribers. Clearly, that has not been her motivation prior to today, because in the previous ten hours of debate, Senator Raybould has made it a point to clarify that Americans own too many guns, and that is the problem. So let's not fall for the "let's give it some more time." "Let's give this some more study." "Let's fine tune the language." All of that is a red herring to kill the bill, so let's not be fooled. Senator John Cavanaugh stated that, that criminals will somehow be incented to carry a concealed weapon. Really? We're talking about criminals in the act of committing a crime. Do we really believe that they're concerned about whether the manner in which they're carrying a weapon is legal or not? I think that's the last thing going through their minds. I said in a previous floor statement that if we could simply pass a law and magically all people would be protected, I'd be the first in line to sign it. But that, unfortunately, is not the case because criminals don't care. Senator Bostelman pointed out that background checks are still required. And I want to read through some of the questions that are required in that background check to be responded to by the applicant. First, must be at least 21 years of age. Second, not be prohibited from purchasing or possessing a handgun by federal law. Third, possess sufficient powers of eyesight. Fourth, not have pled guilty or no contest to or not have been convicted of a felony. Fifth, not have pled guilty or no contest to or not have been convicted of a misdemeanor crime or-- of violence within the immediate preceding ten years. Six, not have been found in the previous ten years to be mentally ill and dangerous person and not to be currently adjudged mentally incompetent. Seven, have been a Nebraska resident for at least 180 days except for the military. Eight, have not violated any law relating to firearms, unlawful use of a weapon or controlled substances in the preceding ten years. Nine, not be on parole, probation, house arrest, or work release. I know lots of people that own guns and I know lots of people who don't own guns. And this is a topic that comes up in conversations in all different environments. I've not heard one person say, you know, I own a gun and I've never carried it and I'm going to start carrying it tomorrow if this law passes. And I certainly have heard nobody say I'm going to run out and buy a gun the day that this passes and starts dropping it in my pocket.

KELLY: One minute.

von GILLERN: That simply is not the case. I just want to point out quickly in my closing, just some people and entities that use guns to protect themselves, let's just be serious about this: the President, celebrities, banks, courts, jewelry stores, sporting events, music festivals. But in large part, we defend our children in schools with a sign that says this is a gun free zone and then we call someone with a gun when something goes wrong. I urge you to vote down the motion to recommit and to vote green on LB77 to protect our constitutional rights, clearly stated in the Nebraska Constitution. Thank you, Mr. President.

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

LOWE: Thank you, Lieutenant Governor. Once again, the Bill of Rights in Nebraska: All persons are by nature free and independent, and have certain inherent and inalienable rights; among these are life, liberty, and the pursuit of happiness-- and over the past couple of months, we've found out that life isn't as important as the pursuit of happiness-- and to keep-- and the right to keep and bear arms for the security of defense and self, family, home, and others, and for the lawful common, common defense, hunting, and recreational use, and all other lawful purposes, and such rights shall not be denied or infringed by the state or any subdivision thereof. That's in Nebraska's Constitution. That's right underneath the preamble. It is important to Nebraskans. And now I'm going to bring a knife to a gunfight. If I have a hunting knife on my hip with a five-inch blade, I have it on my hip, it's a legal weapon to have on my hip. I use it for cleaning deer or pheasants or turkey. I'm perfectly legal, legal to have it. If I take my coat and put my coat on, that knife without this is an illegal weapon. I'm still the same guy, the knife is still the same weapon, and all I've done is put on a coat. I don't intend to use it in any other way but what I had it for in the first place. With this legislation, I am now legal once again. That's bringing a knife to a gunfight. Seventy-four percent of all gun deaths in Nebraska are suicide. This legislation has nothing to do with 74 percent of the deaths in our state. The largest besides that is homicide. Now a lot of those people that are committing homicide don't care if their gun is concealed or not or if they get arrested or not, they're not obeying the law in the first place. We have enough laws on our books to prevent guns from killing people. What we are trying to do with this is to make it so law-abiding citizens are not unintentionally breaking the law. That's all we're doing. By putting on a coat, I can break the law. That is what we have now. That is not what we need to

be worried about in the Nebraska Legislature. With that, I yield the rest of my time to Senator Brewer.

KELLY: Thank you, Senator Lowe. Senator Brewer, that's 1:20.

BREWER: All right. I will try and hurry here. One of the issues we did talk about, which was a very legitimate issue, was the issue of training. So as it currently is with the concealed carry permit, you need between \$200 and \$300. That is to cover the cost of the--

KELLY: One minute.

BREWER: --training and the actual physical permit. And part of that is a program of instruction, a POI, that you have to follow through and, and pass. So the concern was how do we provide training at no cost? And it was actually Nebraskans who come up with the answer on this. Trish Harrold, who's the president of the Nebraska Firearms Owners Association, has built an online program that will allow individuals to go online and go through, and I won't have a chance to read through all these, but I will give you a quick overview and finish up later. But it is, it is a from start to finish, everything you need to know in order to go from the purchasing through the cleaning, range operations with a firearm, and that's set up to be done at no cost. So--

KELLY: That's your time, Senator.

BREWER: Thank you.

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

MURMAN: Thank you, Mr. President. I've got a lot of correspondence in my office concerning LB77, and probably over 90 percent has been positive toward LB77. I recently got an email from a constituent that-- on the western edge of the district, maybe northwestern edge, and it was a beautiful picture of a trail cam, a picture from that trail cam of a huge mountain lion, a long tail, black tip. And he told me, well, this is the reason we're for LB77 in District 38. So it's pretty easy to realize in rural Nebraska why a lot of my constituents would, would be for LB77. Carrying guns is pretty common for hunting and self-protection from animals and those kinds of things. So it's, it's a pretty easy decision out there. You know, we don't want to make criminals out of someone that's just exercising their constitutional right, whether it's concealed carry or open carry, whether it's a cold

day or a hot day, whether or not they're wearing a coat. This subject has been a, a part of a, a huge part of what Senator Brewer's done for the last seven years. And the bill that we have before us today has been vetted and massaged and, and debated from every angle. And I think we have a good bill right now to vote on today. Colorado, you know, we talk about the surrounding states, what their gun laws are, and I think Colorado has some of the toughest gun laws of all of our surrounding states. And if you think about it, where have the mass shootings most commonly been around us? And I think the answer would be Colorado. When a person, person is made a criminal for having guns, only criminals will have guns. I know that's a cliché, but it's really true. And, you know, criminals don't follow the, follow the law and we don't, definitely don't want to make criminals out of law-abiding citizens. And another cliché is, it's not the gun that's doing the killing, it's the person behind the gun. In other words, it's the person operating the trigger. So I come-- I am here in strong support of LB77 and against the motion to recommit. And I will give the rest of my time to Senator Brewer.

KELLY: Thank you, Senator Murman. Senator Brewer, that's 2:00.

BREWER: Thank you, Mr. President. Thank you, Senator Murman. All right, let's go back to where we left off. So if you want to think about all of the issues, if you're going to have a concealed carry program, just listen and I'll run through these so you get some idea of what's included in it: firearm safety; introduction to semiautomatic handguns; introduction to revolvers; how to load and unload a revolver; how to load and unload a semiautomatic handgun; handgun firing and fundamentals; responsible firearm storage; handgun cleaning and maintenance; methods of concealment; methods and techniques of increasing personal safety and interdicting risks; conflict avoidance and de-escalating best practices; introduction to handgun ammunition; handgun malfunctions; introduction to shooting ranges; interaction with law enforcement; interaction--

KELLY: One minute.

BREWER: --with emergency medical personnel; prohibited places; Nebraska self-defense laws; Nebraska laws pertaining to the purchase, ownership, and transportation of firearms; federal laws pertaining to the purchase, ownership, transportation of firearms; effects of stress and cognitive physical abilities in defensive situations; cover, concealment, and duty to retreat; personal defense laws in the home and setting up a personal training program. This is what they've

developed on an online program, for free, that would be available if LB77 passes. Thank you, Mr. President.

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

DeKAY: Thank you, Mr. President. I rise today in total support of LB77 that Senator Brewer's brought. I have to say I respect Senator Brewer for the seven years that he has committed himself to this body and to this bill. And I also have to say I have the utmost respect for Senator Brewer for the sacrifice that he has given with his own body for-- to protect our constitution. With that, I yield the rest of my time to Senator Brewer.

KELLY: Thank you, Senator DeKay. Senator Brewer, that's 4:20.

BREWER: All right. Thank you, Mr. President, and thank you, Senator DeKay. All right, one of the issues that we've heard back and forth on was the Heller decision. And in there, Justice Scalia was quoted and admitted that there are some limits to the right to keep and bear arms. But I think we need to go a little farther in looking at that. They jump to the conclusion that any restriction that they want is justified by that. Well, under-- the wonderful thing about the Supreme Court is that when politicians willfully misread laws in the constitution, that court is there to correct that. Supreme Court corrected the gun-hating politicians across the country last year with the Bruen decision. And let's talk a little about that Bruen decision. OK. The right to keep and bear arms is not just about keeping a gun in your home. In the Bruen decision in the court, the Second and Fourteenth Amendments protect individuals' right to carry a handgun for self-defense outside the home. Now we've had questions about where you can carry. And we, we need to read this in, make sure it's all clear, and some have already asked but let's just roll this out so everybody is on the same sheet of music here. LB77 has the following restrictions: you cannot carry in a bar, cannot carry in churches, cannot carry in hospitals, cannot carry in banks, cannot carry in schools or at school events, you cannot carry in government buildings or courtrooms-- I say again, courtrooms-- you cannot carry at meetings of government bodies, you cannot carry in political rallies, you cannot carry at pro or semi-pro sporting events, you cannot carry in police stations, jails, prisons. So there are restrictions that have to be followed. But that's the part that I want to stress to folks, is that you could perceive by the first few minutes of this two-hour filibuster that this is going to be a free for all. And as a result of

that, everyone is in danger. There are tremendous restrictions that are put on. I don't necessarily agree with all those restrictions, but I also respect the fact that there needs to be some oversight and limits on where you carry firearms. And so as we go through this, remember, if you're under 21, you can't carry. The bill doesn't-- this does not authorize you to carry. If you have any detectable alcohol or drugs, you are required, once again, whether it be emergency responders or law enforcement upon contact and notify them. So please understand that as, as we're going through this, we can tweak this bill more. There's all kinds of things you could do, but we have put so many hours in and so many changes to get it to where it's at now--

KELLY: One minute.

BREWER: --that I believe we've got a product that truly does do what the people have asked of us. It puts in safety restrictions with the availability of training. I think there's a point you have to step back and say, you know, let's give the people the constitutional right that they should have had in the first place and understand that it's not done without being responsible in the way we do it. Thank you, Mr. President.

KELLY: Thank you, Senator Brewer. Senator Moser announces some guests in the south balcony, fourth graders from Lost Creek Elementary in Columbus. Please stand and be recognized by your Nebraska Legislature. Senator Walz, you are recognized to speak.

WALZ: Thank you, Mr. President. I yield my time to Senator Raybould.

KELLY: Senator Raybould, that's 4:54.

RAYBOULD: Thank you, Mr. President. Thank you, Senator Walz. You know, we talk about these issues of gun safety because tomorrow is the anniversary of Columbine High School. This morning, two young teenage girls, cheerleaders in Texas, just got shot by mistakenly getting into the wrong carpool vehicle, particularly as they hopped out and were leaving in another correct vehicle. We talk about this because an 84-year-old man who is not a criminal mistakenly shot a young black kid who accidentally went to the wrong house to pick up his siblings. We talk about it because the property owner saw a vehicle enter his property, didn't know who it was, and as the vehicle realized it made a mistake in the wrong drive, they turned around and they drove away, he shot at them. He killed one young woman. So we're not talking about criminals, we're talking about people with guns. And I respect Senator

Brewer 100 percent, but I think all credit goes to Senator Wishart because she wins the valor for being the most persistent in having presented a medical marijuana bill, a medical marijuana bill for the last seven years and going through two horrific ballot petition drives. I respect the Second Amendment. But there is a reason why it is the-- that comes both after this inalienable rights to life, liberty, and the pursuit of happiness in our Nebraska Constitution and the U.S. Constitution. And when we look to other states as their best practice of government, as businesses do all the time, we want to learn how to keep our people safer. We're going to talk about gun rights, gun rights, gun rights. What about the rights of all those innocent children and adults gunned down? The whining of the gun rights lobbyists is being drowned out by the unrelenting wailing from devastated parents, families and communities as they grieve and mourn the senseless slaughter of their children and loved ones. We have a moral imperative to take action. Are we just going to surrender to this one nation under guns? S. E. Cupp, a Republican commentator, said there's no life, liberty or the pursuit of happiness for the families of the Nashville shooting, nor the families of tens of thousands of victims of gun violence every year. In an editorial page in the Lincoln Journal Star on April 4, it's from a columnist, her title piece was Zombie Politicians Are Letting Guns Kill People. She states: There is no making moral sense of the political zombies who take orders from the National Rifle Association. She goes on and says: It's not just the guns themselves, it's the worship of them. The responsible gun owners I speak with, and my son is one of them, who is an avid and gifted hunter, want the same thing that the majority of Americans and Nebraskans want, like universal background checks, more training on handling and safe storage, raising the minimum to purchase, bans on high capacity magazines, and yes, even red flag laws. And the suicide risk protection order that I had proposed this session. The Constitution says a well-regulated militia being necessary to the security of a free state. Let's dive into what that really means, regulated militia. The word regulated means controlled, rules, restrained, delimited meaning having fixed boundaries or limits ordered and structured. Why are we supporting a concealed carry bill that does none of the above? No permit, no training, and no background check. How is this bill keeping--

KELLY: One minute.

RAYBOULD: Thank you, Mr. President. --our children, families and law enforcement safe? The current concealed carry law that we have on our books today, no one's challenged it. No one's got up and said, this is

taking away my Second Amendment rights. Justice Antonin Scalia, conservative constitutionalist, stated: Like most rights, the rights secured by the Second Amendment right is not unlimited. It is not a right to keep and carry any weapon whatsoever, in any manner whatsoever and for whatever purpose. Yes, paying a reasonable fee happens to be one of them. You pay a fee for the hunting and fishing license also enshrined in our Nebraska Constitution. You pay a fee for a driver's license. You pay for a stamp when you put it on your vote-by-mail ballot. The truth is that no law-abiding citizen has ever been denied access to purchasing a firearm. We have every right to impose reasonable, commonsense gun safety measures that the majority of Nebraskans--

KELLY: That's your time, Senator.

RAYBOULD: --and the majority of Americans approve.

KELLY: Thank you, Senator Raybould. Senator Conrad has guests in the north balcony from North Star High School. Please stand and be recognized by your Nebraska Legislature. Senator Holdcroft, you are recognized to speak.

HOLDCROFT: Thank you, Mr. President. I rise in support of LB77 and opposed to the recommit. And I'm afraid that Senator Halloran has stolen my thunder this morning. I was going to talk also about the anniversary of Lexington and Concord, and also because we have ships in the United States Navy that have been named after those great battles, Lexington and Concord, and also Bunker Hill. And we do that for a reason, because we honor the commitment that was made by those early revolutionaries to defend our rights, because, of course, for those battles the Redcoats were coming and they were coming to take the arms of the militias. And so that was-- that was going to be somewhat of my talk. But I thought a quick shift, I would read some of the email that I've received in, in support of LB77, just a few notes. Dear Senator Holdcroft, please honor your oath by supporting my Second Amendment rights and hold the line in defense of the freedoms of Nebraska by advancing LB77. A nation that restrains its people's ability-- that restrains its people's ability to own arms for defense is a nation comprised of slaves. The right to keep and bear arms serves as a bulwark against all forms of coercion and safeguards against encroachments upon our other cherished liberties. Ultimately, Senator Brewer's bill, LB77, is an important step in restoring just government, just government to Nebraska. While there is a clear divide between the urban and rural areas with Nebraska, our God-given rights

do not recognize arbitrary boundaries placed upon the citizenry by an unjust government. Accordingly, if we wish to have a rebirth of liberty within this nation, we must passionately strive to defend the freedoms that are the nat-- the natural birthright of all humanity. And that effort begins with the sovereign states adhering to their mandate to preserve the liberties of its citizens. Let me read another. Thank you, Senators, for all your hard work and courage during this session. LB77 is another bill we need. I speak to you now as a parent of a 22-year-old who works nights. I worry about her safety constantly. She has been harassed by customers and has a homeless man that hangs out in and lives in his car in the parking lot of her store. She and other female workers have to walk out to their cars past this man every night at 9:30. It only takes one time, one time for her life to either be ended or be charged-- changed forever. This is the reality for many, many people. When I first moved to Lincoln, I was surprised at the amount of shift work or maybe I just was paying more attention. Either way, there are so many people who work into the night and overnight, not to say crimes don't happen during the day because we have seen the rise in crime, period, here. But this bill would allow people to make the decision for themselves based on their circumstances. Another email: Dear Senator Holdcroft, as your constituent, I am reaching out to express my strong support for LB77, the constitutional carry bill that was recently passed by the Legislature. As a law-abiding citizen, I believe it is crucial to have the right to carry a firearm for self-defense without having to navigate bureaucratic hurdles. LB77 recognizes this fundamental right and ensures that Nebraskans have the ability to protect themselves and their loved ones without unnecessary government interference. With the passage of LB77, Nebraska will be one step closer to becoming the 26th constitutional carry state, joining more than half the states--

KELLY: One minute.

HOLDCROFT: --in the country that have recognized the critical right. I urge you to support this bill and help Nebraska claim its rightful place among the states that value the right to self-defense. And let me just read one more. Dear Senator Holdcroft, the people of Nebraska watched with interest this week the actions of the Unicameral. We saw many of our elected officials being targeted and called out by a couple of far right crazy white girls. We watched as they spewed their hate and anger, but you stood strong for us. We watched as they called out specific people that crossed them and even told you to never speak to them again. I would ask you to honor their request. We, we need to

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move forward without their hate, so let them revel in their own perception. This week was momentous with LB77 last week and LB626--

KELLY: That's time, Senator.

HOLDCROFT: Thank you, Mr. President.

KELLY: Senator-- thank you, Senator Holdcroft. Senator McDonnell, you're recognized to speak.

McDONNELL: Thank you, Mr. President. Good morning, colleagues. I don't think it's the importance of Senator Brewer bringing this bill for the seventh year. I don't think-- I think that's what he was elected-- all of us were elected to do. We bring legislation. I don't think that's that important. I think what's important is over the last seven years, we talk about 40 hours on the floor, us having discussion, debate on this, this bill. It's all the discussions he's had with citizens and the groups that actually daily put their lives on the line. Those are-- those are our police officers, our sheriffs. They were not at a comfort level when this began seven years ago. Senator Brewer could have gave up. Senator Brewer could have just said, I'll wait for new people to get elected. He didn't do any of those things. He said, I will work with you. How do we improve this legislation? And that's what we have here today. We finally have legislation that has been worked on for seven years with the input of citizens, with the input of the law enforcement. And we finally, at least for, for me, as a state senator, I've got to the point where I am supporting LB77. Now, just recently, as of February 28, we have from the Nebraska Sheriffs Association-- and I'm not going to read the whole letter but: We thank you for considering our concerns. And we believe that the AM588 sufficiently addresses those concerns. The purpose of this letter is to inform you that the adoption of AM588, the Nebraska Sheriffs Association supports the passage of LB77. That's the work. That's the work he did over the last seven years to get this association and others and individuals on board where seven years ago, they were-- they were not considering that. That's what I want to thank Senator Brewer for is the time he put in, the people he listened to, agreed and disagreed with, but he listened to them and he did his job as a state senator. I'll yield the remainder of my time to Senator Brewer.

KELLY: Thank you, Senator McDonnell. Senator Brewer, you have 2:50.

BREWER: All right. Thank you, Senator McDonnell. Thank you, Mr. President. That was kind of a obstacle that I could not avoid, and

that was the law enforcement needs. For a variety of reasons, I-- you know, I told them my brother's a sheriff, so I get my ear bent pretty hard when I'm not making sure that what I do is support of law enforcement. And there's a lot of things that we've done here that I don't think have been very supportive of law enforcement. We passed a bill a couple of years ago that put a lot of requirements on law enforcement and, and it worked well for the large departments. Unfortunately, what it did to the small departments is it put a-- such a burden on them that the county went without anybody to police it for much of the time. Because now, in a department that may only have three people in it, one of them is constantly gone to Grand Island to go through different training. It is maybe a fit in some places, but probably not needed in central and western Nebraska. So as we work through these issues with law enforcement, we make changes. And as we adjusted, we made more changes and we finally got to that good place. But I was-- I was getting to the point where I didn't know if we could do both, if we could get to where LB77 could give us constitutional carry in the true sense of the word and still be able to help law enforcement do their job without putting an additional burden on them. And I think it was the amendment that we did earlier that changed some of the penalties--

KELLY: One minute.

BREWER: --penalties if you're a multiple offense person. Because there's a point where if you don't get it and you fail to notify law enforcement, you need to go to jail. And that's the thing that I think a lot of folks need to understand is we have folks that seem very concerned about changing laws and maybe not having a felony for some things, but yet are concerned about whether we have too many felons. You can't have it both ways. If you're someone who breaks the law and you hurt people, you need to go away to jail and you need to go for a very long time in some cases. So we have weaved this thing and, and we're finally at a good place. And I got to tell you, I'm tired. It's, it's been a long fight. So I'm, I'm ready to get to a vote on this bill. Thank you, Mr. President.

KELLY: Thank you, Senator Brewer. Senator Lippincott, you are recognized to speak.

LIPPINCOTT: Thank you, sir. The captain will yield to the colonel for his closing.

KELLY: Senator Brewer, you have 4:50.

BREWER: Well, I'm sure somewhere in there I got a closing. But after what will be, in a few minutes, 44 hours, I don't think there's a lot to say, except to tell you that what we do in this body sometimes is trying to follow through with the will of the people and give them the rights that they have in the Constitution. And sometimes we go out of our way to twist those rights and keep people from having them. And I think this is a case of that. LB77, I've told you sometimes, can be as simple as a coat bill. We have open carry as the law in Nebraska. Putting on a coat makes you a criminal. Now, obviously, the preemption stuff is a part of that, too. But quite frankly, I don't care. I don't think you should be part of a, of a gun registration. You have rights. And I don't believe that the ability of cities to put you on a registry and dictate whether or not you can have a weapon or have accountability through their systems for what you have is wrong. Constitutional carry is giving back those rights. It is something that we need to do. I don't want to do this fight again. I, I meant what I said a moment ago. I am tired. It has been a long haul. But I think if you do your job, if you represent the people, you've got to have these long fights. My hat's off to Anna Wishart. She has fought the good fight on medical marijuana and how she keeps her spirit through some of that, I don't know because she, she has found barriers and she's went around them and went through other ways. And she's, she's just got this spirit that, you know, I got to see climbing Kilimanjaro with her. And so, you know, we all have certain causes, certain things that we feel we owe the people of Nebraska. And in my case, it's, it's constitutional carry. So what I would ask is a red vote on to recommit and your green vote on LB77. Thank you, Mr. President.

KELLY: Thank you, Senator Brewer. Mr. Clerk, you have a motion on the desk.

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

KELLY: All unexcused members are present. There's-- Senator Brewer, for what purpose do you rise?

BREWER: Well, I would ask members to check in and once we have folks checked in, do a roll call vote in, in regular order.

KELLY: Thank you, Senator Brewer. All members are present. Mr. Clerk, please call the roll.

CLERK: Senator Aguilar voting yes. Senator Albrecht voting yes. Senator Arch voting yes. Senator Armendariz voting yes. Senator Ballard voting yes. Senator Blood voting no. Senator Bosn voting yes. Senator Bostar voting no. Excuse me, Senator. Senator Bostelman voting yes. Senator Brandt voting yes. Senator Brewer voting yes. Senator Briese voting yes. Senator John Cavanaugh voting no. Senator Machaela Cavanaugh voting no. Senator Clements voting yes. Senator Conrad voting no. Senator Day voting no. Senator DeBoer voting no. Senator DeKay voting yes. Senator Dorn voting yes. Senator Dover voting yes. Senator Dungan voting no. Senator Erdman voting yes. Senator Fredrickson voting no. Senator 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. Senator Moser voting yes. Senator Murman voting yes. Senator Raybould voting no. Senator Riepe voting yes. Senator Sanders voting yes. Senator Slama voting yes. Senator Vargas voting no. Senator von Gillern voting yes. Senator Walz voting no. Senator Wayne. Senator Wishart voting no. Vote is 33 ayes, 14 nays, Mr. President, to invoke cloture.

KELLY: Cloture is invoked. The first vote will be on the motion to recommit. Senators, all those in favor vote aye; all those opposed vote nay. 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 not voting. 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 voting no. Senator Conrad voting no. Senator Day voting yes. 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 not voting. 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 voting no. Senator Lowe voting no. Senator McDonnell voting no. Senator McKinney. Senator Moser voting no. Senator Murman voting no. Senator Raybould voting yes. Senator Riepe voting no. Senator Sanders voting no. Senator Slama

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voting no. Senator Vargas voting no. Senator von Gillern voting no. Senator Walz voting no. Senator Wayne. Senator Wishart voting no. Vote is 5 ayes, 40 nays, Mr. President, to recommit the bill.

KELLY: The motion fails. Mr. Clerk, the next vote is to dispense with the at-large reading. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 42 ayes, 1 nay to dispense with the at-large reading.

KELLY: The at-large reading is dispensed with. Mr. Clerk, please read the title.

CLERK: [Read title of LB77]

KELLY: Thank you, Mr. Clerk. All provisions of law relative to proceeding have been complied with. The question is, shall LB77 pass? All those in favor vote aye; all those opposed vote nay. Request for a roll call, 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 no. Senator Bosn voting yes. Senator Bostar voting no. Senator Bostelman voting yes. Senator Brandt voting yes. Senator Brewer voting yes. Senator Briese voting yes. Senator John Cavanaugh voting no. Senator Machaela Cavanaugh voting no. Senator Clements voting yes. Senator Conrad voting no. Senator Day voting no. Senator DeBoer voting no. Senator DeKay voting yes. Senator Dorn voting yes. Senator Dover voting yes. Senator Dungan voting no. Senator Erdman voting yes. Senator Fredrickson voting no. Senator 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. Senator Moser voting yes. Senator Murman voting yes. Senator Raybould voting no. Senator Riepe voting yes. Senator Sanders voting yes. Senator Slama voting yes. Senator Vargas voting no. Senator von Gillern voting yes. Senator Walz voting no. Senator Wayne. Senator Wishart voting no.

KELLY: Record, Mr. Clerk.

CLERK: Voting aye: Senators Aguilar, Albrecht, Arch, Armendariz, Ballard, Bosn, Bostelman, Brandt, Brewer, Briese, Clements, DeKay,

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Dorn, Dover, Erdman, Halloran, Hansen, Hardin, Holdcroft, Hughes, Ibach, Jacobson, Kauth, Linehan, Lippincott, Lowe, McDonnell, Moser, Murman, Riepe, Sanders, Slama, von Gillern. Voting no: Senators Blood, Bostar, John Cavanaugh, Machaela Cavanaugh, Conrad, Day, DeBoer, Dungan, Fredrickson, Hunt, Raybould, Vargas, Walz, Wishart, McKinney. Voting-- not voting, Senators McKinney and Wayne. Vote is 33 ayes, 14 nays, 2 excused not voting, Mr. President.

KELLY: LB77 passes. While the Legislature is in session and capable of transacting business, I propose to sign and do hereby sign LB77. Could you please clear the-- clear the balcony, Security? Mr. Clerk, for items.

CLERK: Mr. President, single item. Legislative-- Senator Sanders introduced LB583A. It's a bill for an act relating to appropriations; appropriates funds to aid in carrying out the provisions of LB583. Mr. President, returning to the agenda, LB191, General File. Senator Machaela Cavanaugh would move to bracket, excuse me, to indefinitely postpone LB191 pursuant to Rule 6, Section 3.

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

M. CAVANAUGH: Actually, I believe that the introducer gets to open first.

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

HALLORAN: Thank you, Mr. President. Good morning again, colleagues, Nebraska. LB191 was a Business and Labor Committee priority bill that I sponsored. And I have sacrificed that bill to become a shell bill. So instead of shell bill, I'm going to call it a surrogate bill. I don't want to have people ask questions about that, but it's basically a surrogate bill. I do want to thank Chairman Riepe and his staff and, of course, all the committee for all the hard work they've done. There are several bills that we are combining under LB191. But just to be clear, LB191 in its original form does not exist. It's hosting surrogate to a number of good bills. So with that, I'll yield the balance of my time to Senator Riepe.

KELLY: Senator Riepe, you have 8:58.

RIEPE: Thank you, Senator Halloran. And thank you, Mr. President. LB199 [SIC-- LB191], as Senator Halloran said, is the Business and Labor Committee priority bill and with AM1330 contains closely related

consent agenda type bills that address issues of business and labor throughout the state. AM1330 includes striking provisions of LB191 in its entirety. So it becomes a shell bill and also includes provisions of LB267, LB460, LB639, LB671, LB666, LB427, and amended provisions of LB249. I will touch briefly on each bill contained within the amendment, but will defer to the original introducers to better inform the body of the details of each bill. The first bill I will address is LB267, which was introduced by Senator Brewer, and it provides for the prioritization of resources for the protection of critical infrastructure utility workers during any civil defense emergency. It provides priority access to personal protective equipment, medical screening, testing, preventive health services, medical treatment, and the administration of vaccines in the event of an emergency involving a severe threat to human health. The second bill, LB460, was introduced by Senator McDonnell, who relates-- and it relates to the mental health injuries or mental illness of Nebraska's first responders pursuant to the Nebraska Workers' Compensation Act. LB460 provides for reimbursement by the Department of Health and Human Services for the cost of mental health examinations and resilience training in the event of not reimbursement by the first responders' employers. LB639 was introduced by Senator Blood, and this bill amends provisions of Nebraska Workers' Compensation Act relating to rules and regulations, case progression standards, and summons and eliminations-- eliminates requirements to distribute copies of certain materials. LB671 was introduced by Senator Hansen, and it amends the state of Nebraska's Training and Support Cash Fund to be used for the retention of existing employees of the Nebraska businesses. LB666, a bill I introduced, changes provisions in the Employment Security Law allowing employers the ability to choose a preferred method of document delivery and extending the deadline for employees to submit voluntary contributions to the Nebraska Department of Labor from January 10 to February 28. LB427, another bill which I introduced, standardizes the fee for state-- in-state and out-of-state contractors and eliminates the additional fee for each additional project assessed against out-of-state contractors under the contract-- under the Contractor Registration Act. And I will speak on that more in a bit. LB249 as amended by AM400, introduced by Senator Briese, makes several changes to the Rural Workforce Housing Investment Act. Finally, after debate has ceased for AM1330, I will discuss an amendment to the committee amendment consisting of Section 8 of LB818, which amends Nebraska Revised Statute, Section 48-145 by providing certain assessments made on self-insured employers currently directed to the General Fund instead of being placed-- and they will be placed in the

Compensation Court Cash Fund. We consider these amendments to be friendly. And with that, I urge your green vote on LB191 and the previous-- previously mentioned amendments so as they come up. Thank you again, Senator Halloran. And thank you, Mr. President.

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

M. CAVANAUGH: Thank you, Mr. President, colleagues. Senator Riepe, I'm only going to comment on this once. I'm sure it was purely accidental, but I did notice that the bill number-- that is numbered LB666 does belong to you. And I just wanted to just note that for the record this morning. Thank you, Senator Riepe, for your introduction and, Senator Halloran, for your introduction. I tried to write down all the bill numbers. I hope I got them all written down correctly. But I was going to go through-- we'll just start by going through what's in this bill. So I, once again, I rely very heavily on our committee statements. So thank you to the Business and Labor Committee staff for putting together committee statements and thank you to my staff for putting together what they put together on committee statements. So let's just start with LB460, because that's the one I have here in my book. And that one is-- belongs to Senator Mike McDonnell. And it is LB460 relating to mental health injuries, for mental-- or mental illnesses for Nebraska's first responders pursuant to the Nebraska Workers' Compensation Act, provides for reimbursement by the Department of Health and Human Services for the costs of mental health examinations and resilience training to the extent not reimbursed by first responder's employer. Further, the reimbursement rate for mental health examinations would be established by the Critical Incident Stress Management Program, whose lead agency is the Department of Health and Human Services. Presently, only rates-- only rates are set for resilience training. Thank you to Senator McDonnell for bringing this bill. So I'm just looking at the fiscal note for LB460. And so first, the first part of our fiscal notes are always from our Fiscal Office, the Legislative Fiscal Office. And then the other additional information would be from any other entities that-- government entities that have a fiscal impact. So there is a additional fiscal note from the Department of Health and Human Services, and I think that is it. So the fiscal note from our Fiscal Office: LB460 modifies language to allow for the reimbursement of mental health examinations and both initial and annual resiliency training. The Department of Health and Human Services, DHHS, indicates through its fiscal note response that it would fulfill implementation requirements using existing staff. The Critical Incidents Stress Management Program,

CISM, Health Program Manager will perform a list of tasks as described in the agency's fiscal note. The Office of Emergency Health Systems, OEHS, Administrative Specialist will enter approved applications for payment to DHHS Financial Systems. DHHS explains that it will absorb these requirements with existing staffing and believes that existing appropriations in Program 33 are sufficient to absorb the costs for reimbursement. No fiscal impact. There we go. LB460 modifies language to allow-- this is the department's fiscal note-- to allow for the reimbursement of mental health examinations in both initial and annual resiliency training. LB-- if LB460 is passed, the Department of Health and Human Services would fulfill implementation requirements using existing staff. The Critical Incident Stress Management Program, CISM, Health Program Manager will perform a review of all reimbursement policies, amounts, annual limits, requirements of training materials, and updated documents to the DHHS website. The additional mental health examination will need to be added to all previously mentioned items. This anticipated-- is anticipated to take approximately 65 hours. The CISM Health Program Manager will review all applications for reimbursement received and approved-- approve them for payment. This is an estimated 3 hours per week, 156 hours per year, depending on volume. The Office of Emergency Health Systems, OEHS, Administrative Specialist will be entered-- will be entering approved applications for payment to DHHS Financial Systems. This is estimated 3 to 4 hours per week, 156 hours per year, depending on volume. The department will absorb these requirements within existing staffing. This bill does not appropriate additional funding to DHHS for the reimbursement. The department believes existing appropriations for CISM are sufficient to absorb these costs. That's good. OK. This is the online comment for LB460. Dear honored members of the Business and Labor Committee, I submit to you that I stand in support of LB460. I am almost 63 years old. And for those-- 30-- and for-- and of those 34 years have been occupied with public service and emergency services as a first responder. Oh, I should say this is John Bishop from District 47, Bayard, Nebraska. I had already gained a college degree in theology from Oral Roberts University and was a pastor before beginning my career journey in emergency services. I have never regretted my decision to follow my career path from enhanced 911 operator to emergency medical technician to paramedic to EMS instructor. I have, during that time, involved myself in voluntary service as a police/EMS/fire chaplain for over 25 years and as a pande-- paramedic 10 years in, in one of the nation's busiest trauma centers. I estimate that I have responded to 35,000 911 calls as an EMS professional, not counting call-outs as a chaplain to crisis

emergencies. Along the way, I have witnessed injury and death to my fellow first responders. Many very valuable and needed first responders I have known have been injured mentally and have taken their life. There is nothing so sad as to attend the funeral of a colleague who you have the highest respect who decided the pain, mental trauma, or depression from cumulative bad calls was too much to bear and ended their life. Both the first responder and the community at large invest thousands and thousands of dollars into the education, employment, and equipping these heroes for everyday duties. Sadly, until recently, despite statistics, it was not acknowledged that preventative measures must be taken to help prevent mental health injury and even death in these highly trained individuals who a great amount of funds were invested. This is not the main reason I am writing this to you today. I support this measure because of the survivors, heroes-- heroes those you don't-- those you don't see on the television or newspaper, the spouses and children of the injured and dead first responder. They pay for years after the injury or death of their loved one. I have been the chaplain that had to tell them that their daddy or mommy had gone away forever. You never forget the words you say at the funeral homes and graveside services for such tragedies. I'm going to stop for a minute. I'm sorry. It's just very rambunctious in here while I am reading about a chaplain delivering the news that a loved one has died, so. I have a picture of a fellow female paramedic in my office. She was a great paramedic, college paramedic, student, Preceptor of the Year in 2020. She took her life in 2021. I have that picture to remind me that no one is immune. Many a silent tear has cursed [SIC] my face grieving the loss of her.

KELLY: One minute.

M. CAVANAUGH: Thank you. Everyone was shocked. She seemed so strong and tough. I think that's an important place to stop. She seems so strong and tough. We never know what struggles other people are going through, whether they're in this Chamber or in this gallery. And sometimes it's just important to remember, to pause and remember that we don't know what's happening in a person's life if they don't let us know it. And they might be struggling and hurting in ways that you will never know. So just try to have kindness and compassion as much as you can. Thank you, Mr. President.

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

BLOOD: Thank you, Mr. President. I'm going to speak on LB639. And later, after the next amendment, I will speak on LB818. I want to thank personally Senator Halloran for allowing us to use LB191 as the shell bill, as our vehicle to move a lot of great bills forward. And thanks to Senator Riepe and his staff for putting this together. LB639 is on behalf of the Nebraska Workers' Compensation Court. And simply what it does is there are several sections of statute that we are changing. The first part is to eliminate the requirement that the Nebraska Workers' Compensation Court shall receive two hard copies of the session laws. The next part is to extend the summons return date in cases filed in the Nebraska Workers' Compensation Court from 7 days after the date of issue to 14 days after the date of issue. The next change is to reduce the time for notice of public hearings from 30 days to 14 days. The next section is to eliminate the requirement that a trial should be held within 60 days from the date of the filing of a petition. This deadline is left over from the previous review panel system, given current needs for litigants to engage in the discovery process and it is no longer workable. And the reason that we are asking for these is that dates have-- being released for the court later and later each year and need more time. And so what we're trying to do is really make the Workers' Compensation Court more efficient and more fair. And what they had before doesn't provide sufficient time, even with the seven days postal time and, frankly, no longer hard copies are needed for the Legislative Journal. So we know that these things are getting worse over time. And I really commend the Nebraska Worker-- Workers' Compensation Court for bringing these issues forward. We'll have more to say on it when LB818 comes up on the second amendment. But in a nutshell, that is what LB639 does. It is basically tightening up state statute to make it so it works better for everybody participating in the Nebraska Workers' Compensation Court. With that, I would yield any time I have left to Senator Day.

KELLY: Thank you, Senator. Blood. Senator Day, that's 2:33. And she waives. Senator Hunt, you are recognized to speak.

HUNT: Thank you, Mr. President. Colleagues, I have some questions about LB267, which is encompassed in part of, of this bill now with the committee amendment attached. But I'm not going to ask them on this round of debate. I'm going to wait until Select or maybe Final because I want to see if anybody else sees what I see. And I don't want to mess the bill up. With that, I'd yield any time I have to Senator Machaela Cavanaugh.

KELLY: Thank you, Senator Hunt. Senator Machaela Cavanaugh, that's 4:24.

M. CAVANAUGH: Thank you, Mr. President. Thank you, Senator Hunt. The next letter in support of LB460 is from Sue Martin with the Nebraska AFL-CIO. The Nebraska State AFL-CIO is submitting this letter in support of LB460 to provide for reimbursement of mental health examinations and resilience training for certain persons under the Nebraska Workers' Compensation Act. Nebraska has taken great strides over the past few years, recognizing that first responders' jobs are stressful and dangerous, all while serving the public and protecting our communities. Unless you are a first responder or put into this-- that situation, you will never know the trauma that they have subjected themselves to every day on the job. We are grateful to our Legislature-- our Leg-- that our Legislature has passed legislation to help these individuals deal with mental illness and posttraumatic stress. The current legislation already allows the reimbursement of resilience training, but the bill isn't-- the bill, as introduced, will reimburse a first responder's employer for mental health examinations, which we see as an investment in healthy workforce. This is a benefit to both the employer and the employee. As employers build and improve workplace culture and resilience, they also seek ways to address workplace stress and mental health. When addressed, employers build a resilient work-- workforce, employees handle work stress better, and develop protective factors against stress. We support LB460. And thank you, Senator McDonnell, for introducing this bill, as it will truly support and recognize first responders and other workers who undergo daily stress and trauma just by coming to work. The next letter in support of LB460 is from Keith McWilliams from Syracuse, Nebraska, District 1. I am a volunteer current officer of Syracuse Volunteer Fire Department. My people spend countless hours away from their families and often missing family functions, also leaving work unpaid to protect our citizens. I believe that our state should help every department to help recruit and retain volunteers. When we are-- when we respond to fatalities, many times we carry that scene with us for many years. Mental counseling is always unaffordable-- I think there's a typo in this-- unaffordable for small communities and fire districts. I believe this would be a great help to retaining members. Monica Meier from Omaha, representing the Nebraska Chapter, National Association of Social Workers, Chairperson Riepe and members of the Business and Labor Committee, the Nebraska Chapter of the National Association of Social Workers, NASW-NE, would like to go on record in

support of LB460, which seeks to provide for reimbursement of mental health examinations and resilience training--

KELLY: One minute.

M. CAVANAUGH: Thank you. --for certain persons under the Nebraska Workers' Compensation Act. Similar to our support of this session's LB792, we recognize the need for mental health services in our communities. Trauma is everywhere and its impact on people has ripple effects into the different areas of their lives. Particularly for first responders, the ability to access mental health examinations is crucial in the diagnosis of posttraumatic stress disorder, which is a common affliction in first responders. The nature of their job and the situations they must respond to result in symptoms of PTSD that can impact their daily function. To remove the barrier of cost, adoption of this law would allow them to get the treatment they need to be able to continue to serve our communities. The benefit of resilience training is a preventative measure that will help ensure--

KELLY: That's your time.

M. CAVANAUGH: Thank you.

KELLY: Thank you, Senator Cavanaugh. Senator Blood has guests in the north balcony, fourth graders from Rumsey Station Elementary in Papillion. Please stand and be recognized by your Nebraska Legislature. Senator Ibach, you're recognized to speak.

IBACH: Thank you, Mr. President. I want to thank Senator Briese for bringing LB249 and the chair-- and Chairman Riepe and my fellow members of the Business and Labor Committee for incorporating this bill into this committee package. As a representative for LD 44, one of the biggest issues that has been brought to my attention is the lack of workforce housing in the district, and this is a large issue for all of Nebraska. During the committee hearing on January 30, the Business and Labor Committee heard from communities around the state in support of expanding this program. For instance, the Neighborhood Works [SIC] Northeast Nebraska, a regional nonprofit housing development organization in, in northeast Nebraska, who manages the funds for the Columbus and Schuyler program, have used this program to build approximately 300 housing units in their area. The committee also heard from the chair of Grow Grand Island. They provided recent examples of individuals who wanted to move to Grand Island but were unable to do so due to the lack of workforce housing in that city.

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They testified that Grand Island, like all communities growing, they need two things. They need housing and they need workforce. By enacting LB249, we will be able to double the program's capacity to allow high-capacity developers to accelerate production of workforce housing, to hasten completion of workforce housing developments, and to eliminate barriers to financing that these projects require. To quote the movie Field of Dreams, If you build it, they will come. And we believe that in District 44. After seeing the impact that the Rural Workforce Housing Program has had on this state, I was honored to prioritize this legislation. As I stated earlier, we need to increase this program to expand the availability of workforce housing in all communities in Nebraska. If we build it, they will come. I urge you to support LB249 by adopting AM1330 to LB191 and for your green vote on the underlying bill. Thank you, Mr. President, and I yield my time back.

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

CLERK: Thank you, Mr. President. The bills read this morning were presented to the Governor at 11:35 a.m. (Re LB77) Amendment to be printed: Senator Fredrickson to LB524; Senator McDonnell to LB648. New LR, LR102 from Senator Clements and Bosn. That will be laid over. Finally, Mr. President, priority motion. Senator Walz would move to recess the body until 1:00 p.m.

KELLY: You've heard the motion to adjourn-- recess. All those in favor vote aye. All those opposed say nay. We are 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: Items?

CLERK: Mr. President, new LRs from Senator Lowe: LR103, LR104 and LR105, all interim studies. Those will be referred to the Executive Board. That's all I have at this time, Mr. President.

KELLY: Thank you, Mr. Clerk. Senator Raybould, you're next in the queue. You're recognized to speak.

RAYBOULD: Yes. Thank you, Mr. President. I stand in support of LB198, and I wanted to address in particular LB249, when it comes to affordable housing, and say I support it 100 percent. Working with NeighborWorks has been a terrific organization throughout our state that are experts at getting affordable housing done, particularly in our rural communities. And I do support the additional funding that allows those developers of affordable housing, low-income housing or workforce housing to actually bridge that financing gap to complete these projects for the communities that are desperately asking for more affordable housing. At this point in time, I would like to yield the rest of my time to Senator Machaela Cavanaugh, if she would like it.

KELLY: Senator Machaela Cavanaugh, you have 4:05.

M. CAVANAUGH: Thank you, Mr. President. Thank you, Senator Raybould. OK. I was-- before we broke for lunch, I was talking about one of the bills in-- that's going to be amended into LB191, and it is LB460. So I was reading the online comments. This one is from a member of the Nebraska Chapter of National Association of Social Workers, Monica Meier: Similar to our support of this session's LB792, we recognize the need for mental health services to our communities. Trauma is everywhere, and its impact on people has ripple effects into different areas of their lives. Particularly for first responders, the ability to access mental health examinations is crucial in the diagnosis of post-traumatic stress disorder, which is, is a common affliction in, in first responders. The nature of their job and situations they must respond to result-- to result in symptoms of-- the nature of their job and situations that they must result-- respond to result in symptoms of PTSD that can impact their daily functioning. To remove the barrier of cost, adoption of this law would allow them to get the treatment they need to be able to continue to serve their communities. The benefit of resilience training is a preventative measure that will help ensure they remain well; and when highly traumatic situations do happen, they are not as affected as they may have been. Support of LB460 means supporting the brave individuals in our communities that respond to situations no matter-- no other people have to respond to. NASW-NE respectfully requests that the Business and Labor Committee advance LB460. Respectfully submitted. The next one is from Amy Santos, representing self. And just, I support this bill. Our EMS providers' mental health is so important. And the next one is from Scott Schremmer of District 43 in Chadron. As a 25-plus year member of the Chadron Volunteer Department, I feel that this bill is a priority, as the first responders deal with a huge assortment of problems and

should be given every consideration when it comes to their being-- to their well-being. Thank you for hearing my comments. Scott, Scott Schremmer, member of the Chadron Volunteer Fire Department, second vice president of the Nebraska State Volunteer Firefighters Association. This does remind me, Senator McDonnell, of your bill that passed into law and then was never enacted to help with the volunteer firefighters in Nebraska. And then--

KELLY: One minute.

M. CAVANAUGH: --you reintroduced it to try and get some more teeth to it. And I'm wondering maybe we could do it with this new administration, go back to your volunteer firefighter reimbursement rate bill and actually get that done. I mean, it technically is a law already that Senator McDonnell had-- got passed before I was even here in the Legislature. But sometimes laws are taken as mere suggestions. OK. One minute left. So we are on the IPP motion 350. And we started this at 1:14, I think, is when we started back up. And that was all the online comments for LB460. So next time on the mic, I will be moving to a different bill for online comments to share with you all.

KELLY: That's your time, Senator.

M. CAVANAUGH: Thank you.

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

HANSEN: Thank you, Mr. President. Good afternoon, colleagues. I at least want to fill people in on LB671, which is a portion of the underlying bill, LB191. LB671 is an update to the purposes allowed for by Nebraska's Training and Support Cash Fund. Currently, this fund is used for the administrative cost of state unemployment insurance tax liability and payments, along with administrative costs for both the State Unemployment Insurance Trust Fund and the Nebraska Training and Support Cash Fund. It also supports job training programs, recruitment efforts, a common web portal, studies on Nebraska's workforce and the payment of unemployment insurance benefits. So now this is where LB671 comes in. Pertaining to that bill, the Governor has proposed an additional \$10 million to the Nebraska Department of Labor in the budget for workforce development. This funding is intended to be focused on job retention and will be awarded through the Worker Training Board separately from the existing funds in the Nebraska Training and Support Cash Fund. It would clarify that the existing

Nebraska Worker Training Board Program can be utilized not only for the recruitment and training of workers, but also for the retention of workers. If passed, the Nebraska Worker Training Board would review the current guidelines that apply to grant applicants. This is already a part of the existing process and would not cost the department anything to implement. The specific rules for what factors should be included in job retention programs would be addressed with guidelines the board adopts. They would control the who-meets-eligibility requirements with the intention to encourage the creativity of employers. So with that, I would appreciate your green vote on LB191. And I'll yield the rest of my time to Senator Machaela Cavanaugh, if she so chooses.

KELLY: Senator Cavanaugh, you have 3:15.

M. CAVANAUGH: I am delighted. Thank you, Senator Hansen. I am going to talk about LB267. This is Senator Brewer's bill. And I don't know-- at some point, I'm going to look up, Senator McDonnell, the bill I was talking about previously. It was your bill. Do you, do you remember the bill number? We'll get there. We'll get there. Because I am curious if now that we have a new administration, if we can get them to actually do what you passed into law before I was even here. OK. LB267 is Senator Brewer's bill. The following constitutes the reasons for this bill and the purpose which-- the purposes which are sought to be accomplished thereby. The intent of this bill is to provide for the prioritization of resources for the protection of critical infrastructure utility workers during any civil defense emergency. It provides priority access to the personal protective equipment, medical screening, testing, preventative health services, medical treatment and the administration of vaccines in the event of an emergency involving a severe threat to human health. So, that's LB267. That was the statement of intent. It has a fiscal note attached. Let's see here. It has a fiscal note from our Fiscal Office and then from the Nebraska Military Department, the Nebraska Power Board Review and the MUD. OK. The fiscal note. Any fiscal notes received from state agencies and political subdivisions are attached following the Legislative Fiscal Analyst estimate. LB267 creates the Critical Infrastructure Utility Worker Protection Act. This bill declares that utility systems and political subdivisions that own or operate systems such as electrical, gas, water, steam, sewage and telecommunications in Nebraska will be given priority access to personal protective equipment, medical screening, testing, treatment, preventative health services, vaccines during a civil defense--

KELLY: One minute.

M. CAVANAUGH: --emergency. Thank you, Mr. President. These utility systems must maintain a list of critical infrastructure utility workers by position, description-- by position description that will be made available to the Nebraska Emergency Serv-- Management Agency, NEMA, upon request. I will say, yesterday, Senator Hansen got on, on the mic and said that he was going to talk a little bit to give me a break. And I just, I just really appreciate that you gave me some time today, Senator Hansen. I knew you liked the sound of my voice. It's the, the soothing tones. I might at some point go back to try-- trying out variations of, of my reading voice as I did yesterday. But for now, I'm going to just stick with this tone for as long as I can. I'm trying to be loud enough that--

KELLY: That's your time, Senator.

M. CAVANAUGH: --people can hear me. Thank you, Mr. President.

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

RIEPE: Thank you, Mr. President. I would like to present LB666, which amends provisions of the Employment Security Act-- or, the Law, providing flexibility to Nebraska employers and reducing cost to the Department of Labor. Recently, the Nebraska Department of Labor launched a new unemployment tax system. Part of that modernization system allows for secure electronic delivery of all documents. However, Nebraska law requires the department to send unemployment determinations of liability and combined tax rate by regular mail. LB666 allows employers to elect the method that they want to receive documents from the department, defaulting to regular mail unless the employer otherwise elects. Automatically, LB666 extends the current deadline for employers to make voluntary contributions to the department. Under the current law, employers covered by the Nebraska Employment Security Law are assigned a tax rate based on the-- on their experience rating. There are 20 different tax rates that may be applied to any employer, depending upon their experience rating. An employer may pay a voluntary contribution to the department to buy down to the next lower rating. This payment is due by January 10 each year. LB666 extends this deadline to February 28. This gives employers more time to review their assigned a tax rate and make an informed decision to buy down. LB666 provides flexibility to Nebraska employers

and reduces cost to the department. Thank you for your time and thank-- and your appreciation on a green vote is appreciated.

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

BRIESE: Thank you, Mr. President. Good afternoon, colleagues. I rise in support of LB191 and the amendment that we'll be talking about here at some point. And specifically, I want to speak to the rural workforce housing provisions of that amendment. These provisions tweak the Rural Workforce Housing Program to streamline the program and make it more efficient. These provisions are generally based on a bill I introduced, LB249, and a bill that Senator Ibach prioritized. First, I want to thank Senator Ibach for prioritizing this bill and helping it to get to the floor. And I especially want to thank Chairman Riepe and members of the Business and Labor Committee for putting these provisions in the package. LB249 was a bill to make improvement to the-- improvements to the Rural Workforce Housing Program that would shorten development times and cut unnecessary red tape for developers. The bill was initially voted out of committee unanimously. I believe there were 11 testifiers in support of the bill. There was one opposition testifier, with whom we were able to reach an agreement after tweaking the bill, and I believe they are in support of it at this point. The Rural Workforce Housing Program is a proven tool used by the state to develop workforce housing in rural areas of 100,000 people or less. Since its creation in 2017, the program has produced more than 800 units of housing in nearly two dozen communities across the state. So what do these provisions relative to LB249 do in this amendment? Section 18 of the amendment would add eligible activities in the program to include the extension of sewer and water lines in support of workforce housing development. Second, it would allow any organization to submit multiple applications per funding cycle. Finally, it would also increase the maximum amount of funds awarded to any applicant, from \$1 million to \$5 million over a two-year period. Where I come from, the average person on the street is going to tell you the three biggest issues facing rural Nebraska are property taxes, housing availability and childcare. And I think it's fair to say that the lack of available housing in rural Nebraska and, and across our state is choking off economic growth in our state. And this is one of those provisions that can help us address the issue. It's intended to make the program work more efficiency-- efficiently to better address the needs of the participants. And the changes to the program proposed in this legislation have been informed by the housing developers and stakeholders in the housing arena. In addition, the Department of

Economic Development has been consulted, as well. The changes also align with the recent 2022 Nebraska Strategic Housing Framework, developed by the Strategic Housing Council and signed on-- signed off on by the Governor's Office. And I would note that we are not asking for additional funding in this legislation, but it's my understanding that the Appropriations Committee will be proposing additional funds be put into this program when we do talk about the budget. So I would encourage-- ultimately, I would encourage your support for the amendment to LB191 and the support of LB191 when we get there. Thank you, Mr. President.

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

McDONNELL: Thank you, Mr. President. Good afternoon, colleagues. I'd like to thank Senator Riepe for his assistance in, in the work on the LB460 and the members of the Business and Labor Committee. LB460 relates to mental health injuries or mental illness for all of Nebraska's first responders pursuant to the Nebraska Workers' Compensation Act. The bill provides for reimbursement by the Department of Health and Human Services for costs of mental health examinations and resiliency training to the extent not reimbursed by the first responder's employer. This, quite simply, is a cleanup bill, cleanup bill on LB963, passed in 2020. There are potentially two out-of-pocket expenses for all Nebraskans' first responders in order to qualify for coverage for mental health injuries or illnesses under Nebraska's workers' compensation law. First, the responder must be screened as part of the mental health examination. Secondly, the first responder must participate in the resiliency training concerning mental health on an annual basis. When LB963 was passed, the language in the Legislature-- legislation required the Department of Health and Human Services to reimburse a first responder for only the annual resiliency training if not reimbursed by the first responder's employer. This bill requires the Department of Health and Human Services to reimburse a first responder for the mental health examination and the resiliency training if not reimbursed by the first, the first responder's employer. This legislation, just like the latest legacy of legislation adopted for Nebraska's first responders, applies to both volunteer and career firefighters, paramedics, emergency care providers, law enforcement. The reason the, the mental, the mental, mental injuries and illness have already been acted upon by this Legislature. This bill simply calls for the reimbursement for the mental health examination and the initial-- the initial resiliency training. This legislation also directs that the

reimbursement's rate for the mental health examinations be established by the Critical Incident Stress Management Program, whose lead agency is in the Department of Health and Human Services. Presently, only rates for resiliency training are set by the Critical Incident Stress Management Program. Thank you, Mr. President.

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

M. CAVANAUGH: Thank you, Mr. President. I was reading about the committee statement for LB267, and this is a bill that is for utility worker protection. And I was reading the fiscal note. But I'm going to shift gears for a moment because-- not-- just away from the fiscal note. So the utility workers made me start to think about our public power in Nebraska. And I thought I'd just take a minute and look up sort of the quick history of Nebraska's public power and share it. So this is, this is from nepower.org. It's the public power history. The city of Crete formed the state's first electric department in 1887, about the same time farmers in western Nebraska were devising ways to store water for their irrigation needs. By the early 1930s, Nebraska had several hundred municipal utilities and 42 shareholder-owned electric companies. Several large hydropower projects were being built. In 1933, the Nebraska Legislature created the state statutes that govern public power districts. And between 1934 and 1946, investor-owned utilities were absorbed by public power districts. George Norris, a U.S. Senator and Congressman from Nebraska, believed government should serve the needs of the ordinary citizens and electricity was a right of the people. As, as a senator, Norris-- from 1861 to 1944-- helped create the Tennessee Valley Authority, the Rural Electric-- Electrification Act, Nebraska's Unicameral and the state's public power system. He understood that local ownership led to electricity that was more reliable and less expensive compared to electricity produced and delivered by shareholder-owned utilities seeking to profit from the service. His wisdom and commitment to improving the lives of America's working men and women is evident today in every farm light, production line, home, business and computer workstation. Today, Nebraska's public power utilities monitor more than 27,000 miles of power lines. That's enough to span from New York to Los Angeles 10 times. From small towns to big cities and all the miles in between, public power is part of our good life in Nebraska. Interestingly, Senator Wayne has introduced legislation to create the opportunity for broadband to be a public good, a concept I find quite fascinating. And I think that a lot of the similar arguments could be made about why broadband should be a public good,

just as power was a public good, because it is something that benefits the people, all of the ordinary citizens. And, you know, sometimes when we have things that are driven by profit margins, then we are-- what you'll hear when we get back to the BEAD bill, the talk about overbilled and underbilled and underserved and unserved. These are all terms that kind of feed into our broadband problem because we are dealing with what is essentially being treated as a public good in that the government is investing significant resources into it, but is also driven by private industry. And so we have to walk that line of how to support private industry with what is sort of a public good and using significant public dollars to do that.

KELLY: That's one minute.

M. CAVANAUGH: Thank you, Mr. President. So, anyways. George Norris. We're in the George Norris Chamber. George Norris was clearly an innovator in his time and now. And because of his innovative ways and innovative approaches to policy, Nebraska has been very unique for a very long time, including being a Unicameral, but also our public power, which I think are some of the ways that we have a lot of strength compared to other states. And when we legislate, we do it in such a different way that really makes Nebraska stand out in the country and that we are able to be innovative. And a lot of that has to do with George Norris. So, thank you, Mr. President.

KELLY: Thank you, Senator. That's-- Senator Riepe, you're next in the queue.

RIEPE: Thank you, Mr. President. I'd like to take this opportunity to present LB427, which standardizes the fees for in-state and out-of-state contractors and eliminates the additional fee for each additional project assessed against out-of-state contractors under the Contractor Registration Act. Under the act, all contractors doing work in Nebraska are required to register with the Nebraska Department of Labor on an annual basis. With each registration, there is a \$25 fee. Currently, out-of-state contractors are charged a one-time additional fee of \$25 when they first register as a contractor, and also required to submit an additional \$25 fee for any project they are working on if the total contract price is over \$10,000. The Nebraska Department of Labor registers approximately 20,000 contractors each year. Of those, fewer than 1,000 are out-of-state contractors. In the last three years, the cost of enforcing fees for out-of-state contractors is greater than the revenue brought in. I repeat, in the last three years, the cost of enforcing fees for out-of-state contractors is

greater than the revenue brought in. Approximately, it costs the state \$22,000 to collect the money. So they lose \$25-- \$22,000 on, on the entire project. Thank you, Mr. President. And I would appreciate the green vote on LB427 to clean up this piece of administrative for the Department of Labor. Thank you.

KELLY: Thank you, Senator Riepe. Senator Brewer, you are recognized to speak.

BREWER: Thank you, Mr. President. And I would like to thank Senator Riepe for including my bill, LB267, in his Business and Labor Committee priority package. My bill now has Sections 1 through 5 in AM1330 to LB191. The Critical Infrastructure Worker-- Utility Worker Protection Act passed the Business and Labor Committee by a vote of 8-0 [SIC-- 7-0] and has no fiscal note. The bill will provide for a prioritized resource for the protection of critical infrastructure utility workers during any declared civil defense emergency. It provides priority access to personal protective equipment, medical screening, testing, preventative health services, medical treatment and the administration of vaccines in the event of an emergency involving a severe threat to human life. Critical infrastructure employees work to protect our communities while ensuring communities' functions continue for both the public health and for the safety, along with providing for the economic and national security. Critical infrastructure workers need to be given every privilege and priority during the declared emergency. While state legislators play a key role in emergency management, that role is primarily exercised long before an emergency is declared, often by passing laws to shape how the executive branch and city agencies are to respond to emergencies. This enables a coordinated response and recovery when an emergency strikes. This is what LB267 aims to do. The critical infrastructure employees not only power and heat homes and businesses, they fuel our vehicles, power our hospitals and public safety institutions. These critical energy workers support and preserve the infrastructure and operation centers critical to maintaining the backbone of our society. By prioritizing their health and safety for personnel protective equipment, medical screening, testing and administration of vaccines to the workers, we assure continuous distribution of energy and utilities to Nebraska rural and urban communities. Now, please understand, this is for a limited pool of highly skilled workers whose expertise has been deemed necessary to ensure the reliable operation of utilities. And it is only for declared emergencies. This is the commonsense change to protect Nebraska critical utility workers. It makes sense to solidify the need to protect these workers so that they

have the necessary protections during any civil defense emergency, disaster or crisis. There are-- these critical employees are our backbone. We ask for your support on LB267. Thank you, Mr. President.

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

RAYBOULD: Thank you, Mr. President. I would like to yield my time to Senator Machaela Cavanaugh.

KELLY: Senator Machaela Cavanaugh, you have 4:52.

M. CAVANAUGH: Thank you, Mr. President. So I was reading about LB267 and it's the Utility Workers Protection Act, which led me to go look up and give a little history on public power in Nebraska. But then I started talking about George Norris, and I thought I should look up a little bit more about George Norris, who the Chamber is named after, the founder of the Unicameral. So this is from the nebraskastudies.org history timeline. "George W. Norris, U.S. Legislator." This is-- so, U.S. Congreman-- Congressman and U.S. Senator from Nebraska for 40 years. Notable Nebraskan, George William Norris was born near Clyde, Ohio on July 11, 1861. Norris's father died when he was four years old, only months after George's older brother had died in the Civil War. Norris was the 11th child of a very poor family of farmers. George's mother, Mary, encouraged him to continue his education to help him escape that poverty. While in college, Norris earned money by farming and teaching. Sometimes he would have to take entire semesters off from school so he could work. This was true of many students who attended Baldwin University in Berera [PHONETIC-- Berea], Ohio. Norris had great skill in debating, so he decided to go to law school. He graduated with a law degree from Indiana State Normal School in Valparaiso, Indiana in 19-- or, in 1883. Moving. With a deed for 80 acres of land as a gift from his mother and a loan of \$300 from one of his sisters, Norris moved to Beatrice, Nebraska in 1885. His next home would be in Beaver City, Nebraska, where he married Pluma Lashley, Lashley in 1890 and served as city attorney. In 1899, he moved his family to McCook, Nebraska and became a judge. He witnessed the impact of farm foreclosures, when farmers could not make payments for their land so they were forced to leave. After several years of harsh weather on the crops, Norris found a legal way to postpone some farmers losing their lands. George's wife, Pluma, died in 1901. U.S. Representative and U.S. Senate. George Norris was elected to the U.S. Representatives in 1902 as a Republican and married Ellie Leonard in 1903. He was known as rebellious while serving five terms in the

House. Norris was elected to the U.S. Senate in 1912 as an Independent. He also served five terms there until 1942-- a total of 40 years in Congress. During that time, he supported the direct election of senators. He was con-- he was a confirmed isolationist. He learned that interfering with other countries' issues could lead to another world war. He changed his mind in 1937 when he saw horrible photos of Japanese violence in China. Quote, I have done my best to repudiate wrong and evil in government affairs, Senator George Norris, 1942. "Lame Duck" Amendment. Senator Norris's accomplishments during the years that he represented Nebraska in Washington, D.C. included writing the Twentieth Amendment to the U.S. Constitution. It is also known as the, quote, "Lame Duck" Amendment. His first propos-- he first proposed the amendment in 1923 and helped it pass in 19-- in 18-- 1933.

KELLY: One minute.

M. CAVANAUGH: Thank you. A "lame duck" is someone who is about to leave office. Often, not much gets done in the time between either losing the next election or announcing that he or she won't be running again. Sometimes other politicians practically ignore the "lame duck" official, making government very unproductive. The Twentieth Amendment shortened the amount of time between the November election when the newly elected politicians took office. It called for the newly elected Congress to begin their work on the first Monday in January and the new president to be inaugurated about two weeks later. Then there's the Tennessee Valley Authority, which-- I'm probably about out of time, so I will save that for my next time on the microphone talking about George W. Norris, the founder of the Nebraska Unicameral and the Tennessee Valley Authority, which is all--

KELLY: That's your time, Senator.

M. CAVANAUGH: Thank you.

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

WALZ: Thank you, Mr. President. I am really interested in-- especially the LB249 that's wrapped up in this package. And, as a realtor, I'm, I'm interested in rural workforce housing. And at times, I represent developers. And I did want to try to find this-- the answers to my questions before I got up on the mic, but I didn't, I didn't find them. So I was wondering if Senator Briese would yield to a question.

KELLY: Senator Riepe, would you yield to a que--

WALZ: Briese. Briese.

KELLY: Senator Briese. Excuse me.

BRIESE: Yes.

WALZ: Thank you. Senator Briese, I'm just curious-- again, I represent developers and was wondering if you could tell me what the opposition was in the bill during the hearing.

BRIESE: Yeah, the only opposition was from the bankers who objected to the green copy of the bill. The green copy of the bill removed the limitation on the stacking of rural workforce housing grants with other low-income type of housing programs. They, they objected to the removal of that prohibition on stacking, and so we backed away from that. And I think we found some middle ground on that, essentially. The, the, the current version, what we have in this bill will allow that stacking if the level of individual income for those folks that are living in those units is not limited to something less than 100 percent of the area median, median income. So, so the current language still prohibits stacking if it forces income limits to less than 100 percent of the area median income. The, the bankers didn't want to really confuse affordable housing programs with rural workforce housing programs. They point to the success of the rural workforce housing programs and providing housing development for some of the populations they're trying to target. You know, the example would be schoolteachers, healthcare employees, et cetera.

WALZ: OK. I appreciate that. And then just one other quick question. And I didn't hear the whole opening, the whole opening that you had, but you said something about submitting multiple applications, and I was just curious what that meant. Or, or is it still what you were talking about--

BRIESE: Yes, I, I think at this point, a nonprofit is limited to one application per cycle. And what we have out there is a, a-- like, NeighborWorks Northeast Nebraska, I think they try to work with 30 communities, and they're limited to one application per each community they're working with. So it's my understanding, according to the testimony, they-- under the current program, they can't apply as per more than one community. And I, I was a little surprised by that, but

that's what the testimony was. And this would allow them to apply relative to multiple communities in the same cycle.

WALZ: OK. That's very helpful. Thank you, Senator Briese. Thank you.

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

M. CAVANAUGH: Thank you, Mr. President. Colleagues, if anybody wants to yield me more time, I'd be happy to take it. OK. The Tennessee Valley Authority. So I was talking about LB267, which is in the committee amendment, which is the Critical Infrastructure Utility Workers Protection Act. So the Tennessee Valley Authority-- this is in the nebraskastudies.org. Senator Norris is credited with planning the Tennessee Valley Authority, or TVA, which provided flood control and created electricity in the region drained by the Tennessee River. The TVA provided a series of dams, which not only brought flood control but also water to farmers during drought, as well as electricity to those who could not otherwise afford it, especially in rural areas. Norris believed that the federal government should control natural resources so the greatest number of U.S. citizens could benefit. Norris fought to preserve and complete the work of the TVA to put this belief into action. The TVA was a forerunner of the Rural Electrification, Electrification Act, which eventually brought electricity to farms and ranches across the nation. The TVA provides a series of dams, which not only brought flood control but also water to farmers. Oh. I think I said that part. OK. Then there's the Nebraska Unicameral. Senator Norris wrote and promoted the Nebraska constitutional amendment that created the Unicameral Legislature in Nebraska. Nebraska has the only unicameral in our 50 states. Norris was interested in the unicameral he saw in Australia in 1931. He promoted the adoption of a unicameral system by visiting every section of Nebraska. The Unicameral was approved by the voters in 1934 and started in 1937. Senator Norris always thought it was pointless to have two groups of elected officials doing the same thing, and thereby wasting money. The results appear to have proven him right. Before I go on to the next part of his life, I like, I like that he was very-- a pragmatist and that he wanted smaller government, and so he worked to make smaller government happen. And that's why we have a Unicameral, so that we were wasting less government money by having smaller government. Retirement. In 1942, Norris was not reelected, so he retired to McCook, Nebraska, where he wrote his autobiography, Fighting Liberal. It was published a year after his death. George Norris died at home-- at his home at the age of 83 on September 2,

1944. He left a legacy of integrity and efficiency in government. In 1961, George Norris was the first person inducted into the Nebraska Hall of Fame. In 1961-- it's just repeating that again. OK. Learn more about him and all its members. But actually, next on this Nebraska Studies is Mildred Brown, "Millie Brown: Omaha Star Founder." Omaha Star is a public-- a, a news publication in Omaha. And I think they now are online. I actually should look. But forever, they were not online and it was only in paper. I'm gonna look and see if they have a website now. And I remember, any time trying to get the-- they are online-- any time trying to get anything published in Omaha Star, you had to like, literally print it off. And if you wanted a picture published with it, you had to turn in the photo, like, a printed photo, and give it to them. You would not--

KELLY: One minute.

M. CAVANAUGH: --you would not get the photo back. So I can't-- I mean, various jobs that I've had over the years, I was tasked with having things put into the Omaha Star, and that was the process. But they now have a website and are online. And, I haven't looked at it in a while, which I should because it is a great publication. It's mostly a community publication, but I think it also has other news, notable news. So Mildred Brown was the Omaha, the Omaha Star founder. Notable Nebraskan, Mildred Brown was born in Bessemer, Alabama, in 1915 to a prominent black family. Her father was a respected minister. Later, Mildred would become a well-known and admired civil rights activist and leader of the African-American community in Omaha. At the age of 16, in 1931, Mildred graduated from Miles Memorial Teachers College in Birmingham, Alabama.

KELLY: That's your time, Senator.

M. CAVANAUGH: Thank you, Mr. President.

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

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

KELLY: Senator Cavanaugh, that's 4:54.

M. CAVANAUGH: Thank you, Mr. President. Thank you, Senator Day. So I was reading about Mildred Brown. At the age of 16, in 1931, Mildred graduated from the Miles Memorial Teachers College in Birmingham,

Alabama. She became an English teacher after marrying S. Edward Gilbert in 1936. She moved with him to Chicago and then Des Moines. There, she attended Drake University in journalism. The couple moved again, this time to Sioux City, Iowa, where Gilbert became the editor of the Silent Messenger. Mildred sold ads and wrote copy for news stories. This experience prepared them for creating their own newspaper, the Omaha Star. Soon after working in Sioux City, Mildred and Edward Gilbert moved to Omaha, where she sold ads for the Omaha Guide. By 1938, the couple were ready to start their own paper, the Omaha Star. On July 9, 1938, the first issue of the Star was published. 6,000 copies were printed and sold for each-- for \$0.10. Mildred was the advertising manager and financial secretary. She sold ads to local and national companies and kept track of bills and payments for the paper. Edward was the general manager. He made sure the articles were ready for print. In 1943, Mildred and Edward divorced. Edward left the paper and Mildred was in charge of everything as the advertising and general manager. In 1945, the Omaha Star was the only remaining African-American newspaper in Omaha. Positive News. The Omaha Star brought joy and happiness with upbeat news about the black community. Positive role model-- role models were celebrated, families were honored and individual accomplishments, such as new jobs or graduation from high school or college, were common features. The Omaha Star reported local as well as national news with black perspectives. The Omaha Star also encouraged its readers to become involved politically by voting. That's a little bit of history about the Omaha Star. And I was-- I'll go back to the bill that I was reading. I wanted to look up-- so the Omaha Star, it said, was started on July 9-- July 9, 1938. And I thought, I know for a fact that Senator Chambers' birthday is July 10 because he and my son have the same birthday. So I wanted to look up quickly-- that was the day before Senator Chambers' first birthday, is when the Omaha Star started. So, just a little tie back to the Nebraska Unicameral there. OK. So I was reading the fiscal note on LB267. And again, I'm out of times to speak. So if anybody wants to yield me their time, I'd be happy to take it. LB267 fiscal note. And this is about the Critical Infrastructure Utility Work Protection Act. This list will not be public record of the Nebraska Emergency Manage-- the Nebraska Emergency Management Agency is going to keep a list of critical infrastructure structure utility workers by position description that will be made available through NEMA upon request. This list will not be public record and should not list individual names. The list of critical infrastructure utility workers by position description will be kept confidentially by NEMA. In the event of a civil defense

emergency, disaster or other emergency threat to human health, the Governor shall utilize this list to provide priority access and available federal funding.

KELLY: One minute.

M. CAVANAUGH: The Nebraska Emergency Management Agency, NEMA, a division of the Nebraska Military Department, has indicated that LB267 would have an indetrimental impact, which would vary depending on the scope of each disaster, emergency and corresponding need-- needed response. The Nebraska Power Review Board, NPRB, has indicated no fiscal impact. The Metropolitan Utilities District, MUD, has indicated no determinable impact. The Nebraska Public Power District and the Omaha Public Power Districts did not provide fiscal notes. There is no basis to disagree with these estimates provided by NEMA, NPRB and MUD. So that it is the fiscal note for LB267. And then there is online comment that I will share with the next time I have time on the mic.

KELLY: That's your time, Senator.

M. CAVANAUGH: Thank you.

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

JACOBSON: Thank you, Mr. President. I rise in opposition to mot-- for motion 352 in support of LB191 and the rest of the Christmas tree bills within it. I want to speak specifically to LB249. I appreciate the fact that although people are looking at this as a filibuster, this is also an opportunity to really step up and talk about the individual bills. And so I would encourage other senators to engage in this. If we're going to spend the time filibustering, why don't we also talk about the bills that we're actually going to be passing so if we've got issues, we can deal with them now? So with that said, I, I wanted to engage in the conversation. I thought Senator Walz brought an interesting point and had some questions with regard to the bankers and their potential opposition to LB249 as presented. I just want to make sure everyone is aware that Senator Briese did work with the bankers, understood the concerns. The concerns were not the program or the funding. The concern was just making sure that we don't limit this program to where we have needs that we can't fill and that we make the, the requirements so stringent that the month-- the funds go unused and-- so I want to-- I appreciate Senator Briese's work on that. I think this is a very good bill. Anybody that's understanding

where we're at in housing and affordable housing, that's almost an oxymoron today because housing really isn't affordable. And particularly, when you're going to do new construction, it's virtually impossible to do it as a standalone. Everything's going to require some other tools in the toolbox, whether that be tax increment financing, whether it be other incentives, other programs. It's going to take a lot of pieces to make-- to build the housing stock that we need and to rehab the housing that's out there. It's-- I have to say, when I'm in North Platte and I go look at some of the housing on the north side, it, it, it's horrible some of the living conditions that people are, are living in. That's not right. That's not what we should be doing as a society. And so I'm hopeful that we're going to get micro-TIF passed. I believe that the changes that we're looking at there is going to allow us to go up on the north side of North Platte. And I know Senator Wayne, Senator McKinney and I have had this conversation, that there's not a lot of differences between the north side of North Platte and the north side of Omaha. We have the same level of poverty. We have the same issues that we're dealing with as it relates to housing. And this is a statewide problem. And this is a problem that we can approach, and we can do it thoughtfully. And I think this is one of those steps in trying to do that, to make living conditions better for all people across the state in all income levels. And the concern right now is how do we get that housing stock built? And obviously-- Lynne, being a realtor I know knows this-- but when you build new housing and make that available, you've got people that will live at-- will move out of other housing, move into the new housing. It frees those homes up. And then as they move, they get other people that have houses that become available. So we can find the right affordability piece for the people of all incomes across the state. It's critically important if we're going to build a workforce, maintain a workforce. And as we build the Sustainable Beef Project in North Platte, we're going to have 875 new workers coming to town. We've got to have a place to house them, and we need decent housing. And I can tell you that if you don't have decent housing, you're going to have the crime problems that come with it. People need to be living in, living in decent housing. They need to be able to afford to live there. They need to be getting incomes that they can live on. All of those things are critical to building your communities. And so I applaud Senator Briese for bringing the bill, and I would encourage you to move LB191 forward with this bill in it. Thank you, Mr. President.

KELLY: Thank you, Senator Jacobson. Senator Clements has guests in the north balcony: fourth graders from Messiah Lutheran in Lincoln, Nebraska. Please stand and be recognized by your Nebraska Legislature. Senator Day, you are recognized to speak.

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

KELLY: Senator Cavanaugh, you have 4:50.

M. CAVANAUGH: Thank you, Mr. President. I was having a chat with our Committee Chair of Business and Labor. OK. So the comments for LB267. This one is from Donna Garden from Lincoln, Nebraska: I write today on behalf of the city of Lincoln in support of LB267. The city of Lincoln thanks Senator Brewer for introducing this proposal. The city of Lincoln owns and operates critical life-sustaining systems for both public health and protection of our environment. Our water and wastewater systems must function every minute of every day. This cannot be accomplished without trained, professional employees dedicated to this service. LB267 provides necessary protection to these critical utilities workers as defined within the bill, and Guidance on the Essential Critical Infrastructure Workforce, Version 4.1, as released on August 5, 2021, by the United States Department of Homeland Security, Cybersecurity and Infrastructure Security Agency. This bill would ensure that during an emergency, critical utilities such as water and wastewater would have priority access at least equal to that provided to the hospital-- to hospital and medical personnel, law enforcement personnel or other emergency responders. This includes but is not limited to PPE, vaccines, medical, state and federal funding. These protections were found necessary during the COVID pandemic. Lincoln Water System sequestered these critical employees to prevent any disruption in our utility's critical operation. Access to vaccines and PPE for continuous operations were imperative. However, federal funding reimbursement was not provided. Thank you for the opportunity to provide input, and I would be happy to answer any followup questions you may have. So-- that's interesting about the PPE. That's a whole other story we could-- or issue we could dig in really deep on. This letter comes from Rick Kubat, St. Joan of Arc alumni, from Omaha, Nebraska, representing the Metropolitan Utilities District: Senator Merv Riepe and members of the Business and Labor Committee, the Metropolitan Utilities District, MUD, supports LB267 as introduced by Senator Brewer. MUD supports LB267 to provide for the prioritization of resources for the protection of critical infrastructure utilities workers during a civil defense emergency.

Recent events have brought to light how critical gas, water, energy and other utility services are during a response to an emergency. LB267 would assure specific employees who keep our state's utilities operating have the tools necessary to assure the continuation of life-essential services. Thank you for your consideration of the above. Sincerely, Rick Kubat, St. Joan of Arc alumni, government affairs attorney. He does not have the alumni part in here, but I think it's worth noting. I know how proud he is of that. Next is from Joselyn Luedtke, representing Nebraska Advocacy Group: Chairman Riepe and members of the Business and Labor Committee, please accept this comment from the Nebraska Advocacy Group in support of LB--

KELLY: One minute.

M. CAVANAUGH: Thank you-- LB267. The Nebraska Advocacy Group is a group of 11 Nebraska telecommunications companies, providing consumers with telephone and broadband services throughout the state. There's a list that I'm going to share. I have one minute left. If anybody wants to yield me time, I am happy to take your time. I also appreciate Senator Riepe suggesting-- I think that's what he was doing-- suggesting that I perhaps amend paid family medical leave onto this bill. He-- I, I'm not, I'm not going to yield you to-- ask you to yield to a question. I think that's what he said. Full-- a full-throated endorsement of adding paid family medical leave to this bill is what I-- that's what I heard when we were, were discussing over here. So I'll, I'll get my staff working on that, Senator Riepe. Thank you, Mr. President.

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

HUNT: Thank you, Mr. President. It would be good if introducers or committee chairs could pass out a list to us of all the bills that are included in all of these packages. Because in the introductions, we go through them pretty quickly and it makes it difficult to really vet each bill. But I would yield the rest of my time to Senator Machaela Cavanaugh.

KELLY: Senator Cavanaugh, that's 4:35.

M. CAVANAUGH: Thank you, Mr. President. Thank you, Senator Hunt. I was teasing Senator Riepe. I don't want to misrepresent his endorsement of paid family medical leave. He may actually be 100 percent behind paid family medical leave, but that is not what he said when we were over

here. We were having a different conversation. I don't want to mislead the public. But I welcome him getting on the mic and, and telling us all if he-- of his full support of paid family medical leave, which I'm sure is, is forthcoming. OK. So, excellent point, Senator Hunt. It is extremely, extremely helpful when there are lists of the bills that are in the committee amendments distributed. And I talked about yesterday the committee statement that-- or, the committee summary. It wasn't the committee statement because it wasn't-- it was a little bit different since they didn't vote out the amendment that we were discussing yesterday on LB92. But there was a 26-page summary of all of the bills that were in the amendment to the amendment to the bill. And it is a challenge to know exactly what it is we are voting on when we have these large packages. And so-- this one is not as large as some of the other ones. I think it has-- oh, here we go. It has one, two, three, four, five, six and one-- seven bills in it. The-- LB92 yesterday I think had initially 15 bills, and then we amended 2 more into it. And ultimately, it ended up being a package of 17 bills. And then the hydro hub bill yesterday, I have no idea how many bills were in that because we had it on General File. There were a significant number of bills on General File. And then there was an amendment yesterday on Select File that had even more bills packaged into it. And I, I appreciate people getting creative of how they get their bills attached to things. Like, you got to hustle. In, in normal circumstances, you got to hustle and find avenues and vehicles for your bills. And obviously, this session, you have to hustle even more. I will say that I-- generally speaking, and really, after last night, probably from now on, am not going to be a big supporter of amendments on Select File that are numerous bills. I think that it's probably more appropriate for each bill to be attached individually on Select File because you are circumventing-- you're already missing out on an entire round of debate for your bill, and to slip it into a packaged amendment on Select File just doesn't really feel very clean or transparent. And so I, personally, will be opposing that type of amendment in the future. No-- so, Senator Riepe, when he was over here talking to me, we were actually talking about the amendments that are pending on this bill and, and how-- if--

KELLY: One minute.

M. CAVANAUGH: --if we'll get to them. And I haven't looked at what all is pending for this bill, so I don't know. I do know that I have a bill that I introduced in Business and Labor in addition to paid family leave, LB501, which I believe is called-- it has a name. It's-- provide for compensation under the Nebraska Workers' Compensation Act

for cancer experienced by firefighters. So, I have had that drafted as an amendment to the bill. And we'll see if we get to it, don't get to it. It's a good bill. There was some concern, which I was discussing with Senator Riepe. There wasn't concern at in-person testimony, I don't believe, but there was some online testimony that expressed some concerns--

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

M. CAVANAUGH: Thank you.

KELLY: Thank you, Senator Cavanaugh. Senators Erdman and Clements announce that their wives, Cathy Erdman and Peggy Clements, are under the south balcony. Please stand and be recognized by your Nebraska Legislature. Senator Day, you're recognized to speak. And this is your last time on the motion.

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

KELLY: Senator Machaela Cavanaugh, you have 4:55.

M. CAVANAUGH: Thank you, Mr. President. "I don't know" is the answer to Senator Frederickson's question. That's because I wasn't really sure what the question was, but-- what was I talking about? Goodness gracious. All right. Well, whatever I was talking about-- oh, there, there was, there was opposition-- online opposition to my bill, LB501. And I haven't had a chance to look it over closely enough. But for those that opposed it, take a look at the pending amendment and let me know if it addressed your opposition because I did intend to address your opposition. I know that there were some points made that I think had merit. So whenever we can work together to compromise, I think that we should. OK. So, back to-- I was reading the comments for LB267. It started on Joselyn Luedtke. So, Chairman Riepe and members of the Business and Labor Committee, please accept this comment from the Nebraska Advocacy Group in support of LB267. The Nebraska Advocacy Group is a group of 11 Nebraska telecommunications companies providing consumers with telephone and broadband service throughout the state. Nebraska Advocacy Group members include Nebraska Central Telephone Company from Gibbon; Great Plains Communication: Blair; Hamilton Telecommunications: Aurora; American Broadband Nebraska: Blair and Wayne; Hartelco/Harrington [SIC-- Hartington] Telecommunications: Harrington [SIC]; Three River Telco: Lynch; Northeast Nebraska Telephone Company: Jackson; Hershey Cooperative Telephone Company:

Hershey; K & M Telephone Company; Chambers; Consolidated Companies, Inc.: serving Anslemo [SIC], Arthur, Ashby, Bingham, Brady, Brewster, Brownlee, Curtis, Dunning, Eustis, Halsey, Hyannis, Madrid, Maxwell, Maywood, Merna, Moorefeld-- Moorefield, Mullen, Paxton, Purdum, Seneca, Stockville, Thedford, Wallace, Wellfleet, Whitman and surrounding areas. What are the remaining surrounding areas? That was a lot of places. OK. Continuing with Joselyn's testimony: The pandemic taught us many valuable lessons, including the value of internet service in our homes, businesses-- and businesses to conduct commerce for education, healthcare and connection. When we cannot gather together across our state, people need fast, reliable internet all at once for virtual meetings, Zoom school and telehealth appointments. Public support sprang up when it was needed to get more people in need connected to broadband services. However, our technicians need key support staff-- we were-- however, technicians and key support staff were not prioritized to receive safety equipment and personal protective equipment when they need it most. Our work sometimes requires us to enter the homes of customers where we maintain safety first. Having a responsible plan in place to prioritize limited resources during an emergency makes common sense. Please support our telecommunications--

KELLY: One minute.

M. CAVANAUGH: --infrastructure-- thank you-- infrastructure workers and LB267. Sincerely, Joselyn Luedtke, Zulkoski Weber. I don't know where she graduated from grade school, only Rick Kubat. OK. And I-- again, I'm out of times to talk. So if anybody wants to yield me their time, I am happy to take it. Tip O'Neill, who is former legal counsel for Transportation-- Telecommunications and Transportation, as opposed to the former Speaker of Congress. My name is Tip O'Neill, and I am the president of the Nebraska Telecommunications Association. The NTA is a trade association that represents a majority of companies that provide landline voice and broadband telecommunications services to Nebraskans across the state.

KELLY: That's your time, Senator.

M. CAVANAUGH: Thank you.

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

HUNT: Thank you, Mr. President. And Senator Cavanaugh, I'll take this time. I received-- so my, my desk, which you can't see, is covered in papers. A lot of them-- I need-- most of them I need, but they are not organized. And the committee clerk for Business and Labor, which-- I serve on that committee-- brought me this list that explains the committee amendment to LB191, AM1330, which isn't up on the board right now, but, but will be, and we will get to that amendment. So I have another copy of this on my desk somewhere. But, you know, I get-- I guess I can't say where right now. So, thank you for bringing me this list. We advanced these bills just a couple days ago, putting them together in a committee package. We hollowed out LB191, which I was originally opposed to. And we added some bills that were mostly noncontroversial. Some of them did not have consensus, but we added several bills to, to that shell bill. The Business and Labor Committee filed AM1330, which includes a, a striking provision of LB191 in its entirety and also includes provisions of LB267, LB460, LB639, LB671, LB666, LB427 and amended provisions of LB249. So a summary of these bills and their voting outcomes. LB267 was introduced by Senator Brewer-- this is the one I remember most well-- to adopt the Critical Infrastructure Utility Worker Protection Act. I really support this bill. It was introduced by Senator Brewer and provides for the prioritization of resources for the protection of critical infrastructure utility workers during any civil defense emergency. It provides priority access to personal protective equipment, medical screening, testing, preventive health services, medical treatment and vaccines in the event of an emergency involving a severe threat to human health. So I think that a scenario like this would probably be a pandemic or maybe some kind of biological threat, biological attack. I, I wasn't sure, you know, from the testimony and from the bill, what this could necessarily be, other than like some kind of biological warfare threat or pandemic. And what we know from the last pandemic that we had is-- the, the last pandemic. You know, the one. But, I, I struggled because I think that if a bill like LB267 had been in effect when the last pandemic happened and we were mandated by law to give priority access for personal protective equipment, medication, hospital care, whatever, to these critical infrastructure workers, I don't know if that would have gotten them care any faster. Remember when the pandemic started and people were making homemade masks and mailing them to hospitals? When we saw videos and images of healthcare workers wearing trash bags duct-taped together for PPE because they didn't have enough, you know, sterile suits to wear to work? I have a friend who has a critically ill friend who has-- like a-- what's the word? She has one of those illnesses that you don't recover from. And

she needed masks. She needed gloves so that she wouldn't get sicker. And we were looking in every Walgreens, every CVS, every Target, every single-- you know--

KELLY: One minute.

HUNT: --Kohl's Pharmacy-- thank you, Mr. President-- everywhere we could think of to try and get gloves for her so that she wouldn't, you know, die with this illness that she was already living with, and we couldn't find any. So, I support this bill. I think it's good. But I question-- if we were to have another pandemic, say, tomorrow, we learned that we're doing COVID-20 and we're doing this all over again for the next three years or whatever, I don't know if we learned enough from the supply chain challenges that we had during that pandemic to even implement LB267 as intended. Would we be able to get these masks, these PPE, this emergency medical treatment? And how, in all of these categories of critical infrastructure workers, do we place emphasis on who gets what first? Because I agree. They should get care first. They should get care as quickly as possible. But there are many categories of people in that critical infrastructure worker bin, so--

KELLY: That's your time, Senator Hunt.

HUNT: Thank you, Mr. President.

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

M. CAVANAUGH: Thank you, Mr. President. OK. So I was reading through on LB267, which is one of the bills amended in here. Oh, I had started on Tip O'Neill's. He's the president of the Nebraska Telecommunications Association. The NTA is a trade association that represents a majority of companies that provide landline voice and broadband telecommunications services to Nebraskans across the state. The NTA supports LB267. In the case of a civil defense emergency or disaster, the role of critical infrastructure telecommunication workers would be an important priority. These workers could face significant personal risk, and LB267 would, by offering priority access to personal protective equipment, medical screening, medical treatment and vaccines, could allow those workers to do what needs to be done to allow important societal functions to continue. Ooh. This bill is about vaccines? Well, look at that. LB267 amended into LB191 is about vaccines. I wonder if these workers are required to get the

vaccine in order to work for these companies. If we pass this, are we supporting workplace vaccine requirements? Something worth thinking about, I guess. The unintended consequences, as they say. The next testimony is Rocky Weber. And he is the president of the Nebraska Cooperative Council, or "the Council," a statewide nonprofit trade association representing nearly all of Nebraska's supply and marketing agricultural cooperatives, as well as rural electric and telephone cooperatives. I ask that this letter be incorporated into the permanent hearing record of LB267, acknowledging that "the Council" supports LB267. LB267 would adopt the Critical Infrastructure Utility Worker Protection Act. The bill proposes-- the, the proposal-- purpose, sorry. The purpose of the bill is to provide protection of critical utility workers in the event of a civil defense emergency disaster. The bill would provide priority access to personal protective equipment, medical screenings, testing, medical treatment and vaccinations-- there it is again-- vaccinations in the event of an emergency involving a severe threat to human health. So it does sound like this might be supporting employer-mandated vaccinations during a public health crisis. Interesting. LB267. This is why it's kind of helpful to read, read through things, because, initially, I thought that this was about just, like, equipment, like, masks and gloves, and-- I don't even know what else you would need-- but, like, protective equipment. But it keeps mentioning vaccinations, so. Over the past two years-- the, the last two years, weather events and attacks on critical infrastructure have raised the awareness of--

KELLY: One minute.

M. CAVANAUGH: --the vulnerability of our critical infrastructure. Protection of that infrastructure must be a policy priority. That priority begins with protecting the people working to maintain that infrastructure. For the foregoing reasons, the Cooperative Council supports LB267 and encourages the committee to advance it to the floor of the Legislature. Thank you, members of the committee, for your consideration. So, LB267. And I want to see where that was in the committee statement. So-- there we go. It-- well, it was unanimous out of the committee, so I guess they didn't have any concerns over employer-mandated vaccinations being supported by the state, so. OK. I probably-- how much time do I have left?

KELLY: That's your time, Senator.

M. CAVANAUGH: Call of the house.

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: 12 ayes, 3 nays to place the house under call.

KELLY: The house is under call. Senators, please record your presence. Those unexcused senators outside the Chamber, please return to the Chamber and record your presence. All unauthorized personnel, please leave the floor. The house is under call. Senators Armendariz, Bostar, Bostelman, Wayne and Hansen, please return to the Chamber and record your presence. The house is under call. All unexcused senators are present. Members, the question is the motion to indefinitely postpone. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 0 ayes, 38 nays, Mr. President, to indefinitely postpone.

KELLY: The motion fails. Raise the call. Mr. Clerk, for items.

CLERK: Mr. President, Senator Machaela Cavanaugh would move to reconsider the vote on MO350 just taken.

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

M. CAVANAUGH: Thank you, Mr. President. Colleagues. OK. So I was talking about LB267, which is supporting employer-mandated vaccines with government dollars. Part of the package here. But I'm going to go through and-- the committee statement. Let's see here. We got-- so the underlying bill-- and I recognize-- I think the amendment-- I think Senator Halloran spoke to this in his opening that-- and maybe I'm wrong-- that the underlying bill or the amendments address the concerns of, of the opposition. But there's an opposition testimony here for LB191. So LB191 is the-- provide for confidentiality of, of and access to certain injury reports under the Nebraska Workers' Compensation Act. And it is a 7-0 bill that had proponents, District-- oh, that's Senator Halloran. It says District 33, Senator Halloran. And then Eric Sutton, Nebraskans for Workers' Compensation Equity; Bob Hallstrom, Lincoln Chamber of Commerce; Brian Bradley, Independence Insurance Agents of Nebraska. And then the opponents were Brody Ockander, Nebraska Association of Trial Attorneys; Michael Dowd, AFL-CIO; John Lingo, self; Nick Grandgenett, Nebraska Appleseed; Mike Dyer, self. Jill Schroeder was in neutral from the Nebraska Workers'

Compensation Court. OK. So that's a fair amount of opposition. The committee statement doesn't usually tell you what the opposition is. And I don't see any letters, so it's a little hard to know here. OK. So let's see here. This is the underlying-- where's the underlying bill? Introduced by-- nope. That is my amendment. OK. I don't think I have a copy of the underlying bill of LB191, so I'm going to pull that up. And maybe there'll be a little bit more information that we can figure out here. OK. So-- because as it stands, the bill itself had some opposition that I would like to know more about because it has people who deal with the worker side of the work and-- workers' comp, and I want to make sure that we are not accidentally doing something that is detrimental to our workforce. OK. So-- introduced. This is Nebraska's Worker Compensation Act. It's a bill relating to the act-- oops. OK. So the first page of the text, there's no change. Oftentimes, when you are amending something, you'll have to have the, sort of the part of the statute that you are amending. OK. So at the bottom of page 3, line 25 inserts: a report filed under subsection (1) of this section shall be confidential and not open to public inspection or copying for a period of 60 days after the date of filing, except as otherwise provided in this section and as necessary for the Nebraska Workers' Compensation Court to administer and enforce other provisions of the Nebraska Workers' Compensation Act. The compensation court shall deny any request to inspection-- to inspect or copy a report filed under subsection (1) of this section for a period of 60 days after the date of filing unless: (i) the requester is the employee who is the subject of the report or an attorney or authorized agent of that employee. An attorney or authorized agent of the employee shall provide a written authorization for inspection or copying from the employee if requested by the compensation court. OK. (ii) the requester is the employee, workers' compensation insurer, risk management pool or third-party administrator that is a party to the report or an attorney or authorized agent of such party. An attorney or authorized agent of a party shall provide a written authorization for inspection or copying from the party if requested by the compensation court. All right. That's the second part. (iii) the requester is (A)-- letter. Like ABC-- (A) an attorney or authorized agent of an insurer or a third-party administrator who is involved in administering any claim for insurance benefits related to any injury of the employee whose report is filed with the compensation court or (B) an attorney representing a party to a lawsuit filed by or on behalf of the employee whose report is filed with the compensation court. An attorney or authorized agent of such insurer or third-party administrator or an attorney representing a party to such a lawsuit

shall provide a written authorization for inspection or copying from the insurer, third-party administrator or party, as applicable, if requested by the compensation court; and (iv) the report requested will be used for the purpose of state or federal investigations or examinations or for the state or federal government to compile statistical information; (v) the report requested is sought for the purpose of identifying the number and nature of any injuries to an employee of an employer identified in the request and the compensation court is able to and does redact any information revealing the identity of the employee prior to releasing the report. That one is curious to me. It's page 4, lines 28 over to page 1-- or 5, line 1. The report requested is sought-- OK. So there's-- so back up to the top as to what-- the compensation court shall deny any request to inspect or copy a report filed under the subsection-- under subsection (1) of this section for a period of 60 days after the date of filing unless-- and then it lists these things-- unless these parameters that allow the report to be copied. And one of them is the report requested is sought for the purposes of identifying the number and nature of injuries to any employees of an employer identified in the request and the compensation court is able to and does redact any information. But it doesn't say who would be requesting. It's-- the report is sought for the purposes of identifying, but by whom? Whom? Who? Whom? I could never use those correctly. OK. Well, that's-- I'll put a pin in that question for now. The report requested is a pleading filed with the compensation court or an exhibit--

KELLY: One minute.

M. CAVANAUGH: Thank you-- submitted with a pleading filed with the compensation court. OK. That, that was (vi); (vii) the report requested will be used by a nonprofit organization for the purpose of sending condolences to, providing materials for or offering grief counseling to family members of an employee whose death was caused by a workplace incident. That seems a little odd. What nonprofit organizations need access to workmen compensation reports so that they can send condolences? I'm sure there's a logical explanation, but I'm, I'm curious what it is. So-- that's on page 5, lines 5 through 8.

KELLY: That's your time, Senator.

M. CAVANAUGH: Thank you.

KELLY: Thank you, Senator Cavanaugh. Speaker Arch, you're recognized for a message.

ARCH: Thank you. Colleagues, short announcement to inform you today is Former Legislators Day. Once a year, the Nebraska Association of Former State Legislators hold a meeting at the State Capitol. As has been the Legislature's tradition on that day, the Legislature has a short ceremony on the floor to recognize our former members, and that will occur today at 4:30. With respect to the rest of the day, I do intend for us to adjourn around 9:00 p.m. I've been asked if we'll be staying to vote on cloture on LB191. With the interruption in debate for the 4:30 ceremony today, it's my intention for us to put in most of the time today on LB191 but complete it tomorrow morning. However, first on the agenda tomorrow morning will be the reorganization issues that we need to address in light of Senator Geist's resignation and the subsequent appointment of Senator Bosn. The three items include, one, the election of a new Transportation and Telecommunications Committee Chair; two, the replacement of Senator Geist on the Exec Board with the representative District 1 caucus; and three, the assignment of Senator Bosn to standing committees. Thank you, Mr. President.

KELLY: Thank you, Mr. Speaker. Senator Machaela Cavanaugh, you're next in the queue.

M. CAVANAUGH: Thank you, Mr. President. So I was reading the underlying bill, LB191, to try and understand it a little bit better. I apologize. Sorry. My goodness. OK. So, the underlying bill. Yes. So, page 5, line 9, subsection-ish (vii) release of the report is ordered by a court of competent jurisdiction. I am assuming that that is defined somewhere, what "competent jurisdiction" means. Any request to inspect or copy a report filed under subsection (1) of this section shall be made in form and manner prescribed by the administrator of the compensation court. OK. So this is all-- the compensation court shall deny any request to inspect or copy a report filed under subsection (1) of this section unless all of the things that I just read. So, subsection (1) of this section. I have to go back up to the top to read what that is. Section 1: In every case of reportable injury arising out of and in the course of employment, the employer or workers' compensation insurer shall file a report thereof with the Nebraska Workers' Compensation Court. Such report shall be filed within 10 days after the employer or insurer has been given notice of or has knowledge of the injury. OK. So, back to the committee statement, LB991. OK. LB9-- LB991. Oh my goodness. LB191 makes reportable injuries arising out of and in the course of employment filed with the Nebraska Workers' Compensation Court confidential and not open to public inspection or copying for a period of 60 days after

the date of filing, except as otherwise provided and as necessary for the Nebraska Workers' Compensation Court to administer and enforce other provisions. Explanation of Amendments. AM1330 includes a striking provision of LB191 in its entirety and also includes provisions of LB267, LB460, LB639, LB671, LB666, LB427 and amended provisions of LB249. LB267 provides for the prioritization of resources for the protection of critical infrastructure utility workers during any civil defense emergency. The prioritization of resources includes access to personal protective equipment, medical screening, testing, preventative health services, medical treatment and the administration of vaccines in the event of an emergency involving a severe threat to human health. Section by Section Summary. Section 1: identifies the Critical Infrastructure Utility Worker Protection Act.

ARCH: One minute.

M. CAVANAUGH: Thank you. Section 2: Definitions Section. Section 3: describes the purpose of the act-- provides protection to utility workers in an emergency/disaster, providing access to essential equipment, health services and medical treatments, treatments and vaccines, authorizes federal and state aid to utility workers in the event of emergency/disaster. Section 4: requires utilities to maintain a confidential list of critical infrastructure utility workers and to be made available to the Nebraska Emergency Management Agency on request, or NEMA. Section 5: in the event of a disaster, the Governor ensures utility workers are provided proper equipment and medical services provided by the Federal Food and Drug Administration and to provide any available funding for utility--

ARCH: Time, Senator.

M. CAVANAUGH: Thank you.

ARCH: Mr. Clerk, for an announcement.

CLERK: Mr. President, the Urban Affairs Committee will hold an Executive Session at 3:00 under the north balcony. Urban Affairs, 3:00, under the north balcony. That's all I have at this time.

ARCH: Senator Briese would like to welcome a group of fourth grade students: 30 fourth grade students from Ravenna Public Schools, and they are located in the north balcony. Students, please rise and be

welcomed by your Legislature. Senator Hunt, you are recognized to speak. Senator Blood, you are recognized to speak.

BLOOD: Thank you, Mr. President. Fellow senators, friends all, I stand opposed to the reconsideration and in full support of LB191 and the amendments yet to come. With that, I want to address something that happened on the floor earlier today since we are apparently just slowing things down. We have had a lot of reactions in the balcony this year, but how those reactions were handled seemed to be very different each time. We've had a balcony full of sobbing families who didn't like what was going on on the, the floor down here. And then when the bill passed through that round, the others in the balcony decided to applaud. But nothing really happened to that group of individuals that applauded, which I'm not saying something should have. I just want you to know what I'm talking about. So today, someone had a very guttural reaction to the bill that was passed. And although I don't agree with how it was handled, I understand the inclination to blurt something out. I don't understand when a state senator laughs openly at that person and that is not handled by anybody here in our body. And I don't understand why that person was taken to the security office and apparently given a letter banning them from the people's house. Banning them from the people's house. Not because there was any physical threat. Not because they threw anything or threatened anybody. Whether we agree with what happens up there or not, they are still the second house. And I want to publicly say that I do not approve of the fact that this person was banned from the State Capitol. Now, I couldn't see who it was, but I found out later who it was. And it doesn't matter. They're still a Nebraskan. Here's what I know. During the trans bill, behind us, behind these glass windows, was somebody who was doing open carry. Again, I got nothing against that. But the reasoning that that per-- the reason that person was giving is-- having open carry that day and milling around was because they were concerned that the trans people might be-- get violent and that it might be needed. Now, perhaps he just said that tongue in cheek, to be a smart aleck, but it was very inappropriate. And that, to me, if we're going to ban people, perhaps those are who we should ban. Not because he was open carry, but because he was being irresponsible in how he discussed being open carry and intimidating people purposely. By the way, next to the stalker who takes pictures of a lot of the female senators to utilize on social media, but that's a whole other issue. And so I just wanted to make sure that we got on record today that we are not always fair and balanced. And to me, the optics are we decide punishment based on

who we like and don't like. And that is not what the spirit of the Unicameral is supposed to be about. But then we've lost that spirit altogether this year anyway. You know, I know we, we keep having Christmas tree, tree bills and certain senators, like, throw you a bone and let you put your bill on their bill. But there's still a lot of discontent and rudeness and unfairness going on amongst our peers. But more than that, how we are treating the second house is unacceptable. No matter how you feel about what's going on on this floor, you shouldn't yell over the balcony.

KELLY: One minute.

BLOOD: You shouldn't applaud. But if you do, we have to remember that they're human and that they're Nebraskans, and that's not a direct threat. So if indeed it is true, I encourage those that are listening in today, make a call, send an email. Do you believe that it's right that we ban people from the second house because they had a guttural, normal reaction to something that they found horrifying? Thank you, Mr. President.

KELLY: Thank you, Senator Blood. Senator Machaela Cavanaugh, you're recognized to speak. And this is your last time before your close on the motion.

M. CAVANAUGH: Thank you, Mr. President. Colleagues, I'd be happy to take anybody's time if they want to yield it to me. I was just looking at-- my sister sent a photo of my nephew, who is-- gosh, how many months old is he now? 15 or 16 months. He's not in a rush to walk, but-- so my sister just sent this picture of him with his big brother holding his hand, kind of helping him walk. And even though I have seven siblings with red hair-- [RECORDER MALFUNCTION]-- few nieces and nephews with red hair. And this photo was of two of my nephews, both with red hair. And the toddler, I guess-- can you call him a toddler if he's not toddling yet? The toddler has, like, the biggest cheeks, so. I have a smile on my face because I was just looking at this just adorable picture. Adorable-- again, it's subjective. But I think it might be an objective statement in this particular instance that he is adorable. OK. I was reading about the-- LB191, the committee statement. And I do, just for a moment, want to echo some of the comments that Senator Blood was making. I think it is really important that we always tread lightly when we are talking about free speech. And we do not want to infringe upon free speech. And anything that we do that might restrict free speech should be taken with the utmost seriousness and gravity. That said, I know that many others are

working to that end to discuss and address what happened in the Chamber today, so. OK. So LB267. I read through that part. Oh, I was on Section 5 of LB267. You know, I get a little confused sometimes when I start talking and one voice acknowledges me, and then by the time I'm-- time is called, there's a different voice, which happened the last time I was on the mic. The Lieutenant Governor said, Senator Machaela Cavanaugh, and so I started talking. And then at one minute, I heard Speaker Arch's voice and I, I was like, wait. So, welcome back to the chair, Lieutenant Governor. Section 5 of, of the amendment: In the event of a disaster, the Governor ensures utility workers are provided proper equipment, medical services provided by the Food and Drug Administration and to provide any available funding for utility workers in accordance with federal rules and regulations. So, this was, motion to include LB267 into AM1330. It was approved unanimously: Senators Riepe, Halloran, Ibach, Hunt, Blood and McKinney. The testifiers' information about LB267 can be found on the committee statement of LB267. O K. I don't know that I have the committee statement handy on LB267. I have the comments-- the online comments. I'll have to look at the committee statement. LB460 relates to mental health injuries or mental illness for Nebraska-- Nebraska's first responders pursuant to the Nebraska Workers' Compensation Act. The bill provides for reimbursement by the Department of Health and Human Services, not for the costs of mental health examinations and resilience training to the extent not reimbursed by the first responder's employer. Further, the reimbursement rate for mental health examinations would be established by the Critical Incident Stress Management Program, whose lead agency is the Department of Health and Social Services. Presently, only rates are set for resilience training. OK. Section by Section Summary. Section 1: amends subsection (6)(a) requiring DHHS to reimburse-- to the extent not reimbursed by first responder's employer, a health examination prior to start of employment, initial resilience training and annual resilience training. Section 2, amended to include mental health examinations within set reimbursement rates. Motion to include LB460 into AM1330 was unanimous--

KELLY: One minute.

M. CAVANAUGH: --with all members of the committee voting. Testifiers' information about LB460 can be found in the committee statement to LB460. And I'm going to just look and see. I don't know that I even have LB460. I do have LB460. I have to find that committee statement. OK. I'll have to look it up. LB639 amends provisions of the Nebraska Workers' Compensation Act relating to rules and regulations, case

progression standards, and summons and eliminates requirements to distribute copies of certain materials. Section by Section Summary. Section 1: requires notice of hearing on proposed workers' compensation regulations to be given at least 14 days prior to the hearing by publication--

KELLY: That's your time, Senator.

M. CAVANAUGH: Thank you, Mr. President.

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

HUNT: Thank you, Mr. President. Sorry I wasn't in here for my last time. I was out in the Rotunda talking to some folks. So my question's about LB267, adopting the Critical Infrastructure Utility Worker Protection Act. Great bill. I've got no problem with it. It's not even so much a question, just-- thinking about the way this would be practically implemented, if we had another pandemic-- if we went through COVID-19 all over again and it was March 13, 2020 and we're looking down the barrel of we don't know what-- all we know is that we're out of masks. We're out of gloves. We're out of personal protective equipment. We're out of, you know, sterile medical equipment. We don't have a vaccine. We don't have a treatment. We don't know the effects of this disease yet. And we have a bill, like LB267, that's providing priority access to these things for critical infrastructure utility workers. All well and good. Very good. I'm wondering how this affects all of the different critical workers that we have and how we figure out who gets priority in the sea of thousands of people who need to be prioritized. Again, totally in favor of everybody getting everything as fast as possible, but I don't know if this bill is really workable. But I also don't know if we're ever going to need to work it because maybe we don't have another pandemic again in our lifetimes. Maybe we don't have a, a, you know, bioweapon, warfare type of situation. Maybe we never need LB267. But if we do, I'm curious and not convinced that it would really do anything. Is it such a crime to pass a bill that doesn't really do anything? No. Is it such a crime to pass a bill that a lot of people liked and wanted and does no harm? No. But, you know, I, I think we look at things sometimes and it's not really doing what we mean for it to do. LB460, which is also part of AM1330, the committee amendment to LB191-- which has been hollowed out. LB460 provides for reimbursement of mental health examinations and resilience training for certain people under the Nebraska Workers' Compensation Act. This was

introduced by Senator McDonnell. It came out with 6 ayes and 1 person absent. I voted for this bill. LB460, introduced by Senator McDonnell, relates to mental health injuries or mental illnesses for Nebraska's first responders pursuant to the Nebraska Workers' Compensation Act. LB460 provides for reimbursement by the Department of Health and Human Services for the cost of mental health examinations and resilience training to the extent not reimbursed by the first responder's employer. Further, the reimbursement rate for mental health examinations would be established by the Critical Incident Stress Management Program, whose lead agency is the Department of Health and Human Services. Presently, only rates are set for resilience training. That's a great one. LB639-- which I also voted in support of-- is introduced by Senator Blood. It's to change provisions of Nebraska's Worker Compensation Act relating to rules and regulations, ease [SIC] progression standards and summons and eliminate requirements to distribute copies of certain materials. That's what it says. LB639, introduced by Senator Blood, amends provisions of Nebraska's Workers' Compensation Act relating to rules and regulations, case progression--

KELLY: One minute.

HUNT: --standards-- thank you, Mr. President-- and summons and eliminates requirements to distribute copies of certain materials. This is a Workers' Compensation Court cleanup bill that is giving more time for the Postal Service to deliver summons, stopping delivery of printed sessions laws and journals that the Workers' Compensation Court already receives electronically and changing publication rules for newspapers when sent electronically. This bill advanced to General File unanimously from our Business and Labor Committee. And this is a great bill, as well. Thank you, Mr. President.

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

CONRAD: I'd yield my time to Senator Cavanaugh, if she so desires.

KELLY: Thank you, Senator Conrad. Senator Cavanaugh, you have 4:45.

M. CAVANAUGH: Thank you, Mr. President. And thank you, Senator Conrad. If anybody else wants to yield me some time-- I know some people are off the floor having various meetings. I'm happy to take anybody's time, so-- before we go to a vote on this. OK. So I was going to look up the committee statement. Oh. But before I do that, I had asked a question on the mic, and I got an answer from the AFL-CIO because I

had asked about the organizations that would send condolences. And the organizations that would send condolences or counseling would be organizations like United Support Memorial for Workplace Safety. So, thank you very much to the AFL-CIO for sharing that information with me. It is interesting when you're here on the floor talking and-- so many ways, this is very isolating. Like, I'm just-- my universe is just this space and, and then seeing the front of the room. And so, oftentimes, I just talk to the front of the room because otherwise I'm literally talking to air. And so it is very isolating. But then you get responses to things you say, like, yesterday when I was on a journey of-- a cinematography journey, we'll say. People were texting me, correcting me about the name of actors and-- and it was a variety of people. It was people that-- like, relatives, staff, lobbyists, lobbyists that are here, lobbyists that are not here that were watching somewhere else. Just the, the variety of people who have my cell phone number that were texting me, correcting the names of the actors at, like, 6:00 at night. It does speak to the significance of the work that we do here because so many people are watching. And I appreciate that so many people are watching all of the time. I actually was texted a picture from a, a family member this morning that their friend had posted on social media. They were at a bar here in Lincoln, and they had the Legislature on the TV at the bar. And I was like, that's my kind of nerdy bar. Like, not sports or-- and I'm like-- I don't even know what sports would be right now-- or local TV or whatever. It was the Nebraska, the Nebraska Legislature. Local public access TV at a local bar in Lincoln. I'm sure it was very scintillating, whatever I was talking about at that point in time. But it just-- it is fascinating. But it also speaks to how important it is: how important the Legislature is, how important the work is. And I do want to try to honor that when I'm talking on the floor. It does-- you know, sometimes when you're talking for hours and hours and hours and hours and hours and hours, it does get challenging to stay relevant, on point, not have a journey of a conversation of non sequitur movie references.

KELLY: One minute.

M. CAVANAUGH: Thank you, Mr. President. But, yes. So I am trying to stay on the task at hand. Anyways, when I do and I have questions, it's so nice and it is appreciated that people are listening and responding to those questions, so. All of that was to say, thank you to the AFL-CIO for think-- for answering a question I had about a piece of LB191, which I recognize-- the amendment-- the committee amendment is a white copy amendment. But right now, we are debating

LB191. So I read the bill, asked my questions and got them answered. And isn't that a cool thing? Of course, staff is always wonderful and helpful in answering questions that I have, and I very much appreciate that, as I've said before.

KELLY: That's your time, Senator.

M. CAVANAUGH: Thank you.

KELLY: Senator Hunt, you are recognized to speak.

HUNT: Thank you. Mr. President. Earlier, I asked the committee Chair if we could clarify which bills are included in this package. And we're not on that amendment yet, but we will be. And I wanted to go over the bills that are in this. And I'm on this committee. And my thoughts on these bills and then the way I voted-- why I voted the way that I voted just for some context in the record, colleagues. LB671 was introduced by Senator Hansen, and it would allow-- it-- the one-liner is allow the Nebraska Training and Support Cash Fund to be used for retention of existing employees of Nebraska businesses. This is one of those bills where you add a word and then maybe the, the bill, the law more fulfills the intention, spirit of the law. And so I think this is a good bill. This bill advanced to General File with a unanimous vote from the Business and Labor Committee. And it says, LB671, introduced by Senator Hansen, amends the Nebraska Training and Support Cash Fund to be used for the retention of existing employees of Nebraska businesses. Currently, the Nebraska Worker Training and Support Cash Fund may be used to provide training opportunities that expand the Nebraska workforce by increasing the pool of highly skilled workers in Nebraska, support public and private job training programs designed to train, retrain or upgrade work skills of existing Nebraska workers of for-profit and not-for-profit businesses, recruit workers to Nebraska and train new employees of expanding Nebraska businesses. So this is another bill-- and I feel a little bit similar about this bill as I do to the-- LB267, the critical infrastructure and utility workers bill, in that I think it's a little bit up for debate if the Nebraska Training and Support Cash Fund isn't able to be used currently for worker retention. Because it says that the fund is, is meant for-- to support job training programs, designed to train, retrain or upgrade work skills, recruit workers and train new employees. So the last two things, recruiting workers and training new employees, don't necessarily have to do with retention of current employees that we have. But I would argue that the part that says public and private job training programs designed to train, retrain or

upgrade work skills, could this not be-- could anything used for retention of existing employees not be construed as upgrading work skills or training? I think that any self-respecting entrepreneur could see it that way and could frame it that way. But once again, I think this is sort of a feel-good bill that doesn't harm anything. I don't know if it helps anything, but my view of this session is if we can prevent the most harm possible, even if we don't make any progress at all, that's the most success that we can ask for. You know, we're, we're far enough in this session now that we know that we're not preventing as much harm as possible. But more is more, and we'll keep at it, for sure. The bill also includes-- or, the amendment, I should say, also includes LB666, introduced by Senator Riepe, to change provisions of the Employment Security Law. This bill amends provisions within the employment security laws, providing flexibility to Nebraska employers and reducing cost to the Department of Labor. Oh, Mr. President, is this my third time to speak? No?

KELLY: Second.

HUNT: OK. Thank you, sir. This bill allows employers the ability to choose their preferred method of document delivery and extending the deadline for employers to submit voluntary contributions to the Nebraska Department of Labor from January 10--

KELLY: One minute.

HUNT: Thank you-- from January 10 to February 28. So the goal of this is to reduce costs to the Department of Labor. This is a bill that was supported by the Department of Labor. And that is the goal of LB666. And I don't have a, a vote count on this, but that's OK. It's just a, a little thing that we can easily find. LB427 is introduced by Senator Riepe and eliminates fees relating to nonresident contractors under the Contractor Registration Act. And I do have some thoughts about this specific bill and this bill, LB427, amended into the committee amendment to LB191, which is AM1330 from the Business and Labor Committee, that I'll continue on my next time on the mic. Thank you very much.

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

CONRAD: Thank you, Mr. President. And good afternoon, colleagues. Sorry if that was a little bit loud. The last couple of days that I've been on the mic, I've received a friendly nudge from the Sergeant at

Arms that I wasn't close enough to the mic or the mic wasn't appropriately placed to project and ensure that folks could hear me, and then also for the Transcribers, of course. So hopefully it's modulated at the right level there. But just wanted to stand in support of LB191 and in opposition to the motions and the motions to reconsider on the board. And there were a few points that I did want to make sure to be clear about on the record in regards to the measure that is before us. First of all, I'd, like, to extend my appreciation, appreciation to Senator Riepe and members of the Business and Labor Committee for their leadership in putting together this package and bringing forward a host of ideas for our consideration to move some of these key components in the Business and Labor Committee's jurisdiction through the process this year. Additionally, I just wanted to note that I really appreciated the materials that Senator Riepe and his staff put together in regards to the component parts of the measure that is before us. And then some additional information contained in a letter from Senator Riepe just today, about a referencing issue in regards to the budget that then kind of found its way, I guess, back into the friendly confines of the Business and Labor Committee's jurisdiction. So one thing I did just want to note about that-- the clarity is deeply appreciated. But I do think it goes to show-- again, when we have that pattern and practice of continual misreferencing this session, it, it definitely does cause problems. And I think we're going to hear and see a little bit more about that when we take up the budget in coming weeks, as well. And I know that we've had a pretty robust debate about how some of the really hot-button and controversial issues have been misreferenced this session. And then we see how even some other matters that maybe fly under the radar screen or don't grab a lot of headlines are also being misreferenced this session and causing, I think, a few procedural headaches. And Senator Riepe kind of outlined some of the, the background in regards the referencing issue as a component part in this Business and Labor Committee package that is before us. And the other thing that I wanted to note in preparation for the debate on this measure and having a chance to review these thoughtful materials, I understand, because of the nature of the session and the compressed amount of vehicles and time remaining, that it's next to impossible to take up more contentious matters that may be emanating from the Jurisdictional Committee. But there are a host of very, very important measures pending before the Business and Labor Committee that I wanted to make sure to draw the body and the public's attention to for potential additional conversation, deliberation either on Select File on this vehicle or in the interim or to carry over to next year. I've

said it many times and I'll say it again: one of the number one challenges, if not the number one challenge, challenge before the state of Nebraska is our workforce-- our workforce issues. And there's so many key pieces before Business and Labor to ensure that our workforce is as strong as it can be. Measures to reduce discrimination--

KELLY: One minute.

CONRAD: --measures-- thank you, Mr. President-- to increase the opportunities for people living and working with disabilities, measures to provide for second-chance employment for people who are system-impacted and a host of other really important bills that many colleagues have before the Business and Labor Committee. So I know that we have to be very focused in where we are at this point in this session for a lot of reasons to put forward more noncontroversial issues. But I do not want us to lose sight of those substantive matters that maybe aren't going to come out 8-0, but that should come out and should have a robust debate because they can help to address our workforce issues in Nebraska and ensure Nebraska is for everyone and open for business. Thank you, Mr. President.

KELLY: Thank you, Senator Conrad. Mr. Clerk, for a message.

CLERK: A couple items quickly, Mr. President. Notice of committee hearing from the Transportation and Telecommunications Committee. Additionally, your Committee on Education, chaired by Senator Murman, reports LB372, LB632, LB703 and LB724 to General File, all having committee amendments. And a notice that the Judiciary Committee will be meeting this afternoon at 3:30 in room 1524 for an Executive Session. Judiciary, 1524, 3:30. That's all I have at this time, Mr. President.

KELLY: Thank you, Mr. Clerk. Senator Blood, you're recognized to speak.

BLOOD: Thank you, Mr. President. Fellow senators, friends all, I was going to wait until the amendment came up. But since we are now in discussion on LB818, which will be amended into LB191, I wanted to give some clarification. And so I hope everyone's paying attention so they remember it when we get to that amendment. But this is in response to Senator Conrad's comments. So LB818, where the statutory change can currently be found is on page 7 of LB818 at lines 23 through 24. It was the subject of a hearing first in the

Appropriations Committee on February 13, 2023. But since there was impact on the funding for the Workmens' Compensation Court, I think that's where the confusion lay. So it was passed on to Business and Labor and is now part of our beautiful omnibus bill. So the Governor's proposed budget in LB818 proposes a statutory change to Nebraska Revised Statute Section 48-145 concerning the distribution of assessments collected from self-insured employers. So for your information, 97 percent of the funding of the Workmens' Compensation Court comes from assessments against insurers, self-insured employers and risk management pools. Currently, the self-insurance assessments are divided by sending one-third of the Compensation Court Cash Fund and two-thirds to the General Fund. You can look at Revised State Statute Sections 48-145, 48-1. And this bill proposes-- or, proposed-- now part of the omnibus bill-- that the assessments being directed to the General Fund instead be deposited to the Compensation Court Cash Fund in fiscal year 2022, which is why this is so pressing that we get it done this year. The amount of the self-insurance assessments deposited to the General Fund was approximately \$2 million. So what we're trying to do is get in front of this to keep this sustainable. So some people in the legislative budget process have expressed concern that the proposed amendment to Section 48-145 is a big change. But it really can't be made through a budget bill. So in order for us to make sure that this happens, in order for them-- us to keep them solvent, we have to bring it to Business and Labor and we have to include it in our bill. The proposed revision to Section 48-145 would help sustain the funding of the court in the years ahead, which, of course, we want to do. The court hasn't received general funds-- please listen to this part. The court has not received general funds since 1996, but it faces a deficit during the next biennium. There are reasons why this system for the court's findings that was established in 1993 needs to be updated, including that \$6 million of the Compensation Court Cash Fund was diverted to the General Fund over the last few years. So now that we have our budget back on track, now that we seem to have so much money that we can fund pretty much anything that everybody wants this year-- which I'm not sure I agree with-- it is time to make sure that the agencies within the state of Nebraska are solvent. And that's what this part of the bill will do. Again, if you look at LB818, you can get a more comprehensive picture of what it does. If you have specific questions, I am happy to answer any of those questions for you. With that, I would yield any time I have back to the-- to you, Mr. President.

KELLY: Thank you, Senator Blood. Senator Hunt, you're recognized to speak. And this is your third opportunity on the motion.

HUNT: Thank you, Mr. President. Let me see. We have two more bills as a part of this amendment that we will be considering. LB427 eliminates fees relating to nonresident contractors under the Contractor Registration Act. This bill was introduced by Senator Riepe and standardized the fees-- standardizes the fees for in-state and out-of-state contractors and eliminates the additional fee for each additional project assessed out-- against out-of-state contractors under the Contractor Registration Act. The Nebraska Department of Labor administers the Contractor Registration Act. Under the act, all contractors doing work in Nebraska are required to register with the Nebraska Department of Labor on an annual basis. With each registration, there's a \$25 fee. Currently, out-of-state contractors are charged a one-time additional fee of \$25 when they first register as a contractor. Out-of-state contractors are also required to submit a \$25 fee for any project they're working on if the total contract price is above \$10,000. Let me see this real quick. That's LB427, introduced by Senator Riepe, which says that it's standardizing the fees for in-state and out-of-state contractors over \$25. And I wonder if I was in this hearing or if I just kind of spaced it, but I actually don't remember this. So this is striking provisions of the law. It strikes the provision of the law that says, nonresident contractor means a contractor who is neither domiciled in nor maintains a permanent place of business in the state or who, being so domiciled or maintaining such permanent place of residence, spends in the aggregate less than six months of the year in the state. So that's defining what a nonresident contractor means. And then it's also striking the portion that says, as it said in the summary, that they won't be charged the one-time additional fee of \$25 when they register and that they won't be charged \$25 when they're working on a contract that's over \$10,000. I voted for this-- and I don't know if I would vote for it again-- but it's, it's one of those things that I guess I agree isn't that big of a problem. But I think it's-- if you don't think I feel like I'm going crazy, it's clear that I do. I mean, we read the emails that I get or the comments that I get or the phone calls that we get to my office every day. And they're very, very bifurcated. Like, we get two different types of comment. And almost only two, like, without fail. One type is thank you for the work you're doing. Keep it up. Defend our rights, etcetera. The other one is you insane, dumb bitch. Kill yourself. Like, that type of stuff. And if people understood that the type of things that we're actually

working on and discussing are like, should we charge out-of-state contractors \$25 to do a job here? If it's over \$10,000, should we charge them another \$25? And this is the kind of stuff that my colleagues say is good for business and it's building our economy. It's the \$25 for out-of-state contractors when-- that's not really the priority of this session, is it? So these are the stakes. These are the stakes with LB191. The bill also includes LB249, change provisions of the Rural Workforce Housing Investment Act. LB249 as--

KELLY: One minute.

HUNT: --amended-- thank you, Mr. President-- LB249, as amended by AM400, introduced by Senator Briese-- oh, I remember this for sure. We were talking about this earlier already-- makes several changes to the Rural Workforce Housing Investment Act. It would limit the lim-- it would remove the limit of one application per organization per cycle, increase the grant maximum from \$1 million to \$5 million and fund the program with \$20 million. AM400-- let me see here. AM400 removes the provision striking the language prohibiting using rural workforce housing funds for projects also receiving certain other state grants and credits. I do have some problems with this bill. It's not perfect to me, and I think it does have some unfortunate, unintended consequences for workforce housing that I'll get into in the future. Thank you, Mr. President.

KELLY: Thank you, Senator Hunt. No one in the queue. Senator Machaela Cavanaugh, you are recognized to close on the motion.

M. CAVANAUGH: Thank you, Mr. President. Colleagues. I'm trying to listen to the other comments that are being made as this afternoon is going on. And I'm very, like, fascinated by Senator Hunt's comments about if we-- if these things are necessary. And I think, in different times, we probably would take more time to consider whether or not something is necessary or not. I guess a part of me wonders if some of the things that might not be necessary are more, like, omnibus cleanup bills for things. And maybe that's what, what's going on here. But-- you-- she also mentioned-- just a feel-good bill. And, you know, I've got to feel-good bill. It's paid family medical leave. That's a feel-good bill. I'm just-- if I keep saying it over and over and over again-- sorry. Senator Riepe is just giving me reassurance that he also believes it's a feel-good bill. Again, I think it's-- I think he's considering his full-throated endorsement of it. One of these times, he's going to get up here. I just know it. So paid family medical leave is something that I feel very passionate about. And I

introduced this year. And I unfortunately have not had the time to dedicate to it that I would have liked to. The two things that I really wanted to consider prioritizing were paid family medical leave and universal school meals. And I couldn't get universal school meals. I couldn't get the Chair of the Education Committee to exec on universal school meals. And so that was off the table. And I didn't have the time to work on the paid family leave bill, so I decided that that wouldn't be a good use of my priority. So I used my priority for something out of Judiciary because I do believe that we need to be focused on judicial reforms and juvenile justice reforms. And so I, I gave my priority to one of the Judiciary Committee bills. I think it was Senator Wayne's actual bill. So-- but that is not to diminish how important I think paid family medical leave is. And I introduced a version of the bill that is very robust. And it is my intention to most likely do an interim study on that specifically so that I can work with all of those that are in opposition to it to find a path forward so that next year I can introduce an amendment to the bill and hopefully prioritize it and make paid family medical leave a reality in Nebraska. That is my objective. And I think it would greatly improve the lives of Nebraskans and our-- the health and safety and robustness of a-- our workforce. And I think it would be a great economic driver for our state to be a leader in paid family medical leave. I did hear today, this morning, on LB77, there was a lot of talk about how many years Senator Brewer had worked on this bill that passed this morning and, and how much work goes into that. And it is significant. And it is time and time and time again, and iteration after iteration after iteration. And that's how good policy is made. Paid family medical leave is something that I have-- this is--

KELLY: One minute.

M. CAVANAUGH: --the fifth year that I've been here and the fifth year that I have either introduced it or I-- my first two years, I supported Senator Crawford's versions of it. Senator Crawford, the first six years prior to me arriving here, introduced iteration after iteration. So it is something that has been worked on for-- spanning two different senators' legislative terms-- multiple terms. So I hope that this body will treat it with the same reverence, dignity and deference as they did LB77 because of the amount of work that went into it. Yeah. There's a lot of work that goes into these things. I can hear a little, I think, some happy voices out there. I don't know. Maybe because it's the Retired Senators Day-- Retired-- Former Senators Day.

KELLY: That's your time, Senator.

M. CAVANAUGH: Thank you, Mr. President.

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

CLERK: 1 aye, 16 nays, Mr. President, to reconsider the vote.

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

CLERK: Mr. President, LB191, introduced by Senator Halloran. It's a bill for an act relating to the Nebraska Workers' Compensation Act; amends Sections 48-144.01; provides for confidentiality of and access to certain injury reports; and repeals the original section. The bill was read for the first time on January 9 of this year and referred to the Business and Labor Committee. That committee placed the bill on General File. There are committee amendments, Mr. President. Senator Machaela Cavanaugh would move to bracket the bill until June 1, 2023, prior to the committee amendments, Mr. President.

KELLY: Senator Cavanaugh, you're recognized to open on the bracket.

M. CAVANAUGH: Thank you, Mr. President. I'm trying to keep everyone, including myself, on my toes as to what's going to happen next on the board. I believe we have about 17 minutes and then we are going to have a, a respite from the debate to welcome our former legislators, who I can see some of them out there. And-- yeah. So I was talking about-- let me get in the queue. Again, if anybody wants to-- I only get two more times after this. If anybody else wants to get in the queue and give me their time, I will happily take it. So-- OK. Oh, I know. I was looking up the committee statement because the committee statement for LB191 that references the bills that are within the amendment-- the forthcoming amendment says to review the testifiers in the committee statement for the various bills. So that's what I was doing a while ago. Sometimes you get this kind of disconjoined, like, you're talking and then you get your turn out of the queue. And then you come back and you got to remember where you were. And if you're talking a lot, as some might say I'm doing, you might lose your place from time to time. So I was going to look up the committee statement for LB460 to see who came and testified. And that is Senator McDonnell's bill. Committee statement there. And this had no opposition, LB460. It had Senator McDonnell; Todd Bennett from the

Nebraska Association of Trial Attorneys; Timothy Benak, the Nebraska Center for Workforce Development and Education; Michael Dowd for the AFL-CIO; Jerry Stilmock, the Nebraska State Volunteer Firefighter Association-- it said S-t state. But I thought-- at first, I was thinking "saint," the Nebraska Saint Volunteer. That could be appropriate, I suppose-- Nebraska Fire Chief Association, Nebraskans for Workers' Compensation Equity and Fairness, National Federation of Independent Businesses. Summary of purpose: LB460 relating to mental health injuries or mental illness for Nebraska first responders pursuant to Nebraska Workers' Compensation Act provides for reimbursement by the Department of Health and Human Services for cost-- for the costs of mental health examinations and resilience training to the extent not reimbursed by the first responder's employer. Further, the reimbursement rate for mental health examinations would be established by the Critical Incident Stress Management Program, whose lead agency is the Department of Health and Human Services. Presently, only rates are set for resilience training. OK. So that is the committee statement. I think I had previously looked at the fiscal note. I had the fiscal note. I did read the fiscal note previously. That's great. And there was another one in here, LB267-- to look up LB267 to see the testifiers on their committee statement. I really hope that the committee staff who I see over there, just really honoring your work product here. It's not, it's not something that you just did and then it gets filed and then nobody ever looks at it again. We're digging into the staff-- committee staff work product today. OK. So this is LB267, introduced by Senator Brewer; adopt the Critical Infrastructure Utility Worker Protection Act. This is the bill that, when I started reading about it, sent me kind of down the historical journey of our Nebraska public power and George Norris and the founding of the Unicameral and the Tennessee Valley Authority and-- that's it, I think. But also within this bill, it has something about supporting employer vaccinations. OK. So the proponents for the bill are Senator Tom Brewer. Glad to know he's a proponent of his own bill. That's great-- and Seth Voyles of Omaha Public Power District, Nebraska Power Association, Black Hills Energy and-- oh. And then Jill Becker-- no, sorry. Yes. Jill Becker is Nebraska-- or, Black Hills Energy. Sue Martin, Nebraska AF-- Nebraska AFL-CIO. There was an opponent, Daryl Bohac, Nebraska Military Department. And then we go down here. And I think all of that was in-- yeah. It looks like it's pretty much-- what is in this committee statement is the purpose and changes is from that committee statement. So-- OK. So that is LB267. That was LB460. Let's see here. The next one is LB639. OK. LB639. And again, when-- we're talking

about the committee statement. So the committee statement for LB191, because the pending amendment is a committee amendment, the committee statement speaks to the amendment, and it outlines what the bills are within the amendment. It is helpful, I would agree, when we have these packages to have it distributed what the bills are. But if you have your laptop, you can also pull up the committee statement that explains the committee amendment. OK. The next bill is LB639, change provisions of Nebraska Workers' Compensation Act relating to rules and regulations, case progression standards and summons and eliminate requirements to distribute copies of certain materials. Senator Blood and-- going to pull up that committee statement. OK. And it had Senator Blood and Jill Schroeder with the Nebraska Workers' Comp Court. So LB639 is an act relating to the Nebraska Workers' Compensation Court in order to amend Sections 48-163, 48-164, 48-174 and 49-506, reissue revised statutes of Nebraska and to change provisions under the Nebraska Workers' Compensation Act relating to notice for rules and regulations, case progression requirements and summonses. LB639 will change requirements relating to distribution of session laws and legislative journals and to repeal the original sections. OK. Mr. President, how much time do I have?

KELLY: 1:40.

M. CAVANAUGH: OK. And-- just going to pull up the fiscal note. And there is no fiscal impact. That is according to our Fiscal Office. And you scroll down, and there's the Nebraska Workers' Compensation Court. And they have their fiscal note, and it is blank, which means there is no fiscal. And then the Department of Administrative Services, DAS, Risk Management Division. And they have text that says, LB639 proposes changes to the Workers' Compensation Act regarding notice for rules and regulations, case and progression requirements and summonses. There is no--

KELLY: One minute.

M. CAVANAUGH: Thank you, Mr. President-- there is no fiscal impact to the Department of Administrative Services or the Workers' Compensation Fund. OK. And that is the end of that fiscal note. So, on to the next. That was LB639. LB671. LB671. OK. This is Senator Ben Hansen's bill. And it is, allow the Nebraska Training and Support Cash Fund to be used for retention of existing employees of Nebraska businesses. OK. So we have got our committee statement. And it was Senator Ben Hansen and Katie Thurber of the Nebraska Department of Labor. I don't know if Senator--

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

M. CAVANAUGH: Thank you, Mr. President. I was going to say-- I don't know if Senator Ben Hansen is here, but you've got to tell me your secret. You got the Department of Labor to testify in support. That makes you a magical unicorn. Also Ron Sadlack, Nebraska Chamber of Commerce, Lincoln Chamber of Commerce, Greater Omaha Chamber of Commerce. There were no opponents. And summary of purpose and/or changes. The-- this Nebraska Worker Training and Support Cash Fund provides training opportunities to expand the Nebraska workforce by increasing the pool of skilled workers in Nebraska, support public and private job training programs designed to train, retrain or upgrade work skills of existing Nebraska workers of for-profit and not-for-profit businesses, recruit workers to Nebraska and train new employees of expanding Nebraska businesses. LB671 expands the allowable uses of funds available in the Nebraska Worker Training and Support Cash Fund to be granted to employers for the retention of existing workers. I am wondering if Senator Crawford is going to be-- former Senator Crawford is going to be here today. If she is, I highly recommend people go ask her questions about paid family medical leave. She knows more than I could ever forget. And, and she really did pioneer all of the legislation that has come forward relating to paid family medical leave. I'm so grateful that I got to spend two years in this Chamber working with her. I've had the honor and opportunity to work with a lot of really amazing policymakers here, former policymakers that I hope to see today. It's-- it is a privilege. Sometimes it's not the funnest, but it is a privilege to be in the Legislature. It is a privilege to be in this Chamber. It is a privilege to look around and see that I am not only a part of history, but I am witnessing history. In everything that we do every day that we do it, we are, we are creating history. And this Chamber is-- it's beautiful. It's-- it truly is beautiful. When you look up at the ceiling, it is detailed and ornate and everything has a story. So, yeah. It really is-- it is an honor. I have to-- sometimes have to remind myself, when I'm standing up here taking a big sigh, not necessarily wanting to keep moving forward, that this is a privilege of a lifetime. So I will keep moving forward. I will keep putting one foot in front of the other. I will keep trying to legislate with kindness and compassion and inclusivity. I will try to be thoughtful and diligent. I might fail in these endeavors, but I will not let failure stop me from persevering. So even when I fail, I know that I should get back up and try it again. Because the real failure is to--

KELLY: One minute.

M. CAVANAUGH: --accept, to accept failure. You will change nothing if you don't try. And so, every day, I get up. I put my shoes on. I walk into this Chamber. Sometimes I sneak out and go downstairs to get my favorite ice from the vending machine room. And I come back up and I just keep going. Just keep going. I think that's what Dory from Finding Nemo said. Just keep swimming. Just keep swimming. Just keep swimming. There is a very important lesson there about the importance of perseverance. In the face of, face of conflict and adversity, perseverance is essential to change.

KELLY: That's your time, Senator.

M. CAVANAUGH: Thank you, Mr. President.

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

HUNT: Thank you, Mr. President. Talking about these Business and Labor bills that deal with workforce, the Rural Workforce Housing Act, the Rural Workforce Housing Investment Act, the Contractor Registration Act, the Nebraska Training and Support Cash Fund, Nebraska Workers' Compensation Act, Employment Security Law, to adopt the Critical Infrastructure Utility Worker Protection Act and some other provisions under the Workers' Comp Act. What I think we're going to have to start discussing in our committee hearings around these issues is how these specific bills can impact children and how they can impact child workers that we may be seeing in future years in this state if we decide to relax our child labor laws, as other states, like Iowa, have chosen to do. On March 23 of this year, the New York Times released a report about child labor, saying, in February, the Department of Labor announced that it had discovered 102 teenagers working in hazardous conditions for a company that cleans meatpacking equipment at factories around the country-- including Nebraska, by the way-- a violation of federal standards. The minors, aged 13 to 17, were working with dangerous chemicals and cleaning brisket saws and head splitters. Three of them suffered injuries, including one with caustic burns. So what this bill did in Iowa that makes me anxious-- and I can-- I talked about why yesterday, but I just see no reason why something like this wouldn't be coming to Nebraska next year. I mean, maybe Senator Erdman can move to suspend the rules and we can introduce this bill now. Nothing would surprise me anymore. But in Iowa, the new bill that they passed says that kids can work overnight, that they can work with different types of dangerous machinery, things like this. You can read more about it online. But it continues: The

minors, ages 13 to 17, were working with dangerous chemicals and cleaning brisket saws and head splitters. Three of them suffered injuries, including one with caustic burns. Ten of those children worked in Arkansas, including 6 at a factory owned by the state's largest-- second-largest private, private employer, Tyson Foods. Rather than taking immediate action to tighten standards and prevent further exploitation of children-- also, what children do you think these are? These are migrant children-- Arkansas went the opposite direction. Earlier this month, Governor Sarah Huckabee Sanders, a Republican, whatever, signed legislation that would actually make it easier for companies to put children to work. The bill eliminated a requirement that children under 16 get a state work permit before being employed, a process that required them to verify their age and get the permission of a parent or guardian. So in Arkansas, they have a law now where kids can work and they don't even have to verify their age before they work. And in situations where there's great need, where people can be exploited because of poverty or because of lack of English language skills or, you know, things like this-- desperation, basically-- kids as young as 12 and 13 are working in meatpacking plants, potentially lying about their age. And in Arkansas, that's fine because there's no age verification before they actually get to work. And they don't need a permit either to do that. So they don't need any kind of parental knowledge or consent or anything. Arkansas is at the vanguard of a concerted effort by business lobbyists and Republican legislators to roll back federal and state regulations that have been in place for decades to protect children from abuse. Echoing that philosophy, bills are moving through at least nine--

KELLY: One minute.

HUNT: --other state-- thank you, Mr. President-- bills are moving through at least nine other state legislatures that would expand work hours for children, lift restrictions on hazardous occupations, allow them to work in locations that serve alcohol or lower the state minimum wage for minors. That's us, too. Nebraska's caught up in that, as well. The Labor Department says there has been a 69 percent increase since 2018 in the illegal employment of children. Thank you, Mr. President.

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

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DAY: Thank you, Mr. President. I rise in support of LB191 and in opposition to the motion to bracket. I would yield the rest of my time to Senator Machaela Cavanaugh.

KELLY: Senator Machaela Cavanaugh, you have 4:42.

M. CAVANAUGH: Thank you, Mr. President. I just had a lovely conversation with my colleague and distractor extraordinaire, Senator Riepe. There is a committee amendment that he would like us to get to. And so, after we go through our times on this bracket motion, I do have a motion that I will reconsider the vote. But I will wait until we get to the committee amendment to do so. So you don't have to keep distracting me, Senator Riepe. We'll get to the committee amendment. OK. And he is definitely persuadable on my amendment. He's just not in agreement yet. So, I look forward to continuing to persuade Senator Riepe on LB501. OK. So, that said-- I misspoke. And-- never take me as the accurate timekeeper of the Legislature. I think when Speaker Arch made the announcement before, I somehow in my head heard 4:00. It was 4:30. So, apologies to anybody who was actually listening to me when I said 4:00 for former legislators. It was 4:30. And-- I mean, honestly, if, if you're looking to me to be accurate in the timing of things, you're in trouble. OK. So I was reading the committee statement for LB671. I got through LB671. Ooh. Here we go. This is the one, LB666. I'm a little terrified to even type it into my computer. Senator Riepe's LB666, change provisions of the Employment Security Law. OK. And I do wonder if people were concerned about coming to support LB666 just for the number, but we have. Senator Riepe supported his bill, that's great-- John Albin from the Nebraska Department of Labor. Again, you and Senator Ben Hansen, magical unicorns. I've never seen them testify in support of something. So, congratulations to you-- Ron Seleck [PHONETIC-- Selacek] of the Nebraska Chamber of Commerce. Bob Hallstrom, Nebraska [SIC-- National] Federation of Independent Business. And there was no opponents and no neutral. And there-- it is changing provisions in the Employment Security Law, allowing employers the ability to choose their preferred method of delivery and deadline-- extending the deadline for employers to submit voluntary contributions to the Nebraska Department of Labor from January 10 to February 28. I-- would Senator Riepe yield to a question?

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

RIEPE: Yes, I will.

M. CAVANAUGH: Thank you, Senator Riepe. Instead of just speaking for you on the microphone, I thought I'd ask you a question.

RIEPE: OK.

M. CAVANAUGH: So this, choose "their preferred method of delivery." What does that, what does that mean?

KELLY: One minute.

RIEPE: What was the statement again, please?

M. CAVANAUGH: They choose their-- this-- your bill allows them-- employers to choose their preferred method of document delivery.

RIEPE: Yes. That is-- it's currently by U.S. Mail. And they would have the opportunity to go to electronics or the transmission.

M. CAVANAUGH: OK.

RIEPE: And so it's much more efficient. Many, many businesses and payment opportunities are in that same mode. This is just kind of an update, if you will.

M. CAVANAUGH: OK. I-- that makes sense. I do-- this does raise a concern for me, however-- which I think I'm about out of time. So I'll tell you the concern because I can see, I can see my long name is next in the queue. So I can, I can tell you my concern in just a moment. Thank you, Mr. President.

KELLY: Thank you, Senator Cavanaugh. You're recognized to speak. Next in the queue. This is your last time before your close.

M. CAVANAUGH: Thank you, Mr. President. OK. Senator Riepe, well-- could Senator Riepe yield to a question? I want him to be able to respond if he wants to. You probably don't want to, but.

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

RIEPE: Always.

M. CAVANAUGH: OK. So, Senator Riepe, my concern is, how is this going to fiscally impact the U.S. Postal Service?

RIEPE: I don't know. A stamp--

M. CAVANAUGH: I said you may not want to answer the question.

RIEPE: With the price of stamps, it's probably a, a significant impact on them. But it's, quite frankly, something that I'm sure they'll adjust to.

M. CAVANAUGH: You think so?

RIEPE: Well--

M. CAVANAUGH: Will it come--

RIEPE: It would be one thing if we were the only ones that were doing this. But, quite frankly, every business-- I don't know about you personally, but at, at home, I get it all the time. Like, don't you want to not pay direct-- or even your, your taxes. I personally like to pay my taxes at the end of the year because I like the paying.

M. CAVANAUGH: You like the pain?

RIEPE: I like to know what I'm paying and I-- then I can have a scotch and sit there and pay them.

M. CAVANAUGH: I, I just got my taxes done right, you know, under the wire. And I actually filed them electronically, so.

RIEPE: Thank you very much. I, I rest my case.

M. CAVANAUGH: I know. I, too, am, am contributing to the disintegration of our U.S. postal system. And I don't know if you know this or not-- yesterday, I mentioned my great-uncle Red Munnelly, who was in the Nebraska Legislature in the '60s, I believe, was also the postmaster general. So I should be really, you know, shelling for the post office.

RIEPE: Oh, he's, he's, he's probably turning over in his grave right now.

M. CAVANAUGH: How do you know he's dead?

RIEPE: Well, if he's your great-uncle, he probably has to be. I'm sorry. I wasn't real great at math, but somewhat good.

M. CAVANAUGH: He has been dead for-- since the '80s, so, yeah.

RIEPE: Yeah.

M. CAVANAUGH: Yeah. Well, thank you, Senator Riepe.

RIEPE: Thank you.

M. CAVANAUGH: I appreciate the dialogue. This does have a-- I was looking at the fiscal note, and it's from the Department of Labor. And it looks like it is-- DOL ex-- Department of Labor estimates the annual cost of notifying all employers by mail to be \$30,150. Assuming 50 percent of employers select electronic notification during the year and 75 percent beginning in year two, the Department of Labor estimates reduced federal fund expenditures in the amount of \$15,075. Yet again, a fiscal hawk over there. Thank you, Senator Riepe. Saving us dollars and cents everywhere he can. So LB62-- LB666 is maybe not the evil bill its number might make us think it is. And underneath the Department of Labor, their explanation of estimate. Under current law, the Nebraska Department of Labor is required to mail unemployment tax rate notices. LB666 would allow employers to elect electronic notification. The annual cost of notifying all employers of unemployment tax rates via mail is \$30,000-- \$30,150. It is estimated that 50 percent of employers will select electronic notification during year one, increasing to 75 percent in year two. This will result in reduced expenses against the UI Admin grant. I do not know what the UI Admin grant is, but that's good to know. I might look that up.

KELLY: One minute.

M. CAVANAUGH: Thank you. LB666 makes adjustments to the Employment Security Law to allow for notice regarding unemployment taxes to be sent to the employer via electronic means if the employer files such electronic address with the Department of Labor. The Department of Revenue estimates that this bill will have no impact on General Fund revenues. The Department of Revenue estimates no cost to implement this bill. The operative date of this bill is three months after it is passed and approved into law. So it does not have an emergency clause in it. OK. It's kind of-- this is one of those things that's kind of funny that we actually have to legislate, that you can get something by email. But we do. And it's a good thing because it saves some money. So, our statute, you know--

KELLY: That's your time, Senator.

M. CAVANAUGH: Thank you.

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

HUNT: Thank you, Mr. President. I want to finish this article into the record before I move on to my thoughts about LB191 as they pertain to LB267. The response in these states is not to protect those children from exploitation, but instead to make it legal. Voters in these states may support deregulation, but they may not know that businesses can use these bills to work children harder, cut their wages and put them in danger. There is time for them to persuade lawmakers to say no to these abuses. Ms. Sanders, formerly the press secretary of-- for President Donald Trump, made clear in her inaugural address in January the disdain for the protective role of government that is driving this effort. Quote, as long as I am your governor, the meddling hand of big government creeping down from Washington, D.C. will be stopped cold at the Mississippi River, she said. We will get the overregulating, micromanaging, bureaucratic tyrants off your backs, out of your wallets and out of your lives. Wish they'd get them out of our healthcare. Lawmakers in these states have been vigorously lobbied by industry groups who like the flexibility of teenage employees-- I'm sure they do-- and say that more children are needed in the workforce to make up for labor shortages. So instead of paying their parents a living wage, we'll just hire their kids and make them work. One of the principal lobbying organizations pushing these bills in several states is the National Federation of Independent Business, a conservative group that supports Republican candidates and has long opposed most forms of regulation, as well as the Affordable Care Act. It has issued news releases praising lawmakers for passing bills that let businesses hire more minors for longer hours, and taking credit for supporting these efforts. The Arkansas governor's spokesperson said in a statement that the work permit requirement was, quote, an arbitrary burden on parents, unquote. But opponents noted that many child workers don't have parents or guardians to look after their interests. In the cleaning company case, several of the child workers were unaccompanied minors who recently came over the southern border, according to their lawyers. Soon, they won't even have to-- have the state-- to approve their employment or working conditions. Soon, they won't even have the state to approve their employment or working conditions. So the state won't even have to approve it. The real target of these rollbacks is not after-school jobs at the corner hardware store. They will have a much bigger effect on a labor force that includes many unaccompanied migrant children who work long hours to make or package products sold by big companies like General Mills,

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J. Crew, Target, Whole Foods and PepsiCo. Sidebar, this is why when you even see something that says "made in America," "manufactured in America," that doesn't necessarily mean that, you know, fair labor practices were used in the, in the production of that product because we know that places are hiring child migrant workers to do a lot of this work. As a recent New York Times investigation documented, children are being widely employed across the country in exhausting and often dangerous jobs, working for some of the biggest names in American retailing and manufacturing. Hundreds of children described in the Times report were working in violation of federal labor standards, which bar child workers from a long list of hazardous jobs and forbid children under 16 from working more than three hours a day or after 7:00 p.m. on school days unless they work in a farm. Those under 14 are prohibited from working in all but a handful of jobs. Many of the minors crossed unaccompanied from Latin American countries and may not know when their employment violates the law. A 13-year-old who was burned--

KELLY: One minute.

HUNT: Thank you, Mr. President-- a 13-year-old who was burned with caustic chemicals while working for Packers Sanitation Services in Nebraska told investigators the accident occurred during a shift that lasted from 11:00 p.m. to 7:00 a.m. In Nebraska. No one's listening, but, like, if you heard me say that, you wouldn't believe it. The Labor Department imposed a \$1.5 million fine on the cleaning company, which is owned by Blackstone, one of the world's largest private equity firms. So a Nebraska kid got a caustic burn working overnight from 11:00 p.m. to 7:00 a.m. Well done. Despite the evidence that more children are being exploited and hurt in this way, state lawmakers are passing bills that defy the federal standards. They're inviting a court challenge and, in effect, daring the Labor Department to come after them, knowing the department often lacks the manpower to prevent violations of federal law. The Ohio senate which passed a bill--

KELLY: That's your time, Senator.

HUNT: Thank you, Mr. President.

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

DAY: Thank you, Mr. President. I will yield my time to Senator Machaela Cavanaugh if she would like to have it.

KELLY: Senator Cavanaugh, that's 4:50.

M. CAVANAUGH: Thank you, Mr. President. The energy in here is slightly festive because we have our former members here and they're starting to come in and, and have-- take a seat in the back. And it's just kind of nice, people catching up back there. So, yeah. OK. LB191 is the motion to bracket. Sorry. I, I get distracted sometimes when there's just a buzzing of activity. I just looked up LB666, which was in the committee amendment to LB191. And so now, the next one-- I'm just going through the list here. LB427 is next on the list. LB427. And that is also Senator Riepe's bill. It eliminates fees relating to nonresident contractors under the Contractor Resignation-- or, resignation-- under the Contractor Registration Act. OK. And it was placed on General File on February 16. It had its hearing on January 30. Let's see the committee statement. OK. So this is eliminate fees relating to nonresident contractors under the Contractor Resident-- Registration Act. Senators Blood, Halloran, Hansen, Hunt, Ibach, McKinney and Riepe all voted for it. It had the proponents of Senator Riepe and John Albin-- again. Again you got the Department of Labor to come in support of your bill. I guess it pays to be the Chair of the committee. Neutral was Korby Gilbertson, representing Nebraska Realtors Association, Homebuilders Association of Lincoln, Metro Omaha Builders Association Coalition. Summary of purposes and/or changes. LB427 would standardize the fees for in-state and out-of-state contractors and eliminate the additional fee for each additional project assessed against out-of-state contractors under the Contractor Registration Act. The additional nonresident contractor fee applies if the total contract price of compensation received would be higher than \$10,000. Nebraska Revised Statute 48-2107. Strikes the definition of-- oops. My screen moved-- strike the definition of nonresident contractor; strikes the language requiring the nonresident contractor fee. OK. So-- for in-state and out-of-state and eliminate the additional fee for each additional project assessed [INAUDIBLE]. OK. I do actually have some questions on this bill, but I think we're probably getting short on time here. And I'm looking up the statute that is referenced in the committee statement.

KELLY: One minute.

M. CAVANAUGH: Thank you, Mr. President. OK. Revised Statute 48-2107, fees and exemption, exemption, exemption. Each application or renewal under Section 48-2105 shall be signed by the applicant and accompanied by a fee not to exceed \$40. The commissioner may adopt and promulgate rules and regulations to establish the criteria for acceptability of

filing documents and making payments electronically. The criteria may include requirements for electronic signatures. The commissioner may refuse to accept any electronic filings or payments that do not meet the criteria established. The fee shall not be required when an amendment to an application is submitted. The commissioner shall remit the fees collected under the subsection to the State Treasurer--

KELLY: That's your time, Senator.

M. CAVANAUGH: Thank you, Mr. President.

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

CONRAD: Thank you, Mr. President. I'd yield my time to Senator Cavanaugh if she so desires.

KELLY: Senator Cavanaugh, that's 4:52.

M. CAVANAUGH: Thank you, Mr. President. Thank you, Senator Conrad. OK. The, the criteria may include-- [INAUDIBLE]. Always-- I'm always, like, reangling how I'm standing, standing here a lot. Might have noticed. Standing here for a long time. And then you have, like, a laptop. Got my binder. I've got my box top here that has helped so much. My back was really aching. I got the box top. It raised everything up. OK. So, Chapter 48 of Nebraska Revised Statute 48-2107, fees and exemptions. The criteria may include requirements for electronic signatures. The commissioner may refuse to accept any electronic filings or payments that do not meet the criteria established. The fee shall not be required when an amendment to an application is submitted. The commissioner shall remit the fees collected under this subsection to the State Treasurer for credit to the Contractor and Professional Employer Organization Registration Cash Fund. A contractor shall not be required to pay the fee under subsection (1) of this section if (a) the contractor is self-employed and does not pay more than \$3,000 annually to employ other persons in the business and the application contains a statement made under oath or equivalent of affirmation setting forth such information or (b) the contractor only engages in construction of water wells or installation of septic systems. At any time that a contractor no longer qualifies for exemption from the fee, the fee shall be paid to the department. Any false statement made under subdivision (2)(a) of this section shall be a violation of Section 28-915.01. Just going to check and see what 28-915.01 is: false statement under oath or affirmation; penalty; applicat-- applicability of section. OK. A person who makes a false

statement under oath or equivalent affirmation or swears or affirms the truth of such a statement previously made or makes a false statement in an unsworn declaration that meets the requirements of the Uniform Unsworn Foreign Declarations Act when he or she does not believe the statement to be true is guilty of a Class I misdemeanor if the falsification: (a) occurs in an official proceeding; or (b) is intended to mislead a public servant in performing his or her official function. Interesting. Making a false statement is a Class I misdemeanor. Let's put a pin in that and revisit it on LB626, shall we? (2) A person who makes a false statement under oath or equivalent affirmation or swears or affirms the truth of such a statement previously made or makes a false statement in an unsworn declaration that meets the requirements of the Uniform Unsworn Foreign Declarations Act when he or she does not believe the statement to be true is guilty--

ARCH: One minute.

M. CAVANAUGH: --of a Class-- thank you-- Class II misdemeanor if the statement is one which is required by law to be sworn or affirmed before a notary or other person authorized to administer oaths. Well, thankfully, we don't require a, require a notary in LB626, or it would be a Class II misdemeanor. (3) Subsections (4) through (7), Sections 28-915 shall apply to subsections (1) and (2) of this section. (4) This section shall not apply to reports, statements, affidavits or other documents made or filed pursuant to Nebraska Political Accountability and Disclosure Act. That covered a lot of things. And that was all coming from clicking on that piece of statute under the other piece of statute that is pertaining to LB427.

ARCH: Time, Senator.

M. CAVANAUGH: Thank you.

ARCH: Senators, if I could have your attention. I would ask that you please return to your seats. We'd like to begin the ceremony recognizing and honoring former members of the Legislature in just one minute. We have the honor of welcoming back to the Chamber today former members of the Legislature. I will announce each senator by name in the order of the list I was provided, along with their years of service and the district each person represented. And I would ask each former legislator to come to the front of the Chamber when I announce their name. The first member I want to welcome back to the Chamber is Senator Patty Pansing Brooks. Patty represented District 28

from 2014 to 2022. Next, please join me in welcoming back Senator Mike Gloor. Mike represented District 35 from 2009 to 2017. Next is Senator John Nelson. John represented District 6 from 2007 to 2015. Senator Arnie Stuthman represented District 22 from 2003 to 2011. Senator Bill Avery represented District 28 from 2007 to 2015. Senator Elaine Stuhr represented District 24 from 1995 to 2007. Senator Jerry Johnson represented District 23 from 2013 to 2017. Senator Ed Schrock represented District 38 from 1990 to 2007. Senator Galen Hadley also represented District 37 from 2009 to 2017. Senator Hadley served as Speaker in 2015 and 2016. Senator Marian Price represented District 26 from 1999 to 2007. Senator Tom Carlson represented District 38 from 2007 to 2015. Senator DiAnna Schimek represented District 27 from 1989 to 2009. Senator Schimek was first elected prior to term limits and served 20 years in the Legislature. Senator Kate Sullivan represented District 41 from 2009 to 2017. Senator Jim Cudaback represented District 36 from 1991 to 2007. Please join me in a final appreciation for our former members and their years of public service to the state of Nebraska. Thank you, Senators, for joining us today, very much. The Legislature will now return to debate of the bracket motion. And Senator Hunt, you are recognized to speak. And this is your last opportunity.

HUNT: Thank you, Mr. President. And thank you to former state senators who have come to Lincoln today to observe our work and to revisit and to meet new people and-- I'm really honored to have met so many of you and to be working in the same place where you worked. And there are so many days that I sit in my chair and think about all the other people who have sat in this chair before me and the mark that they've left on this state. I definitely regret term limits, and I wish that some of you could be here to mentor us and help us learn and help us preserve this institution while we can. And it's just really nice to see all those faces today. I'm talking about AM1330 on LB191, which we're going to be getting to shortly, and thinking about this amendment and this bill with an eye toward the future. Knowing that-- you don't have to listen to me. But knowing that it may be a future where more children are working, where we have more child labor issues-- because this is what we're seeing state to state, including in our sister state of Iowa. The Times article outlines this-- you know, they've done a lot of research about this and a lot of investigation about child labor around our country, including here in Nebraska, where we had a teenager get a caustic burn because he was working overnight, an overnight shift, which is against labor laws but is certainly happening in our state now and in other states. It says, despite the

evidence that more children are being exploited and hurt in this way-- "this way" meaning this caustic burn suffered by a Nebraska child during an overnight shift in a factory-- state lawmakers are passing bills that defy the federal standards. They're inviting a court challenge and, in effect, daring the Labor Department to come after them, knowing the department often lacks the manpower to prevent violations of federal law. The Ohio senate, which passed a bill earlier this month extending working hours for minors under 16-- in violation of federal standards-- also approved a resolution urging Congress to do the same. Mr. Speaker, am I on my third time or second? This is my third?

ARCH: This is your third.

HUNT: Thank you, sir. One of the worst bills, introduced by Republicans in Iowa-- and this is the bill that passed two days ago now-- would allow 14-year-olds to work in industrial freezers, meat coolers and industrial laundries, and 15-year-olds to lift heavy items onto shelves. One thing I would ask is, what's so different to these people between a 14-year-old and a 15-year-old, that the 14-year-olds can work in industrial freezers and meat coolers and laundries, but it's not until 15 that you can lift heavy stuff up on a shelf? You know, every regulation is more arbitrary than the last. And all of them, you know, come together to just result in harm to kids. It is backed by, among others, the Independent Business Federation, the Iowa Grocery Industry Association and Americans for Prosperity, a conservative advocacy group backed by Charles Koch, the industrialist who supported many national efforts to deregulate businesses. If states will not perform a role that has been fundamental for a century-- protecting workers from abuse-- the federal government will have to increase its efforts to do so. After the Times investigation was published, the Biden administration announced a series of new efforts to crack down on illegal child labor, many of which hold promise as possible deterrents. The Labor Department said it would intensify its investigations of business violations, not just by direct employers of children but also by the larger companies that contract with these employers or that use children in their supply chain. In many cases--

ARCH: One minute.

HUNT: --thank you, Mr. President. In many cases, big companies use contractors or staffing agencies to hire children and then claim they had nothing to do with the abuses. Some of those agencies shut down

and reopen under new names when they are fined, said Meredith Stewart, a senior supervising attorney at the Southern Poverty Law Center. The companies that hire them should be held accountable. The department also has the authority to seize any products that are made using illegal child labor, even through the use of contractors. Seema Nanda, the department's chief legal officer, said in an interview that it would use the authority aggressively, as well as every other litigation tool available. Thank you, Mr. President.

ARCH: Senator Day, you are recognized to speak. And this is your last opportunity.

DAY: Thank you, Mr. President. I would like to yield my time to Senator Machaela Cavanaugh.

ARCH: Senator Cavanaugh, 4:50.

M. CAVANAUGH: Thank you, Mr. President. Colleagues. It was so nice to see former members in the Chamber this afternoon. I was reminded today that today is the one-year anniversary of losing my dear friend and a former colleague to many of you, Brad Ashford. I was asked-- actually, earlier today, unrelated to, to that, about mentors and, and mentors in the Legislature. And I never served in the Legislature with Brad, but he was most definitely a mentor to me. He was what I think one should aspire to as a policymaker, to do things with heart and head. He cared ferociously about the people of Nebraska. He cared ferociously about people. He was just kindness all of the time and smart and goofy and a wonderful husband and father and friend. And I miss him. During his last days, myself and others in this Chamber would send him text messages. We were debating LB920. And as the former Chair of Judiciary, he of course had a very keen interest in criminal justice reform. And so we were all trying to keep him up to date. We couldn't be with him because we were here, and so we, we tried to be with him over, over that. And the, the day after he passed away, Senator Lathrop gave a floor speech. I think he partially pirated his own speech from Senator Ashford's last day, when people stand up and give speeches, about, about Brad. And I was so grateful to him for doing that because there was no way I could give a speech that day. I couldn't even really get through Senator Lathrop's speech. And Senator McCollister also gave a wonderful tribute to him. And at his funeral, his wife, Ann, said that with Brad gone, we now must step up and take up the space that he took up and do the good that he would have done if he were here. I'm probably not getting the words exactly right, but that was definitely the sentiment that she was conveying.

And Ann has continually put lovely reminders of how she sees Brad in the world in this past year and how she feels his intercession in her life--

ARCH: One minute.

M. CAVANAUGH: --and I've-- I have felt that myself here in the Legislature. I have felt Senator Ashford lifting me up, giving me pep talks, keeping me on my true north. And I miss him. And I loved him. Thank you.

ARCH: Senator Blood, you are recognized to speak.

BLOOD: Thank you, Mr. President. Fellow senators, friends all, I stand against the bracket motion and would yield any additional time that I have to Senator Cavanaugh.

ARCH: Senator Cavanaugh, 4:45.

M. CAVANAUGH: Thank you, Senator Blood. OK. Well, I am not going to stay on that topic because if I do, I-- it won't go well and I won't be intelligible anymore. So I'm going to get back to the bills at hand. I will say one last thing about Brad is that I oftentimes say I'm going to "Brad Ashford" the situation, which means, in my mind, I don't even know what I'm doing until I'm doing it. Brad was notorious for just orchestrating the most bizarre, intricate, extravagantly choreographed but not a lot of planning actions on the floor of the Legislature. And so, that is why I like to say I'm going to "Brad Ashford" the situation. We're just going to figure it out. We're just going to go with the flow. I'm sure that the Clerk's staff is, like, maybe "Brad Ashford" the situation a little-- few-- fewer times, maybe. But that's-- when I say I'm going to "Brad Ashford" the situation, it's-- I'm just going to-- we're all going to find out together what I'm doing. And that's kind of a fun way to live life: constantly surprised, even by yourself. I'm trying to get logged back in. OK. So-- pardon me. I was reading about LB427. This was before our wonderful tribute to former legislators. I was reading about LB427. And in the committee summary, it referenced State Statute 48-2107. So then I was reading 48-2107. And in that part of the statute, it referenced 28-915.01, which I read before we took a short break. And in that statute, it talked about basically making a false claim, false oath, etcetera. Now, I am back to the original statute of 48-201. And-- sorry. I'm sniffing on the microphone. One moment. Did not want to do that into the microphone. OK. So, (3) the commissioner shall

charge an additional fee of \$25 for the registration of each nonresident contractor and a fee of \$25-- that's not-- I am having some technical difficulties that are of my own making. Not an IT issue at all. I'll come back to it. OK. So that is LB427. And the next bill is LB429. Let's see here. That's the-- LB671 amends the Nebraska Training and Cash Fund to be used for the retention of existing employees of Nebraska businesses. Currently, the Nebraska Worker Training and Support Cash Fund may be used to provide training opportunities that expand the Nebraska workforce by increasing the pool of highly skilled workers in Nebraska, support public and private job training programs designed to train, retrain and up-- or upgrade work skills of existing Nebraska workers of for-profit and not-for-profit businesses, recruit workers--

ARCH: One minute.

M. CAVANAUGH: --to Nebraska, and train new employees of expanding Nebraska businesses. OK. And then it amends-- Section by Section Summary. Section 1: amends section to include the Nebraska Training and Support Cash Fund to be used for retention of existing employees of Nebraska businesses. Motion to include LB671 into AM1330. Vote results: 7-0. Voting aye: Senators Riepe, Halloran, Ibach, Hunt, Blood and McKinney. Voting nay: none. Present not voting: none. Testifier information about LB671 can be found on the committee statement to LB671. And then it goes on to LB666--

ARCH: Time, Senator.

M. CAVANAUGH: Thank you.

ARCH: Senator Conrad, you are recognized to speak.

CONRAD: Thank you, Mr. President. I'd yield my time to Senator Cavanaugh if she so desires.

ARCH: Senator Cavanaugh, 4:50.

M. CAVANAUGH: Thank you, Senator Conrad. I'm-- OK. Sorry. Well-- OK. We'll just get back to that later. All right. So, LB427 amends the Nebraska Contractor Registration Act-- colleagues, if anybody has time, I would be happy to take it-- Nebraska Contractor Registration Act. By striking the definition of "nonresident contractor" from the Contractor Registration Act, out-of-state contractors will no longer be required to pay a one-time fee 20-- one-time \$25 fee when initially registering. Out-of-state contractors will also no longer be required

to pay to submit a \$25 fee for each contract they receive of at least \$10,000. Section by Section Summary. Section 1: removes nonresident contractor from the definition section. Section 2: removes the additional nonresident contractor fee. Motion to include LB427 into AM1330. Vote results: 7-0-0. Voting aye, ay [PHONETIC]-- ay, ay if I'm a pirate, I guess, or aye or arr-- Senator Riepe, Halloran, Ibach, Hunt, Blood, McKinney. Voting nay: none. Present not voting: none. Testifiers' information about LB427 can be found on the committee statement to LB427. LB249 makes several changes to the Rural Workforce Housing Investment Act. LB249 has amended to-- been amended to remove the provisions striking the language using rural workforce housing funds for projects also receiving certain other state grants and credits. Includes additional provisions of eligible activities to include extension of sewer or water service in support of workforce housing, and removes funding provision from Section 3 and originally introduced. So, not voting [SIC-- absent]: Senator Blood. And then voting aye: Senator Riepe, Halloran, Ibach, Hunt and McKinney. So this is LB249. And the committee statement here has-- it was introduced by Senator Briese and supported by Andy Hale with the Nebraska Hospital Association; Shannon Harner with the Nebraska Investment Finance Authority; Roger Nardchal [PHONETIC-- Nadrchal] with the NeighborWorks Northeast Nebraska; Carol Bodeen with Nebraska Housing Developers Association; Mary Berlie with the Grand Island Economic Development Corp.; Todd Studendeck [PHONETIC-- Stubbendieck] with AARP--

ARCH: One minute.

M. CAVANAUGH: --Nebraska. Thank you, Mr. President-- Tan-- Taja [PHONETIC-- Tonja] Brown with Grow Grand Island, Inc.; Tyler Doane with Wood River, Nebraska; Amos Anson with Nebraska State Homebuilders; Eva Roberts with Front Porch Investments; Korby Gilbertson with Nebraska Realtors Association. Opponents: Bob Hallstrom with Nebraska Federation of Independent Businesses. This bill would make several changes to the Rural Workforce Housing Investment Act. It would remove the limit of one application per organization per cycle, increase the grant maximum from-- oh. This is where it's hole-punched-- \$1 million, I believe, to \$5 million and fund the program with \$20 million. Explanation of amendments: AM400--

ARCH: Time, Senator.

M. CAVANAUGH: Thank you.

ARCH: Senator Conrad, you're recognized to speak. And this is your last opportunity.

CONRAD: Thank you, Mr. President. I'd yield my time to Senator Cavanaugh if she so desires.

ARCH: Senator Cavanaugh, you're recognized.

M. CAVANAUGH: Thank you, Mr. President. Explanation of amendments: AM400-- this is LB2-- sorry-- LB249. OK. AM400 removes the provision striking the language prohibiting using rural workforce housing funds for projects also receiving other state grants and credits. LB249 fiscal note. Any fiscal note received from state agencies and political subdivisions are attached following the Legislative Fiscal Analyst estimate. Apologies. LB249 would amend the Rural Workforce Housing Investment Act in the following ways. It would allow housing projects that receive federal or state low-income housing tax credits, community development block grants, HOME funds, funds from the National Housing Trust Fund or funds from the Affordable Housing Trust Fund to qualify for Rural Workforce Housing Investment Act grants, increase the grant maximums from \$1 million per nonprofit organization to \$5 million over a two-year period, and creates a transfer of \$20 million from the General Fund to the Rural Workforce Housing Investment Fund on or before October 1, 2023. No basis to disagree with NDED's estimated schedule of-- for issuance of grants. As this legislation would expand eligible grantees to include federally funded housing projects, no basis to disagree with NDED's estimate for increased administrative burden to ensure compliance with federal guidelines. So the revenue would be the \$20 million from the General Fund and \$20 million into the cash fund. And on the next page, we have the Nebraska Department of Economic Development. So, LB249 looks to expand the Rural Workforce Housing Investment Act by removing the exclusion of projects that use federal funds. It also allows nonprofits to apply for more than one grant, caps aggregate funding to one organization and caps all funding according to a threshold set by the director. Pardon me. LB249 also directs the State Treasurer to transfer \$20 million from the federal fund [SIC-- General Fund] to the Rural Workforce Housing Investment Fund. Based on experience with the current Rural Workforce Housing Program, a significant increase in guidance due to the potential for mixing state and federal funds in the same project and the additional \$20 million will require the services of an economic development manager-- one moment. Sorry-- 2.5 economic development business consultants to review, process, score

and monitor the additional applications. In addition, the department will need the services of 0.5 FTE--

ARCH: One minute.

M. CAVANAUGH: Thank you-- IT business systems analyst to support the grant management system and an additional 0.5 FTE to process awards through the accounting system. In addition, operating expenses will include approximately \$22,700 annually for grant management software licensing and \$11,960 annually for additional rent. DED expects that the \$20 million will aid-- in aid will be distributed approximately 20 percent, 35 percent and 45 percent in FY 2023-- 2020-- to '24 and through FY 2025-26, respectively. So they have a negative \$20 million in general funds and a positive \$20 million in cash funds. And then there is expenditures of \$4 million in cash funds and expenditures of \$7 million in cash funds--

ARCH: Time, Senator.

M. CAVANAUGH: Thank you.

ARCH: Senator Blood, you are recognized.

BLOOD: Thank you, Mr. President. Fellow senators, friends all. I continue to stand against the bracket motion. But now that we are talking about the LB249 part of the bill, I thought I would step up. Because as Senator Cavanaugh pointed out, I was present and not voting [SIC-- absent], and I'm going to explain why. Although, by looking at these Chambers, it is clear, with all these massive bills we're doing, we have a lot of apathy going on, and there's very few people left in, in the Chambers right now. So, hopefully they're watching on TVs in their offices. I have a love-hate relationship when it comes to affordable housing. And let me tell you why. Do I believe that we need more affordable housing? We absolutely need more affordable housing. But what I have seen over the last seven years is funds that have been distributed that have really gone to more of workforce housing than affordable housing. And to me, what workforce housing is is that they're houses we build in areas where housing is needed, but we're not looking at the average income level. And so if indeed we put up apartments or houses and it ends up being more than 30 percent, say, of that person's income, then are we providing affordable housing? No, we are not. We're creating a secondary issue, which is, we want you to continue to struggle even though you are barely middle-class in most of these cases. And we don't care because we get our housing up and we

got our money. So I've always had, again, a love-hate relationship. Now, I like that we've put in more guardrails. There have been ample bills passed for rural housing this year in both Urban Affairs and Business and Labor. In fact, I'm not sure people realize how many bills have passed for rural areas for affordable housing. But the reason that I hesitate on the LB249 part of this bill is because they also want us to pay for sewer infrastructure. Do you indeed need sewer, sewer infrastructure to build housing? You absolutely do. But our pot is only so big, and so much of that infrastructure should usually depend on the community. So the, the concerns that we hear is that, well, we're a small community. We don't have much in our, our budget. How will we pay for that infrastructure? Well, I know for a fact that there are a long list of EPA grants that are for all communities. There's the Clean Water State Revolving Fund, the Drinking Water State Revolving Fund, the Environmental Justice Grants and Cooperative Agreements, Nonpoint Source Grants Program, Public Water System Supervision, Water Pollution Control Grants Program. The list is long. And so I'm not sure why we feel it's OK when we have such a housing issue to start tapping into other areas. And so, for me, I was present not voting [SIC-- absent] because I'm not sure I'm OK with us starting to look at that infrastructure that really belongs to the community or the developer. If you are building a, a housing community, it's your responsibility to figure out how to pay for the infrastructure that goes along with that. I'm not sure how many more handouts we have to give to people to get this done. Either they believe that we need affordable housing or we don't. And we know that there are many organizations, because they've come and testified at our hearings, that can truly build affordable housing, while we have other organizations that come in and testify and go, well, there's no such thing as affordable housing because it's so expensive to build a house. So I just want to make sure people are aware that that's what this part of the bill is asking for. I am not necessarily against it. I am cautious and I am concerned about that part of it. And so-- nobody's really listening anyway. Everybody's going to come and run and vote green on this. But at least we have it on record that it's a concern should it come back to bite us in the rear ends in the future. With that, I would yield any time I have back to you, Senator Arch.

ARCH: Seeing no one left in the queue, Senator Cavanaugh, you are welcome to close on your bracket motion.

M. CAVANAUGH: Thank you, Mr. President. OK. So I read through the fiscal note for LB249. Senator Blood was just speaking on LB249. I am going to share some of the proponent testimony. Mary Ban-ney,

[PHONETIC-- Bahney] Bay-ney. I apologize. I'm probably mispronouncing people's names a lot, and I'm sorry for that-- representing National Association of Social Workers, Nebraska Chapter. Senator Riepe and members of the Business and Labor Committee, the Nebraska Chapter of the National Association of Social Workers, NASW-NE, would like to go on the record in support of LB249. As social workers, we need to know the importance of Nebraska families experiencing safe and affordable housing no matter where they live in the state. We know that reliable, secure housing contributes to a family's overall health and well-being. Children do much better if they are not moving from school to school. They have a chance to establish roots and create long-term relationships with their neighbors if they are living in affordable housing. Unfortunately, in many cities and towns in rural Nebraska, there is very limited housing available. Lack of affordable housing makes it difficult for these communities to seek economic development due to the lack of an available workforce. LB249 modifies the Rural Workforce Housing Fund to assist in meeting the needs of housing in these rural areas of our state. NASW-NE supports the changes presented in LB249. And we would like to thank Senator Briese for introducing LB249. We encourage the members of the Business and Labor Committee to vote to move LB249 onto the floor of the Legislature for further consideration. Thank you. Next is from Mary Berlie, Grand Island, District 35: Grand Island has seen a steady population increase year over year. A milestone was reached in 2010 when the growing community reached a population of 50,000-plus. Residents and-- 50,000-plus residents and was declared an entitlement community. While the designation required a steep learning, learning curve for the community, it also-- it was also a sign of strength and opportunity. This milestone led our community to establish Grow Grand Island, a collaborative partnership to business and community development. The Grand Island Area Economic Development Corporation is a core partner and leads the way for housing studies and initiatives. Housing studies done in both 2014 and 2019 reflect the compounding shortage of available housing stock and the leaps needed to meet this growing demand. In 2014, 1,700 units were recommended, with an additional 1,361 units recommended in 2019, bringing the 10-year target to--

ARCH: One minute.

M. CAVANAUGH: --3,061. Thank you, Mr. President. Since 2014, we have added 1,551 units, which is only half the needed units. In 2019-- the 2019 report also described an aging housing stock with an even lower vacancy rate of 3.1 percent. This includes rising numbers of absentee owners, units needing substantial rehabilitation and units in such

poor condition the housing consultants recommended all be demolished. We have to find ways to do more because housing-- the housing demand is not slowing down. Grand Island employers, like many rural communities, haven't slowed down either. With agribusiness as our foundation, it can be seen woven throughout many existing employers. It is unifying-- a unifying theme--

ARCH: Time, Senator.

M. CAVANAUGH: Thank you. Call of the house, roll call vote. Thank you.

ARCH: 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. Mr. Clerk.

CLERK: 9 ayes, 1 nay 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 Armendariz, McKinney, Walz, Wayne and Bosn, please return to the Chamber. The house is under call. All unexcused members are now present. Mr. Clerk, please call the roll.

CLERK: Senator Aguilar. 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 voting no. 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, 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 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 no. Senator Ibach voting no. Senator Jacobson voting no. Senator Kauth voting no. Senator Linehan. Senator Lippincott voting no. Senator Lowe voting no. Senator McDonnell voting no. Senator McKinney voting no. Senator Moser voting no. Senator Murman voting no. Senator Raybould. Senator Riepe voting no. Senator Sanders voting no. Senator Slama. Senator Vargas. Senator von Gillern voting no. Senator Walz voting no. Senator Wayne

voting no. Senator Wishart voting no. Vote is 0 ayes, 42 nays, Mr. President, on the motion to bracket.

ARCH: The bracket motion fails. Mr. Clerk, for items. I raise the call.

CLERK: Mr. President, some items: motions to be printed from Senator Halloran to LB191. That's all I have at this time.

ARCH: Senators, we will now stand at ease until 6:00, at which time, we will take up the next item.

[EASE]

KELLY: The Legislature is about to reconvene. Mr. Clerk, for items.

CLERK: Thank you, Mr. President. New A bill, LB254A from Senator Brewer. It's a bill for an act relating to appropriations; appropriates funds to aid in carrying out the provisions of LB254. Concerning LB191, Mr. President, Senator Machaela Cavanaugh would move to reconsider the bracket motion, MO352.

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

M. CAVANAUGH: Thank you, Mr. President. Colleagues, I feel like whenever I come back from the dinner break that I talk about dinner. So I'm always kind of, like, regretting my choices, as it were, for dinner. But I've been really good about not snacking during the day. It's kind of hard not to when you're in the Chamber because there's snacks throughout the Chamber, like there's Snickers, mini Snickers here. There's mints and patty mints down there. And there are mints or Hershey Kisses, maybe up there, some sort of candy back there, all over the place. It's a land mine of sweets in this place. So, yeah, I haven't been outside today. I hear that there's not great weather on the way, so that's concerning. I heard mention of hail. And when I say I've heard, like, I said earlier, that my world exists in a very small parameters here. This is my world right now, So, so my world exists in this little area right here. And I'm just thinking, OK, what's going on in the world outside? And I just hear random comments, like, did you hear it's going to hail? Like, oh, it's going to hail? Is it hailing right now? Is it raining? Is it raining, men? Hallelujah. But just pulled up the-- oh, we're in a tornado watch. OK. Watch versus warning. A tornado watch versus a tornado warning. I can never-- warning is worse. So watch is that we are watching for the tornado and the warning is a tornado has been spotted. So we are in-- we are

watching tornado-- we are watching for a tornado. No tornado has been spotted and it's from 3:45 p.m. to 11 p.m. that we are in a tornado watch. Wow. So I really exist in a bubble around this podium. We've been in a tornado watch for a couple of hours and I didn't know. And it looks like Omaha is also in a tornado watch. So I would like to check in on my family. I hope that they are doing OK. I hope that they're always doing OK, but I hope that they're doing OK, that there's not a tornado. I do remember the first time that we had a tornado warning with my kids and it was nighttime. And so we actually did have to wake them up and take them down to the basement. And they were so confused by what was happening because they had never been through it before. And I couldn't believe that they had never been through that before, because I remember my childhood getting woken up during the night numerous times to go down in the basement because there was a tornado. But also we-- there was tornado-- a lot-- I'm sure there's historical data on the number of tornadoes annually in the Omaha area over the years. But I do feel like we had tornadoes fairly regularly in the springtime in Omaha when I was growing up. And it feels like they're not quite as regular now, still severe and scary and important to take the right steps. Not my house, the neighborhood area, well, I guess I don't represent anymore. I sometimes forget redistricting, I lost just like a little piece east of me. It's now in Senator Hunt's district. But that piece by Lewis and Clark grade school or middle school, that was hit really devastatingly by the tornado in, like, 1976, but also blanking on the name of the school, the, the Westside school that is on the same street that my grade school was on was also devastatingly hit by the 1970-something tornado. I feel like it was '76-- '76 or '78. It was before I was born, not too far before I was born. And it was a very, very severe tornado and it demolished homes, schools. So was it the 40th? I think we had the 40th anniversary since I've lived in my house. So maybe that was 2018. Maybe it was '78 because I haven't lived in my house since-- no, I have. I've lived in my house since 2014. Could have been '76. Could have been '78. Maybe I'll get to the bottom of it at some point this evening and figure out when those big tornadoes were. Or my phone a friend, everybody that's watching outside the Chamber will start texting me and telling me when the tornadoes were. So let's see here. Damaging Nebr-- or Omaha, let's say Omaha, 1970s tornado. Nevermind, not connected to the Internet. OK. Well, then I still haven't seen the movie Twister. Oh, you heard me talking about the candy? Yeah, it's a land mine of candy in here. It's a beautiful bowl that the candy is in, the land mine of candy. I've never actually seen the movie Twister. I did work at a movie theater when I was-- Westgate

Elementary. Thank you, phone a friend. I did-- I did work in a movie theater growing up. And the movie theater, interestingly enough, on Gun Bill Day, the movie theater was sold years ago. It is now a gun range. But I worked at this movie theater growing-- in, in high school and in college. And so I had plenty of opportunities to see movies. But Twister was a movie I never saw. I don't know why. So I have no idea. And I like Helen Hunt a lot, but I have no idea if it's a good movie or not. So there you go. When I-- before we-- right before we started back up, I went up and asked how much time we have left, 3 hours and 30 minutes. So-- and I think we started at 6:01 so that's 9:31. So hopefully no tornadoes come through Lincoln. Interestingly, and maybe I'm making this up, but I don't think I am, but I could be or misremembering the fact of it. But I think there are, generally speaking, are fewer tornadoes that go through a city than go around in the surrounding areas because of the temperature change. It's probably not decipherable to us, but because of the city and the way a city, buildings, all of that, is made up, there is a temperature change from outside of the city. And as such, for some reason, maybe or maybe I'm making it up, we don't get as many tornadoes in the heart of a city. Or maybe we do. I don't know. I could be-- could be making it up. So LB119 amendment-- OK. Thank you, Mom. She thinks it's May 6, 1975. I'm so glad you're watching me talk about tornadoes right now. LB191 has an amendment that is--

KELLY: One minute.

M. CAVANAUGH: Thank you-- LB249. And I was reading before we broke for dinner. I was reading some of the testimony around LB249. So I am going to return to that, starting back up with Mary Berlie of Grand Island, District 35, representing herself and talking about Grand Island's steady population increase year over year. A milestone was reached in 2010 when the growing community reached the population of 50,000-plus residents and was declared an entitlement community, which I don't actually know what an entitlement community is, something that I would like to look up. I'm actually going to make a note that I would like to look up what is an entitlement community.

KELLY: That's your time, Senator--

M. CAVANAUGH: Thank you, Mr. President.

KELLY: --and you are next in the queue.

M. CAVANAUGH: Well, thank you, Mr. President. So I've highlighted this. I feel like an entitlement community is like a thing based on her remarks that it was declared an entitlement community. While the designation required a steep learning curve for the community, it also-- it was also a sign of strength and opportunity. So very fascinating as to what the entitlement community could be. I'm going to get back in the queue, though. This milestone has led our community to establish Grow Grand Island, a collaborative partnership approach to business and community development. The Grand Island Area Economic Development Corp-- cooperation is a core-- Corporation, not cooperation-- Corporation is a core partner and leads the way for housing, studies, and initiatives. Housing studies done in both 2014 and 2019 reflect the compounding shortage of available housing stock and the leaps needed to meet this growing demand. In 2014, 1,700 units were recommended, with an additional 1,361 units recommended in 2019, bringing the 10-year target to 3,061. Since 2014, we have added 1,551 units, which is only half of the needed units. The 2019 report also described an aging housing stock with even lower vacancy rate of 3.1 percent. This includes rising numbers of absentee owners, units needing substantial rehabilitation, and units in such poor condition the housing consultants recommended all be demolished. We have to find ways to do more because housing demand is not slowing down. Grand Island employers, like many rural communities, haven't slowed down either. With agribusiness as our foundation, it can be seen woven throughout many existing employers. It is a unifying theme between the communities, manufacturing, transportation, and distribution, and travel and tourism business sectors. It represents the community's past, present, and future identity. Grand Island's COVID-related unemployment rate reached 4.9 percent and was the highest the community has seen in a significantly long time, yet still half of the Nebraska state average of 8.5 percent. Although Grand Island's unemployment numbers seem healthy, many employers are struggling to fill over 10,000 open or expanded positions. Part of that struggle is tied to being able to find housing for workers new to the area. Grand Island was a grateful recipient of rural workforce housing funds in 2020. Our program prioritizes owner-occupied developments and market rate rental homes specific to student and intern housing. We offer 0 percent interest construction loans for 24 months, and when-- or when the home sells, whichever comes first. When Grand Island opened the application opportunity for developers, we received ten individual project applications requesting \$13.5 million in RWH--

KELLY: One minute.

M. CAVANAUGH: Thank you, Mr. President-- RWHF when we only had \$2 million to offer. If all 10 applications could have been funded at \$2 million each, Grand Island would have recognized over \$550 million in capital investment in new housing. It is evident that RWHF funds cannot solve our community's housing shortage, but it certainly does serve as seed money to spur larger investments in Grand Island. We humbly ask you to continue to support Nebraska's workforce housing-- Rural Workforce Housing Fund and increase the maximum award ceiling to \$5 million. Grand Island, along with other communities in our great state, will benefit. Well, that is an excellent pitch. Thank you for submitting that online.

KELLY: That's your time, Senator.

M. CAVANAUGH: Thank you.

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

HUNT: Thank you, Mr. President. I have concerns about AM1330, which we'll get to shortly, about making sure that when we're considering bills that deal with new measures like the Critical Infrastructure Utility Worker Protection Act, which is LB267; LB460 introduced by Senator McDonnell, which deals with the Workers' Compensation Act; LB639 introduced by Senator Blood, which deals with the Workers' Compensation Act; LB671 by Senator Hansen, which deals with the Nebraska Training and Support Cash fund; LB666 from Senator Riepe, which deals with Employment Security Law; LB427 introduced by Senator Riepe, which deals with the Contractor Registration Act; and LB249 introduced by Senator Briese, which works on the Rural Housing-- Rural Workforce Housing Investment Act. So when we think about these measures, we think about them with a long-term view and an eye toward the future and what potential future legislation in Nebraska could look like. There are many measures and policies that are under consideration this year that I think even, I mean, I think even every Republican in this body would be surprised that we are considering or that have taken up so much energy in the session. But what it's taught us, right, is that it can always keep going that direction. I mean, if we think this year is dysfunctional, next year can certainly be worse. And I think that just to be safe, we should probably prepare for that. So when I look at how labor laws like the ones dealt with in LB191 and in AM1330 could potentially affect child labor, seeing that all over the country, state houses are passing laws, loosening restrictions on child labor in a way that I think is-- it's not that it could never

happen here, you know, so making sure that we keep these things in mind. But continuing with this New York Times story, The New York Times did this huge investigation into child labor infractions, which is a federal law, including a case in Nebraska where a child was burned with caustic chemicals because they were working an overnight shift. This was a child of a, a migrant family. This is an immigrant child. And I still don't think that justice has been served for that kid. But this article continues in its investigation: The Labor Department said it would intensify its investigations of business violations, not just by direct employers of children, but also by the larger companies that contract with those employers or that use children in their supply chain. First, like what a wild phrase, right, using children in your supply chain. OK. In many cases, big companies use contractors or staffing agencies to hire children and then claim they had nothing to do with the abuses. Some of those agencies shut down and reopen under new names when they are fined, said Meredith Stewart, a senior supervising attorney at the Southern Poverty Law Center. The companies that hire them should be held accountable. The department also has the authority to seize any products that are made using illegal child labor, even through the use of contractors. Seema Nanda, the department's chief legal officer, said in an interview that it would use that authority aggressively as well as every other litigation tool available. The administration also said it would do more to coordinate the protection of children, particularly--

KELLY: One minute.

HUNT: Thank you, Mr. President-- particularly those who migrate across the border unaccompanied by a parent and then receive little supervision once they leave immigration shelters. In some cases, The Times reported, HHS has lost touch with designated sponsors and the children themselves, leaving them vulnerable to sex trafficking or other criminal exploitation. The administration lacks all the tools to do the job right. Because its budget has been held flat by Congress, the Wage and Hour Division lost 12 percent of its staff between 2010 and 2019 and Ms. Nanda's office lost more than 100 lawyers. So the Labor Department doesn't have enough investigators to effectively pursue illegal child labor practices. In addition, under current law, the maximum fine for a labor violation by a company is \$15,138 per child, often little more than the cost of doing business for big companies. Thank you, Mr. President.

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

DAY: Thank you, Mr. President. I would like to yield my time to Senator Machaela Cavanaugh.

KELLY: Senator Machaela Cavanaugh, that is 4:50.

M. CAVANAUGH: Thank you, Mr. President. Thank you, Senator Hunt. OK. So LB249, this is a letter from the former director of the Department of Economic Development, Anthony Goins, or Tony Goins: the Honorable Merv Riepe, Chair, Business and Labor Committee, Room 1308 State Capitol, Re LB249 Change Provisions of the Rural Workforce Housing Investment. Dear Chairman Riepe, I request this letter be entered into the record in neutral position to LB249. I am writing to provide testimony on LB249, which would change provisions of the Rural Workforce and Housing Investment Act, RWHIA. The Nebraska Department of Economic Development's position on LB249 is neutral. I'm going to have to get another lozenge. OK. Starting with the passage of RWHIA in 2017, the Legislature has made housing a major priority. Expanding inventories of high-quality, reasonably priced housing units is crucial to Nebraska's economic development. A shortage of affordable housing can be signif-- a significant obstacle to overcome when recruiting businesses to relocate to Nebraska or expand in our state. Conversely, having an ample supply of attractive and affordable homes is a major selling point for a community when courting a potential investor. LB249 would continue the state's recent track record of supporting the construction of affordable housing in our communities. At the same time, LB249 would make changes to the RWHIA that deviate from the intent of the original legislation. Specifically, LB249 would remove language that prohibits using the Rural Workforce Housing Investment Fund in conjunction with other programs such as Community Development Block Grants and HOME, H-O-M-E, funds. Investments through the RWHF were initially designed to be flexible and not subject to restrictions of many other housing programs, such as income limits, affordability periods, etcetera. Eliminating this flexibility is a concern. The changes proposed through LB249 would subject the RWHF to numerous federal rules. This would be-- this would significantly increase the regulatory complexity of the RWHF program and the cost of administering it. Revisiting the language of LB249 with an eye to minimizing the creation of new regulatory burdens may be worthwhile--

KELLY: One minute.

M. CAVANAUGH: Thank you, Mr. President-- as the Unicameral considers the bill. Thank you to the committee for your dedication to making Nebraska a great place to live, work, and do business. I appreciate

your time and consideration. At the Department of Economic Development, we look forward to working closely with you in 2023 to achieve our shared goal of growing Nebraska. Sincerely, Anthony L Goins, Director. OK. That is the end of that testimony. And I have other testimony, but I think I only have a few seconds left, so I am going to hold off on starting the next testimony until I start my next time on the microphone.

KELLY: That's your time, Senator.

M. CAVANAUGH: Thank you.

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

M. CAVANAUGH: Thank you, Mr. President. Snuck in a sip of water. If anybody would like to give me their time, I am happy to take it for my dramatic reading of the testimony from LB249. OK. Trevor Lee from Kearney, Nebraska, District 37. Senator Merv Riepe, Members of Business and Labor Committee, Room 1524, P.O. Box 94604, State Capitol. Lincoln, Nebraska 68509 Dear Senator Riepe: Re: LB249 The Development Council for Buffalo County would like to voice our support for Senator Briese's LB249 with the caveat that amendments will be made to assist past recipients with existing funds and/or investment plans. Nebraska can attribute much of its success and the weathering of the pandemic to strategic and thoughtful investments of the Nebraska Unicameral and implementation of the programs like Rural Workforce Housing Investment Act. Buffalo County was the recipient of 2017 RWHF or Rural Workforce Housing Investment Act, allowing our organization to have a significant impact throughout the county, in villages and cities alike. However, the need for affordable and quality housing remains and has been exasperated by workforce shortages that plague the state. While we support the bill in principle, we request the following: clarifying language that deobligates unallocated and/or revolving funds in an existing investment plan (RWHF program) for which the recipient has ceased administration; and 1. Language that explicitly allows for the unallocated and/or deobligated funds from prior RWHF for which administration ceased to be utilized as a match for future RWHF applications. 2. RWHF has a massive impact across the state in communities large and small. Because the need for quality and affordable housing remains, LB249 will continue this positive impact held by communities-- impact helping communities help themselves.

KELLY: One minute.

M. CAVANAUGH: Thank you, Mr. President. Sincerely, Trevor Lee, Executive Director, Development Council for Buffalo County. The next testimony, proponent for LB249 is from Carina McCormick. And I'd just like to say if anybody wants to yield me their time, I will happily take it. I believe I have done all of my times on this except my closing. Carina McCormick, District 28, representing herself, is a-- I shouldn't say that. I don't know that Carina's pronouns are her, representing themselves as a proponent of LB249. Position comment, yes. Representing self. I support changes proposed in--

KELLY: That's your time, Senator.

M. CAVANAUGH: Thank you.

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

HUNT: Thank you, Mr. President. Talking about, you know, the potential for this body in the future to be making changes to our child labor laws, given what's happening around the country and given how low this body has gone this year, I mean, we ought to plan to go lower. We ought to anticipate that. And so that's why I am doing a little bit of research today about different child labor laws and how Congress has approached them, how federal law has changed, and what kind of limitations we have in the Department of Labor on the federal level to investigate these things. The New York Times reports that the-- federally, we don't have the tools to do the job right and investigate these claims of, of child labor abuse. It says, because its budget has been held flat by Congress, the Wage and Hour Division of the Department of Labor lost 12 percent of its staff between 2010 and 2019. And Ms. Nanda, the director's office, lost more than 100 lawyers. So the Labor Department doesn't have any-- doesn't have enough investigators to effectively pursue illegal child labor practices. In addition, under current law, the maximum fine for a labor violation by a company is \$15,138 per child, often little more than the cost of doing business for big companies. Exactly. It's cheaper to pay the fine than it is to lose the business which-- so there's really no incentive at all if they even get prosecuted, if they even get caught, if anything even gets pursued, which because of the lack of manpower in the Department of Labor, we know is likely to happen. And that's how these things happen, like, kids working overnight in meatpacking plants in Nebraska, kids working at, at laundering warehouses, getting caustic burns on themselves, working

overnight as children. You know, many of us have been working for years in this Legislature to lower the age of medical consent in Nebraska to 18, because right now it's 19. If you're 19 and you're at UNL and you got to go to the nurse and get a flu shot or something, you actually have to have parental consent to get that. You have to have parental consent to get any kind of care in Nebraska if you're under 19. So that includes a lot of college students and it creates a lot of problems for parents when they realize if their kid goes to school in Nebraska, they're going to have to bother to give parental consent if they ever need any medical treatment. And unfortunately, in some cases, sometimes that causes students to delay care, and 18-year-old Nebraskans to delay care and actually get worse because of that. But that's not the age group we're talking about. You know, it's not like a question of if you're 18 or 19, which is what most of our laws that we talk about the age of minority have to do with. We're talking about 13-year-olds working overnight and getting injured. Comprehensive immigration reform would be the best insurance that migrant children have the protections they need. If families can stay together, minors will be less vulnerable to abuse and better able to seek legal protection. So consider that point. If we know migrants are coming into the U.S., if we keep those families together, if we keep migrant kids with their parents, they're less likely to end up in situations of sex trafficking or abuse or being put in these positions where they're working overnight shifts at factories and meatpacking plants in Nebraska. The administration has asked Congress for more enforcement money in--

KELLY: One minute.

HUNT: --its current budget. Thank you, Mr. President. The administration has asked Congress for more enforcement money in its current budget and for higher penalties. Neither request is likely to be granted and immigration reform seems far in the distance. Protections against, quote, oppressive child labor, however, have been part of American law since the Fair Labor Standards Act was passed in 1938. Dismantling those safeguards now puts young lives at risk. Thank you, Mr. President.

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

CONRAD: Thank you, Mr. President. I'd yield my time to Senator Hunt, if she so desires.

KELLY: Senator Hunt, that's 4:54.

HUNT: Thank you, Senator Conrad. And thank you, Mr. President. Members of Congress are pressing for changes to the law and also changes to the Biden administration's approach, because a lot of federal and state agencies are starting a crack down on businesses that employ underage migrants. Members of Congress are pressing for stricter laws to prevent and penalize the use of child labor and tougher vetting by the Biden administration of adults who take custody of unaccompanied migrant children, as revelations about the exploitation of underage migrants by employers have prompted outrage among policymakers. Days after an investigation by The New York Times revealed the explosive growth of migrant child labor in the United States, federal and state enforcement agencies have become a crack-- begun a crackdown on companies that employ children. And the Biden administration is under pressure to make broader changes to the way it deals with minors who arrive in this country without their parents. Top Senate Democrats sent a letter Friday demanding answers from the Secretaries of the federal Health and Labor agencies by April 1, saying they were, quote, deeply disturbed and that, quote, large numbers of unaccompanied noncitizen children are being placed with exploitative sponsors and working long hours in dangerous conditions. The letter, organized by Senator Dick Durbin, the number two Senate Democrat and chairman of the Judiciary Committee, raised concerns that the agencies in charge of these minors might be, quote, prioritizing speed of placing children with sponsors over the children's safety and well-being, end quote. The Health and Human Services Department, whose Office of Refugee Resettlement is in charge of housing migrant children, is supposed to ensure that sponsors protect migrants in their care from trafficking or exploitation. But as more and more children have crossed the border, the Biden administration has pushed to release them from the overburdened shelters as quickly as possible. Xavier Becerra, the Department's Secretary, has pressured staff members to move with the speed of an assembly line, The Times found. On Monday, officials said they were conducting a four-week internal audit of the vetting process. The letter came as Republicans in Congress have been savaging the administration for allowing the shadow workforce to grow. Mr. Durbin and other Democrats are also proposing tough new legislation to increase maximum civil fines and criminal penalties for violations of child labor laws, as well as make it more difficult for employers to get around existing prohibitions against hiring minors. And this is good because, like I said, the maximum fine right now for a child labor violation by a company is just over \$15,000. And for

many of these employers, the amount of labor that they can extract from a child is worth more than \$15,000 to them, much more. So in a business sense, you know, they would rather hire the child, break the law, engage in this child abuse with-- which these child labor violations are, and then get caught and pay the fine if it comes to that. But we also know that because the Department of Labor has been so gutted because they haven't had a budget increase, they've lost over a hundred attorneys, that they don't even have the infrastructure to pursue these kinds of claims. I think that as we talk about things like labor laws, workers' compensation, wages--

KELLY: One minute.

HUNT: Thank you, Mr. President-- we have to look to the future and think about how these laws are going to be carried out as our laws continue to change in Nebraska, because they will. A lot of these Christmas tree bills that we've been voting on this week and last week, they're full of pretty noncontroversial bills. But we also have to prepare, colleagues, that we're going to have some more difficult conversations coming up, conversations around criminal justice. You know, these are bills that all came out 7-0. But we're going to have bills coming up that might be 5-4 and making sure that we have thoughtful analysis of those bills and the fact that eight hours may not even be enough time to do that. Thank you, Mr. President.

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

DAY: Thank you, Mr. President. I would like to yield my time to Senator Machaela Cavanaugh.

KELLY: Senator Machaela Cavanaugh, you have 4:52.

M. CAVANAUGH: Thank you, Mr. President. Thank you, Senator Hunt. I am going to continue with the testimony from LB249. OK. So I left off at Carina McCormick, representing herself, District 28: I support the changes proposed in LB249. Even though the program in question is specifically for rural areas, it mirrors programs for the state's more urban areas of which I have experience (I am sharing my own opinion, not my organization). I serve on the board of the dow-- of the South Downtown Community Development Organization and have become familiar with the costs and complications of property development intended for the public good. Many times it is necessary to combine funding sources in order to ensure the units are affordable to families, following

accepted definitions of affordable housing at various income levels. Removing limitations on other sources of funding, page 4, lines 2-5, is important and perhaps necessary for the success of some projects. Moreover, there are a limited number of organizations seeking to build workforce housing in rural areas. Specifically, that nonprofit organizations may apply for more than one grant is a sensible improvement to the bill, in that it allows these organizations to work up to their capacity for change without arbitrary reductions in their reach. I can particularly imagine a nonprofit organization being able to enact similar projects in different areas of the state, which would serve more communities than would be practical under the existing language. Further, as construction and land prices have increased, increasing the limit to \$5 million from \$1 million reflects the reality of development needs for projects of this kind. The next testimony is from my constituent, Jill McDermott, representing the League of Women Voters of Nebraska. Jill did not put that she is my constituent, but I know that she is because I have been knocking-- I've knocked on her door before. Re LB249 Change provisions of the Rural Workforce Housing Investment Act, support. Dear Senator Riepe and members of the Business and Labor Committee: Since the 1960s, the League of Women Voters of the United States has supported increasing low and moderate income housing and endorsed recommendations which advance the goal that every person and family should have decent, safe, and affordable housing. In the same vein, the League of Women Voters of Nebraska endorses LB249, with-- which incentivizes nonprofits to build--

KELLY: One minute.

M. CAVANAUGH: Thank you, Mr. President-- to build affordable housing in rural areas. Dave Rippe, a contributor to the Nebraska 2022 Statewide Housing Needs Assessment (1) noted that rural areas have their own needs, some relating to population decline that has left 17 percent of existing units vacant, in addition to properties that are old and uninhabitable. Much of rural Nebraska faces lack of access to construction workers. It is estimated that at least 5,000 more workers would be needed to complete construction and renovation projects (2 We agree with Senator Tom Briese, who also remarked in the Omaha World-Herald article, quote, that inadequate housing is curtailing economic growth in our state more than we realize, end quote.

KELLY: That's your time, Senator.

M. CAVANAUGH: Thank you.

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

HUNT: Thank you, Mr. President. I just got an email telling me, shut up, you ignorant C-word that rhymes with my last name. You and Cavanaugh are ugly and incompetent. And now what I would expect to happen by sharing that, which, by the way, getting emails like this many times a day, I would expect some of you to come over here in tears, put your hands on my shoulder and say, oh my God, nobody should have to go through that. Oh, I hope it was no one on our side, because that's not what we stand for. Or one of you would come up to me and stand and say, if you ever need someone to walk you to the parking lot to your car and you don't feel safe, you let me know. Or somebody would come up to me and say, nobody should ever talk like that to somebody and yadda, yadda, yadda, blah, blah, blah. You guys are so-- I have a notes file and the title of it is Things I Can't Say Right Now. Being in this Chamber right now is like walking on eggshells around all of you scared little snowflakes who, if you have your feelings hurt, you're going to retaliate against the entire state of Nebraska in a way that decimates human rights, that takes people's-- but what I think is important to talk about is what we can do in Nebraska to decrease instances of child labor violations. The letter from Senator Durbin came as Republicans in Congress have been savaging the administration for allowing the shadow workforce to grow. Mr. Durbin and other Democrats are also proposing tough new legislation to increase maximum civil fines and criminal penalties for violations of child labor laws, as well as make it more difficult for employers to get around existing prohibitions around hiring minors. Oh, Brian Schatz. Quote, The basic problem is this law is old and the penalties are so low as to be a joke, Senator Brian Schatz of Hawaii and the lead sponsor of the bill, said in an interview, adding that he was working to persuade Republicans to back his measure. Quote, This is a growing problem and a perennial problem. We are playing with fire as a nation. On Thursday, Governor Kathy Hochul of New York announced a statewide campaign to crack down on these labor violations. Among other measures-- Mr. President, is this my second or third time? Third. OK. Thank you very much. New York will create an antitrafficking unit focused on immigrant workers and establish a child labor task force that will work with schools and businesses. I hope that next year we don't find that we have a bill like what we've seen in Arkansas or in Iowa legalizing child labor through the night for 14-year-olds. If we do and I say something on the mic to disparage supporters of that policy, I hope that your feelings aren't so hurt

that you vote for the bill just to show me and teach me a lesson and spite me. I hope that someday we don't have, you know, a trail of bills littered behind us in this state, in this Legislature, that were only passed to teach a progressive a lesson. Thank you, Mr. President.

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

RAYBOULD: Thank you, Mr. President. I would like to yield the rest of my time to Senator Machaela Cavanaugh.

KELLY: Senator Cavanaugh, that's 4:52.

M. CAVANAUGH: Thank you, Mr. President. And thank you, Senator Raybould. I was reading my constituent, Jill McDermott's-- staff-- yes-- her League of Women Voters letter. And yes, yes, Senator Hunt, I get comments like that all of the time. Rhymes with bunt and, you know, Senator Day gets spit-- spat in the face. We get harassing emails all of the time, extremely, extremely unkind and really, with the intention of intimidation. But it doesn't appear to matter to the body. So I will just keep on keeping on, being the "bunt" that I am. OK. So League of Women Voters letter in support of LB249. Dave Rippe, a contributor to the Nebraska 2022 Statewide Housing Needs Assessment, noted the rural areas have their own needs, some relating to population decline, that has left 17 percent existing units vacant, in addition to properties that are old and uninhabitable. Much of rural Nebraska faces lack of access to construction workers. It is estimated that at least 5,000 more workers would be needed to complete construction and renovation projects. We agree with Senator Tom Brieese, who also remarked in the Omaha World-Herald article that adequate housing is curtailing economic growth in our state more than we realize. I'm going to pause for a second, a little trivia. There's a board game. It's a Nebraska board game. And my mom is the answer to one of the questions: Who wrote for both the Omaha Sun-Times and the Omaha World-Herald? Well, it was Kate Cavanaugh, just thought of that right now. I have no idea why. And moving on, probably actually, that's not true. I know why I thought about that. Because I just said publicly, I just acknowledged publicly the horrible things that total strangers are saying to me, and I'm feeling bad about that, not because I give a hoot about any of you thinking anything about it, but I feel bad because I'm hoping that my mom actually isn't watching because I don't want her to feel bad about it. And that is why I was thinking about my mom, who is one of the most amazing human beings one could ever have the joy and privilege of knowing. And she is so

kindhearted and she is so compassionate and I have learned so much from her. My mom once-- I have no idea how old I was, nine maybe. And not once, more than once. There are so many times that this happened. But there was this one time we were driving down 84th Street and there was this woman and it was, like, between south of Center, somewhere north of F Street, so somewhere near Mangelsen's. And we were driving and there was this woman with a bunch of plastic grocery bags.

KELLY: One minute.

M. CAVANAUGH: And she was at-- she was walking towards the bus stop. She was probably walking from what was then Baker's on 84th Street and she was-- probably in my mind, she was probably like 100. She was probably like 60 or something. But clearly, she was carrying heavy bags. And my mom pulled over. I have no idea what million errands she was running with her eight kids. She pulled over and she had me get out of the car and help this woman put her groceries in the back of the car, help her get in the car before she ever asked her where she needed to go and took her where she needed to go. And that is the woman who raised me. Never needs to know what you need before she's willing to help you. Always willing to help you, no matter what it takes. That's who raised me.

KELLY: That's your time, Senator.

M. CAVANAUGH: Thank you, Mr. President.

KELLY: Senator Conrad, you are recognized to speak.

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

KELLY: Senator Cavanaugh, that's four minutes, 40 seconds, 50 seconds.

M. CAVANAUGH: Thank you, Mr. President. And I'm out of times, correct? I just have my close left? Yes.

KELLY: That's correct.

M. CAVANAUGH: I'm seeing the nod. OK. Yeah, I could-- the stories I could tell about my mom, I could fill in eight hours with stories about my mom. Because, well, she's just like this, bigger than life, warm, charismatic, caring person. I refer to my parents' house as an all-night truck stop because there's always people coming through, staying there, whether it's one of her eight children's friends from

coast to coast college that just need to stay someplace, that was growing up. But now when our friends are traveling with their own families, they stay at my parents' house. Of course, my dad is also all of those things, but my mom is the one that, you know, makes the world go round. And my dad would admit to that, as well. My mom has opened her home to anyone and everyone and just is such a generous, kind-hearted person. And it's great to have a parent that you like that you get along with. It's amazing to have a parent that when you're an adult, you enjoy being with, like, as a friend. And that is my mom. She is just awesome. She-- everyone thinks-- now, I've said-- I've said previously that I'm a good cook and I am a good cook. Everyone thinks that my mom is a good cook, and I wouldn't say she's not a good cook. I would say it is hard to judge if Kate Cavanaugh is or is not a good cook because she is the master of getting other people to cook. She is the master of putting the ingredients out on the island in the middle of the kitchen for whatever dish it is she wants to see come to fruition and walk by various people that are in the house and just mention the meal that she wants to see. It'd be great to have, like, roasted asparagus with dinner. Don't you think that roasted asparagus sounds really good for dinner? I am just craving roasted asparagus, and all of a sudden somebody takes up the cue and makes the roasted asparagus. I mean, it's impressive, next level sort of subliminal messaging, but that is how I am not sure if my mom is actually a good cook or not because she gets other people to cook. No, I'm just kidding. She is a good cook. I actually learned to cook from her, but she doesn't have to cook because she has so many people around her all the time that she gets us to cook. She also tries to get me to play bridge. This is a whole thing. This is a whole Machaela and Kate thing over the game bridge. I learned once, once when I was 13 to play bridge, and it was my grandfather that was helping teach me. And apparently he was not following the rules. This is my mom's dad. He was not following the rules. He was purposely trying to irritate my grandmother because he thought it was funny. And so he taught me his way of playing bridge, which apparently was not my mother or my grandmother's way of playing bridge and I was very confused.

KELLY: One minute.

M. CAVANAUGH: And then I didn't have time to play again until I was an adult. And now bridge is a game that I think I would really enjoy. My mom always tells me that I would really enjoy it, but I don't get to sit down when I'm, like, at a family thing 'cause I've got little kids. They're nine and seven and four. And so playing bridge is a

strategic game and also math, and you have to pay attention. And it's really hard to do that if you are being asked to get a million different snack items or negotiating a snack item. It's very hard to focus on bridge. So someday, when my children are a little bit older, I promise, Mom, I'm saying it publicly, I will learn to play bridge and I will play with you and I'm sure I will lose. And that would be great. Thank you, Mr. President.

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

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

KELLY: Senator Hunt, that's 4:50.

HUNT: Thank you, Mr. President. As we get more into the session, we are going to have more controversial bills to discuss, not just on their own, not just, like, the ones that we already know about that I won't mention because I don't want to hurt anyone's feelings and possibly jeopardize the votes for those bills, but for bills that can be put into packages and Christmas trees like what's going on with LB191 with AM 1330, which has one, two, three, four, five, six, seven bills in it. And that's not the most. We had one bill that had 21 bills put into it as a Christmas tree and it made one of my colleagues make a joke. We were talking about different drinks, like, cocktail recipes for the session, and he said, well, there's one called the package and it's just 21 types of different alcohol. And I just thought that was funny. But we're going to start seeing bills get put into packages that are controversial. We're going to see this with bills coming out of Judiciary, of course, criminal justice bills. But there are also bills in the Business and Labor Committee that could have been part of this package and didn't make it on because I think we were anxious about having something in the bill that could pull support off of it and then other people would be getting in the queue and other people would be talking about it. And one of those is LB670, which would prohibit employment discrimination based on sexual orientation and gender identity. If you've been in the body or followed politics at all, then this concept is definitely not new to you. And this was the first time, one of the first times that this bill was presented to the Business and Labor Committee based on just a slight difference in this bill. So under current Nebraska law, employers can legally discriminate against employees or prospective hires on the basis of their gender identity or sexual orientation. And

this means that LGBTQ Nebraskans can be legally denied job opportunities that they're otherwise qualified for. They can get passed over for promotions, even if they're the most qualified candidate. They can be denied the necessary training that they need to do their jobs. They can endure harassment or retaliation or have their hours cut or be given less preferred assignments or even just be fired, based purely on who they are and who they love and what the picture of their spouse that they have on their desk looks like. So LB670 is a little bit different than other bills that were brought in the past because this bill, LB670, would apply these specific nondiscrimination provisions to employers of all sizes. So in the past, we've introduced bills that just applied to employers with 15 or more employees, and this one would apply to employers of any size that have any amount of employees. The reason for this, as many of us on the Committee, on Business and Labor know, is that our Nebraska employment laws that dictate the rights of employers and employees for the most part, only apply to businesses of 15 or more employees. The Nebraska Fair Employment Practice Act, which contains our current statutory discrimination protections for workers and other protected categories like race, gender, religion, national origin, those provisions today only apply to employers with 15 or more employees. So while other bills have simply stuck these two additional protected categories, which is gender ID--

KELLY: One minute.

HUNT: --and sexual orientation-- thank you, Mr. President-- into that law's list, what LB670 does is applies these protections to employers of all sizes, not just the ones that are in the Fair Employment Practice Act. So the way we did it with this bill is we created two classes of employers and we defined them Class I employers and Class II employers, based on the size of the business and how many employees they have. And I'll explain more about this in my next time on the mic. Thank you, Mr. President.

KELLY: Thank you, Senator Hunt. They're-- seeing no one else in the queue, the question for the body-- oh, excuse me. Senator Machaela Cavanaugh to close.

M. CAVANAUGH: Thank you, Mr. President. You wouldn't want to miss out on my next story about my mom. Fourth of July, Fourth of July with Kate Cavanaugh. OK. So my mom is very creative and she oftentimes re-covers cushions and things like that or has a seamstress from her church help her re-cover cushions. So, like her outdoor patio, she'll,

she'll find some great fabric at a remnant store or something like that and, and get it re-covered. So one year she decided to make tablecloths in addition to re-covering the fabric and she had extra fabric. So she thought it would be fun or maybe she thought it would be funny, unclear, but she made matching dresses for my sisters and sister-in-laws and I and herself to wear out of the Fourth of July tablecloth fabric. And she was so tickled by this endeavor of hers that she did it again the next year. So there became a series of Fourth of July tablecloth matching dresses. They were not well made. I'm sorry, Mom. They were-- they were OK made. They were a rush job. I mean, let's be honest, they were a rush job. And she-- and she again, no pattern, just like A-line dresses. Stitch it up quick, you know, sort of thing. They were not sized at all and this was before any of us had kids. So maybe we were all similar sizes then, but they were not sized. I do remember, again, creative, creative lady. She used-- Borsheims is a jewelry store and I guess they have other things, in Omaha, and they are known for their burgundy satin ribbon. And any time there's something with a Borsheims burgundy satin ribbon, my mom always saves them because you can reuse the ribbon for something else and they're lovely ribbons. And this must have been shortly after my oldest brother got married. And he and his wife prob-- because she seemed to have an abundance of the ribbon, so probably from wedding gifts or something. So she used the ribbon and she, she laced it through the neckline of the, the A-line dresses so that instead of having a zipper or button or anything, we just tied it in a bow in the back with the burgundy satin ribbon. Riveting, right? The ribbon is riveting. What? Did you say something? No, you wouldn't dare. So, yeah, that is another Kate Cavanaugh story. She wrote a column, as I previously mentioned, for the World-Herald, and it was about family life, and I think it was in the paper on Tuesdays. So every Wednesday, the lunch ladies would talk to me about it. They'd say that they read-- I read what you said to your mother. This was almost every week-- I read what you said to your mother, and I would say, you know, she takes creative license. It's, it's not all-- it's not a direct quote. I wasn't as terrible, well, I probably was. I probably was as terrible as I came off in print in black and white. I cannot imagine having me as a teenager. Whoo, yeah, that's tough. Mr. President, how much time do I have left?

KELLY: 1:05.

M. CAVANAUGH: OK, I have 1:05. What thing can I share about my mom in 1:05? She was watching earlier today because she texted me that she liked my blue on blue. She watches a lot. And she probably would have

been a better legislator than me but here we are. I'm sure over the years, I've tried to get her to run, but I'm grateful that she didn't because Senator Fredrickson represents her. And I think it's a real joy to have him here. So I see people are starting to come back in from the dinner break. And I know we have not quite a cloture vote present, so we'll have to figure that out. But I think we're about at the end of my--

KELLY: That's your time, Senator.

M. CAVANAUGH: All right. Thank you. Call of the house, roll call vote.

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. Mr. Clerk.

ASSISTANT CLERK: 11 ayes, 0 nays to go under call, Mr. President.

KELLY: The house is under call. Senators, please record your presence. Those unexcused senators outside the Chamber, please return to the Chamber and record your presence. All unauthorized personnel please leave the floor. The house is under call. Senators Wishart, DeBoer, Hunt, and Brandt, please return to the Chamber and record your presence. The house is under call. All unexcused senators are present. The question is the motion to reconsider. There's been a request for a roll call vote. Mr. Clerk.

ASSISTANT CLERK: Senator Aguilar. Senator Albrecht voting no. Senator Arch voting no. Senator Armendariz voting no. Senator Ballard voting no. Senator Bostar voting no. Senator Bostelman voting no. Senator Brandt voting no. Senator Brewer. 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. Senator Dungan. Senator Erdman. Senator Fredrickson. Senator Halloran. Senator Hansen. Senator Hardin voting no. Senator Holdcroft voting no. Senator Hughes voting no. Senator Hunt voting yes. Senator Ibach voting no. Senator Jacobson. Senator Kauth voting no. Senator Linehan. Senator Lippincott voting no. Senator Lowe voting no. Senator McDonnell. Senator McKinney. Senator Moser. Senator Murman voting no. Senator Raybould voting no. Senator Riepe voting no. Senator Sanders voting no. Senator Slama. Senator Vargas. Senator von Gillern voting no. Senator Walz voting no. Senator

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Wayne. Senator Wishart voting no. Vote is 2 ayes, 27 nays, Mr. President.

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

ASSISTANT CLERK: Next motion, Senator Machaela Cavanaugh would move to recommit LB191 to committee.

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

M. CAVANAUGH: Thank you, Mr. President. OK. So I was trying to look at the weather and see how it's-- how it's going out there. So I see a lot of people are gone. And just wondering-- just wondering how, if everybody is getting home safe, gone for the night. Probably smart to leave for the night. And just looking at the weather and I honestly don't know how to read the radar, as far as a tornado goes. So I can see that there's a storm. I'm also worried about the weather near my house, because my kids are at my house and my husband is at my house, or at least I think they are. I suppose I don't know that for certain. I hope they aren't at soccer because it seems ill advised to have soccer in a tornado warning-- watch, watch, not a warning. Watch. So I assume that if there was soccer practice, what day is it? Wednesday. There's soccer practice on Wednesday. So I would assume that if there was soccer practice tonight, that it was canceled or I hope that it was canceled. My kids are having kind of a strange soccer season in that they, well, I guess it's not that strange. It's Nebraska. It's weather. But last weekend, soccer was canceled. And then-- so my one kid hasn't had a soccer game yet and my other two have had soccer games. And so I'm just like wondering when my oldest is going to have their soccer game because they haven't had it yet. Anyways, I played soccer. I was a-- I was on defense. That was my, my job. I was always on defense. I was also on defense in basketball. I think part of that is that I was not very good at shooting the ball or kicking the ball into the net. So I was set to block. We all have our roles to play. When you're on a team, we all have our roles to play. Some people are really good at offense, some people are really good at defense. I-- I'm good at blocking I guess, seemed to be. OK. So back to the task at hand, LB191. I had read Jill McDermott, social policy director of the League of Women Voters testimony; referencing some articles. Ooh, Strategic Housing Council of Nebraska. Hold on. Hold up. Let's look this up. Oops. Sorry. I don't know what I'm doing. OK. Strategic-- Strategic Housing Council of Nebraska Framework. Ooh, that looks interesting. Strategic, Strategic Housing, Housing, not Air Command, Housing Council of Nebraska. What do they have? Ooh hoo hoo. They have

housing highlight-- housing needs highlighted. That's something from the Nebraska Public Media News. New statewide strategic framework to address Nebraska--- this is from January 18-- Opportunity-Nebraska.Nebraska.gov. I don't think this is what they were referencing in their article, but let's, let's dive in, shall we? New statewide strategic framework to address Nebraska's largest housing challenges. And this is the Nebraska Investment Finance Authority or NIFA. I think NIFA had a conference this week here in Lincoln. I feel like I heard that. But it could have been last week because I've kind of lost all concept of days and time. And so maybe it was last week. OK. Statewide Strategic Housing Committee aims to spur economic development by increasing the number of affordable and attainable housing units. Nebraska's 2022 Strategic Housing Framework, Nebraska's Investment Finance Authority is proud to announce a bold new plan to create fundamental changes in statewide housing efforts. Nebraska's 2022 Strategic Housing Framework, developed in coordination with the Governor's Office by the Strategic Housing Council, a coalition of representatives from government at all levels, local agencies, nonprofits, and developers from across the state. The framework aims to spur economic development and improve Nebraska's quality of life by increasing quality, affordable housing options. Adequate housing is an essential component of community economic growth and citizen well-being, said Kathy Mesner, co-owner of Mesner Development Company. As a member of the Strategic Framework's Core Planning Team, it is my hope this plan stimulates greater housing activity throughout the state by identifying methods that reduce risk and expand opportunities for communities of all shapes and sizes. This framework is straightforward, focused, and actionable. It is an excellent plan to help improve housing in the state and make Nebraska the good life for all residents, said Jeff Chambers, senior project director at the Center on Children, Families and the Law and member of the Core Planning Team and Strategic Housing Council. Having been in the housing and homeless [INAUDIBLE] field for over 20 years, being part of this process and reviewing the final framework has renewed my hope that together we can meet the housing needs of all Nebraskans, he said. The Framework's data assumptions are based on the 2022 statewide housing needs assessment conducted by Queen City Development on behalf of NIFA and the Nebraska Department of Economic Development. The Framework identifies two major housing challenges. First, housing is unaffordable in many areas of the state. Second, a lack of housing options exists, especially for seniors and low-income households. The Framework also asserts the lack of housing options makes it difficult for employers to attract workers to their communities. Nebraska has a

unique opportunity to grow, said K.C. Belitz, probably mispronouncing that, Strategic Housing Council member and chief operating officer of the Nebraska Community Foundation. But that's not going to happen without more places for people to live. The work that NIFA has led to create this framework gives the state a roadmap to make real progress on the housing challenge, he said. The cancel-- the cancel-- the Council has transitioned into the action phase of the project and will work to implement the outlined strategies over the next five years. This statewide-focused process brought together housing advocates from all walks of life to address much needed policy changes, said Gary Person, president and CEO of the Nebraska North Platte Area Chamber and Development and Council member. Studies, however, are only as good as the effort--

KELLY: One minute.

M. CAVANAUGH: --to implement the recommendations. Much work is still ahead. Thanks to the passion and collaboration of housing advocates and partners from across the state, we've made it through the first step, said Shannon Harner, executive director of NIFA. Solving our housing Issues will require a continued, concerted, and collaborative effort from the grassroots of our communities to our state agencies and legislative branch. We invite everyone to help make the Framework's shared priorities a reality by working together, by working within their community, nonprofit organization, or private business, as well as advocating for policies and programs that will support the outlined goals and result in real change. Thank you.

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

M. CAVANAUGH: Fantastic. OK. That-- oh. To learn how you can advocate for or join the effort of the Strategic Housing Council or for a complete copy of the 2022 Strategic Housing Framework, visit NIFA.org/housing-framework or email info at NIFA, N-I-F-A.org. Well, let's go-- well, I don't mind if I do. Let's go look at the NIFA housing framework. Let's see here. Copy and paste that. I imagine that there is someone out there watching this right now that is like, OK, boomer. Like, I am not a boomer. I am too young. I am not young, but I am too young to be a boomer. But I am trying to copy this-- oh, there we go-- this website and paste it into this browser. And it is apparently very challenging for me. OK. I am just going to type it in because I cannot figure out how to copy and paste. I kid you not. I cannot figure out how to copy and paste on my laptop right now. So NIFA.-- NIFA.org/-- what was it-- [housing-framework](https://NIFA.org/housing-framework). OK.

Housing-framework and magical machine, there we go. Nebraska's 2022 Strategic Housing Framework Vision Statement. All Nebraskans have safe, affordable, quality housing choices to rent or own. As a result, affordable housing is the driver of community well-being and economic opportunity. OK, 40 years NIFA. Introduction. Nebraska is at a crossroads. Our state's competitiveness and economic future hinge on solving the housing crisis. Failure to act on this crisis will result in shrinking and fragmented neighborhoods, diminishing community vitality, stagnant and declining economies, and worse outcomes for people's health and education. In short, if we do nothing, Nebraska and Nebraskans will lose out. The Strategic Housing Council, with support from the Nebraska Department of Economic Development, Wellstone Collaborative Strategies, Queen City Development and NIFA Board and staff developed Nebraska's 2022 Strategic Housing Framework to outline a way forward. There is a full document. There is the document without appendices, there is appendices only. These are all for download, by the way. There is the executive summary, the Housing Industry Council Report, the 2022 Nebraska Housing Needs Assessment. Well, this is just a treasure trove of information. Now, do I start with the appendices only, the full document, or the document without appendices? If I'm going to dive into the appendices, I think I would do at least the full document, if not just solely the appendices.

KELLY: One minute.

M. CAVANAUGH: Thank you, Mr. President. I am going to roll the dice and go with appendices only because I'm kind of intrigued as to how this will work out for me on this journey of discovery of the housing plan without reading the report, but just looking at what they used for appendices. I've never done it this way before. I've always-- I've always been a bit of a traditional gal when it comes to reading reports where I read the report and then I look at the appendices. But tonight, I am mixing things up. That's right. I'm in the mix. I'm reading the appendices first. Walking on the wild side of report reading. It's bananas. I think I'm about out of time so I'm not going to start the appendices until my next time on the mic, because, I mean, I might be wild, but I'm not that wild. I'm not an animal that I'm going to start the appendices with only 20 seconds left and then have to stop and then get back into the appendices. So instead, I'm just going to wait until the time is up, and then I will go--

KELLY: That's your time, Senator.

M. CAVANAUGH: Thank you.

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

HUNT: Thank you, Mr. President. I'm talking about a couple other bills that I think could potentially be included in the committee package with the amendment, AM1330. And one of those is LB670. So LB670 is a little bit different than other bills we've seen in the past because it implies nondiscrimination provisions for gender identity and sexual orientation to employers of all sizes. The Nebraska Fair Employment Practice Act, which contains our current statutory discrimination protections for workers and other protected categories, applies only to employers with 15 or more employees. So while other bills have simply stuck these two additional protected categories onto that law's list, this bill is a little, little bit more complicated and a little different because I decided it was worth discussing a measure that would apply these protections to employers of all sizes. So you'll see in the text of LB670 that this is done by creating two classes of employers and defining them, Class I employers and Class II employers for those with more or less than 15 employees respectively. The gender identity and sexual orientation antidiscrimination provisions are then applied to both classes of employers while exempting Class II, which is the smaller employer, from other requirements included in the act that might be more difficult or cumbersome for businesses to implement. The Nebraska Fair Employment Practice Act covers many sections with various requirements for employers. I know that in past conversations about why the act should only apply to 15 or more employees, I've been told that the law was structured that way as to basically not overregulate small businesses out of business. There are a whole bunch of administrative requirements in the act that arguably are feasible for a mid- to larger-sized company to implement that might be less feasible and more difficult for a small employer with only a couple employees to fulfill. And that's another discussion for another day. And I'm actually looking in the future, if it would be a good idea to have a different act that protects employees of small businesses in other ways. Because as a small business owner myself, I do recognize that there are some things that large companies can do with their HR departments that would just be a huge drain and too difficult for a smaller company. So the spirit of LB670 is that without picking apart what any other requirements of the NFEPA should do or shouldn't apply to smaller businesses, we're only applying the antidiscrimination provisions to smaller businesses in LB670. That's why the language in the bill, if you take a look at it, it looks a little bit complicated and confusing. It's that it adds categories protected against discrimination to this new, smaller class of

employers while exempting them from all of the other requirements of the act. There are some things in the act, like accommodations for persons with disabilities and pregnant women, for example, that just resourcewise, could be harder for an employer or a handful of employees to implement. But what I will say is that for employers of any size, it costs absolutely nothing to not discriminate against workers based on their gender identity or sexual orientation. I've gotten a lot of emails saying that this is government overreach or this is going to harm small businesses. And I'm just racking my brain because I can't think of a single circumstance where it would be more difficult or more costly not to make an employee feel discriminated against based on their identity. If someone is doing a poor job, sure, you can demote them, you can fire them. All companies will still have the right under this bill. Maybe the worker isn't a good fit for your business or there's a reason based on their behavior or their interactions with customers or something like that. Under this bill, employers could still deal with that as they see fit. It's just under LB670--

KELLY: One minute.

M. CAVANAUGH: Thank you, Mr. Ployer-- Mr. Employer-- just about. Thank you, Mr. President. It's just that under LB670, no employer can keep someone in the back room or give them less hours or fire them purely because they are gay. So there's a couple of questions that I continue to get with this bill related to the Supreme Court, *Bostock v. Clayton County* decision that prohibited discrimination against LGBTQ people in employment and public accommodations and why this bill is necessary given that decision. And I can tell you several reasons for that in my next time that I have an additional five minutes. Thank you, Mr. President.

KELLY: Thank you, Senator Hunt. Speaker Arch, you're recognized for a message.

ARCH: Thank you, Mr. President. Colleagues, I just want to let you know we're under a tornado watch and severe storm watch. And so I've decided we will adjourn tonight at 8:00 so you can get home safely. And, and we'll see what-- we'll see what the storm brings. Thank you, Mr. President.

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

M. CAVANAUGH: Thank you, Mr. President. Thank you, Speaker Arch. OK.

KELLY: And it is your last time before your close.

M. CAVANAUGH: Thank you, Mr. President. Yes. I am looking at the Nebraska 2022 Strategic Housing Framework Appendices. They are 24 pages. I-- if for those who are following along or those who just joined, I am rolling the dice. I am walking on the wild side. I am reading the appendices before I read the report because it was an option available to me on their website. Appendix 8 [SIC]. Strategic Housing Council Members. Council Members. Members of the Strategic Housing Council are listed below. Positions, titles and affiliation for each member are also listed to document the diversity of housing expertise at the table during Framework development but it does-- but does not indicate or imply support from those entities. Asterisks denote Core Team members. OK. I am not going to read this list because it's long and I might butcher somebody's name and I'm looking at it and I see that a relative of mine is on the list, so I am going to skip down. Then there's Additional Advisors and then there's the Wellstone Collaborative Strategies. This is all still Appendix A. OK. Appendix B. Council Process. The Council made several foundational decisions at the start of the process to guide their framework. Scope and Guiding Principles. The Nebraska Investment Finance Authority is one of the leading agencies working to ensure Nebraskans have enough housing at a price all residents can afford. NIFA's Board, in consultation with the Governor's Office, has asked NIFA to host the development of a strategic housing framework that is actionable and accountable. The aim is to build an ecosystem of partners that will continue to shepherd the framework's implementation while aligning and coordinating Nebraska's housing efforts across the state and local agencies, nonprofits and developers. I am going to take a moment to make the font bigger for my boomer eyes. OK. To begin building this ecosystem and developing the framework, NIFA has formed the Strategic Housing Council. The future housing ecosystem will allow anyone access to this-- oh, access across anyone-- across the state to better access available programs, funding agencies to administer housing programs and funds more efficiently, and for end consumers to find greater numbers of housing units available for their use. Our framework will be bold and shall create fundamental change. Specifically, it will: Be collaborative. Ensure coordination and align among developers, nonprofits, local governments, state and federal agencies, and programs. Kind of want to do jazz hands with the programs. And programs. No one entity owns the problem or the solution. Build upon what is--

KELLY: One minute.

M. CAVANAUGH: Thank you, Mr. President. Build upon what is currently working. Highlight and expand upon existing solutions addressing our housing issues. Tolerate risk to encourage innovation. Encourage and pilot innovative solutions while understanding the risks through data-driven processes. Be measurable. I lost my place. Be measurable. Develop the ability to understand whether we are closing the existing gaps. Be actionable. Ensure there are clear owners, timelines, resources, and evaluation criteria to implement the strategies we set forth. Address local needs. Address the specific needs across the state, noting that challenges and solutions may look different in different communities. There will not be a cookie-cutter approach. Consider expanded impact.

KELLY: That's your time, Senator.

M. CAVANAUGH: Thank you.

KELLY: Senator Hunt, you are recognized to speak.

HUNT: Thank you, Mr. President. So talking about employment discrimination, a question that I continue to get is with the Supreme Court *Bostock v. Clayton County* decision that prohibited discrimination against LGBTQ people in employment and public accommodations, why a bill like this is necessary. And I can tell you several reasons. After the Supreme Court ruling, which I'll refer to as *Bostock*, the Nebraska Equal Opportunity Commission had to begin processing cases on the basis of sexual orientation and gender identity for the first time. And I've had extensive conversations with the commission in my past efforts on this topic, and they came in in support of this bill because they've informed me that it would be really helpful for them and they could do their work more expediently and more efficiently and complete their investigatory duties if we had this minimum standard in our Nebraska state law. Without clear coverage in state law, cases have to be taken federally. When the state law doesn't at least mirror the federal baseline, it creates inconsistency. And what the Equal Opportunity Commission told me is that smaller businesses that don't have legal counsel often don't understand their rights and responsibilities in this area. And the Nebraska Equal Opportunity Commission is the entity that's then there to educate them. So getting this, getting something like LB670 in state law would allow the Equal Opportunity Commission to fully leverage federal funds that are available to help protect Nebraskans

from discrimination. The commission also indicated that clarity in state statute and leveraging funds could also help them conduct education and outreach efforts and help employers that are smaller learn about what their rights and responsibilities are to protect themselves and to avoid costly litigation. By passing LB670 into state law, we would be providing an avenue for recourse. We would be providing a recourse in the state court or local court instead of a federal court. And that is going to be so much more accessible and so much more affordable for parties on either side. Litigating something in federal court is costly. It takes a lot of time, it takes a lot of money. It often takes a lot of travel. And that affects all stakeholders, you know, no matter what size of a claim you're on. And as it stands, because we have a patchwork of federal, state, and local laws that all have different employment thresholds, this creates a lot of uncertainty for employers and for employees. We know that business leaders in Nebraska see policies like this as essential to economic growth. The Omaha Chamber has indicated that their membership is considering this to be a priority this year and is willing to throw more support behind it than ever as part of their recruitment and retention efforts. Representatives with the Omaha Chamber have told us that they've had talented recruits that decided they didn't want to come here to Nebraska because they knew they wouldn't be protected under the law. So it's not just some abstract fear. It's really literally happening, that people are not coming to Nebraska because of our nondiscrimination laws here. Polling shows that 75 percent of Nebraskans support these protections, including 67 percent of people in small towns and 82 percent in medium and large cities, including 63 percent of Protestants and 78 percent of Catholics. This is from the UNL Bureau--

KELLY: One minute.

HUNT: Thank you, Mr. President. This is from the UNL Bureau of Sociological Research from a study in 2018 that was also covered in the Journal Star. The fact that Nebraska's laws don't reflect the beliefs of our state's citizens, it honestly makes us look really closed-minded and really regressive. OpenSky Policy Institute, which I'll talk about my next time on the mic, they just published an editorial in the Journal Star today or yesterday talking about how the social culture war, that's what we call it, the culture war things that the Legislature is doing will likely undo all the benefits that we get from tax cuts just because people are not seeing Nebraska as a state where they have a future. Thank you, Mr. President.

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

CONRAD: Thank you, Mr. President. I would yield my time to Senator Hunt, if she so desires.

KELLY: Senator Hunt, that's 4:55.

HUNT: Thank you, Senator Conrad. In 2022, when I brought the old version of this bill, I conducted an informal survey on social media to which hundreds, not like 200, but like 900 Nebraskans responded. And one of the key takeaways of the survey was that young people don't want to live in a place where the culture doesn't reflect their values. You guys all know this because your kids tell you this and your grandkids tell you this. Your kids and grandkids who have left the state are lobbying you on these culture war bills, and you know exactly how they feel about these things. You know exactly how most Nebraskans feel about these things. We know that workers are hesitate to stay or come to a state that doesn't offer protections and security to their positions. Creating a home in a new community that doesn't legally appear to be supportive of who you are is very difficult. It's a lot to ask people to do that in Nebraska. We are competing with our neighboring states for top talent and we can't afford to be one of the only states left that tells young people that they're not welcome here just because of who they are. 67,000 Nebraskans identify as LGBTQ, and this issue matters to them a lot, just knowing that they won't be fired because of who they are or who they love, and that we can finally codify that into statute as the Equal Employment Commission has encouraged us to do. So LB670 is a little bit broader than Bostock because it-- in a good way if you hate equality. So I'm talking to you. It authorizes all cities and villages to adopt their own ordinance preventing discrimination so cities and villages and everybody could make their own law around this. It doesn't say that the state law is going to be the only thing. It covers all county personnel and state government workers. It covers labor organizations and it covers contractors. It also provides that someone who quits a job due to discrimination can be eligible to collect unemployment. And also with LB670, all employers with one or more employees would be covered, not just employers that have 15 or more employees. There are also religious exceptions in this bill for religious employers. The act that this bill would amend, which is the Nebraska Fair Employment Practice Act, it already has an exemption for religious companies. Section 48-1103-- and this was, you know, Senator Geist when she was here, former Senator Geist, who's now running to be mayor of Lincoln,

this was her hangup and this is what she really couldn't understand about the bill. But the Nebraska Fair Employment Practice Act, which is the act that this bill would amend, they have an exemption for religious businesses, which is Section 48-1103, and that section exempts religious corporations and associations from the Nebraska Fair Employment Practice Act, and thus it excludes them from these categories. So this would cover any religious-based employer such as the Catholic Conference or churches or church employees or whatever. In the text of Section 48-1103, and again, Senator Geist really struggled to understand this, but the section reads: Exceptions to the act. The Nebraska Fair Employment Practice Act shall not apply to a religious corporation, association, or society with respect to the employment of individuals of a particular religion to perform work connected with--

KELLY: One minute.

HUNT: Thank you. --the carrying on by such corporation, association, or society of its religious activities. So basically saying if the Nebraska Fair Employment Practice Act conflicts with your religion in any way, doesn't apply to you. This is unbelievable to a lot of people because they think there's a gay conspiracy or something. I don't know. But all we really want is to pass these protections for employers, not to discriminate against people based on their religion or something like that. So in 48-1101, the purpose section of this act states that employers are not required to hire or give preferential treatment to anyone based on any of their identity categories, whether it's age, race, you know, disability, national origin, gender, whatever. And that means they don't have to do anything different or give anyone special treatment. The only thing is they just can't refuse to hire somebody--

KELLY: That's your time, Senator.

HUNT: Thank you.

KELLY: Thank you, Senator Hunt, and you're in the queue and this is your last time on the motion.

HUNT: Thank you, Mr. President. So it's not saying that they have to do anything different or give anyone special treatment. They just can't refuse to hire somebody exclusively on the basis of them being gay. They just can't fire somebody exclusively on the basis of being LGBTQ. So the purpose of 48-1101 reads: It's the policy of this state

to foster the employment of all employable persons in the state on the basis of merit, regardless of their race, color, religion, sex, disability, or national origin, and to safeguard their right to obtain and hold employment without discrimination because of their race, color, religion, sex, disability, or national origin. Denying equal opportunity for employment because of race, color, religion, sex, disability, or national origin is contrary to the principles of freedom and is a burden on the objectives of the public policy of this state. The policy of this state does not require any person to employ an applicant for employment because of his or her race, color, religion, sex, disability, or national origin. And the policy of this state does not require any employer, employment agency, labor organization or joint labor-management committee to grant preferential treatment to any individual or to any group because of race, color, religion, sex, disability, or national origin. It is the public policy of this state that all people in Nebraska, both with and without disabilities, shall have the right and opportunity to enjoy the benefits of living, working, and recreating within this state. It is the intent of the Legislature that state and local governments, Nebraska businesses, Nebraska labor organizations, and Nebraskans with disabilities understand their rights and responsibilities under the law regarding employment discrimination and the prevention of discrimination based on disability. So what this says is that it's the responsibility of the employer to understand the law. And what the Nebraska Equal Opportunity Commission has told us many times is that without clear coverage in state law, they have to take cases federally. It's a lot more expensive and you're paying that. It's a lot more expensive for this state to have that happen. They say it would be more helpful for them to be expedient, to be efficient, to save money, to complete their investigations on claims if we had this minimum standard in our state law. When the state law doesn't at least mirror the federal baseline, it creates inconsistency. And the fact is, of course, that smaller businesses often don't have legal counsel. You know, it's hard to think of a lot of small businesses of 15 or fewer employees that have a legal department or even that have an attorney on retainer at all. And the Nebraska Equal Opportunity Commission ends up needing to educate them. So that's a burden and a cost on the commission. There are federal funds that we could be pulling down to help pay for that that we are not able to access because of our law today. And getting them-- getting this bill, LB670, in state law will allow them to fully leverage all federal funds that are available to them to help protect Nebraskans from discrimination, to help carry out investigations, not just, you know, claims that gay

people make, but claims that people make based on race or based on ability or based on gender, all of the different kinds of claims that the Equal Employment Opportunity Commission already deals with. The commission also indicated that clarity in state statute and leveraging funds could help them conduct education and outreach--

KELLY: One minute.

HUNT: Thank you, Mr. President. --and make sure that these small businesses that don't have a legal department, that don't have attorneys on retainer, that they know what their liability is and they know what their responsibility is as an employer. And likewise, so employees know what their responsibility is as well. Thank you, Mr. President.

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

CONRAD: Thank you, Mr. President. I would yield my time to Senator Cavanaugh, if she so desires.

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

M. CAVANAUGH: Thank you, Mr. President. This is probably it for the evening, since we are adjourning in five minutes. So I was reading the Strategic Housing Framework Appendices, but I think I will save that scintillating content for tomorrow. So this has been a unusual session for many reasons. We have a new senator in the body tomorrow. That's going to lead to some procedural things that I haven't seen before during session, when last year when we had a senator leave and a new senator seated, it was very late in the Second Session of the biennium. So we didn't really bother and I guess they weren't a committee Chair either, so there was that. So we didn't have quite as many things to housekeeping. That's what you would call them. We didn't have as many housekeeping things as we will have with this one, because we are in the first year of the biennium and we are just two thirds of the way done with the session. So we do have housekeeping items to take care of tomorrow. Yeah. So we've had a lot of bills. We've had a lot of Christmas trees or I don't know what other words have been used to describe them other than Christmas trees: ride along, tag along, jump in the wagon. I don't know. Canoe, canoe of bills. I don't know. A long canoe. A toboggan. How about a toboggan? We have a toboggan of bills. A clown car. I'm not going to go with the clown car analogy because I am actually terrified of clowns. And so

much so that my nine-year-old has a Ticket to Ride game. And one of the cards has, like, a clown on it. And we were playing the game-- the whole family was playing the game on Sunday. And they kept saying, Oh, mommy, you don't want that card. It's got clowns on it. And I was like, well, I think I can handle like a card, playing card that has a clown on it for a few seconds. But I did look at it and I did not care for it at all. But yeah, I suppose some of these-- some of these massive clown cars are as horrifying to me as an actual car full of clowns would be. So maybe that is an apropos comparison. Yes. Anyhoo, that's neither here nor there. It's just getting to that point in the night where I am tired. I'm tired of talking, and at some point I will be curious-- this is a future project for someone, definitely not me. I would be curious about the various topics I have talked about just in this week alone. What have I talked-- because if you asked me to tell you the things I've talked about this week alone, all I could tell you is that I started reading the appendices of the NIFA Framework Report prior to reading the report, because I was walking on the wild side.

KELLY: One minute.

M. CAVANAUGH: I decided to read appendices instead-- read appendices before I did the report. And that's, that's the level of hijinks you can expect from me. Yeah, I really, I really truly am a nerd, I guess. And probably tomorrow I'm going to have, like, some real deep regret and anxiety over the fact that I didn't read the report before reading the appendices, but I was just feeling-- I was feeling saucy. So I went with the appendices first and it was an option available to me on the website. So I thought, well, why not? Normally when you download a document, the appendices are at the bottom of the document, and so you really-- wouldn't make sense for you to just go straight to the appendices. But this has the full document, or you could download it without the appendices, or you could download just the appendices. And I was like, well, look at this smorgasbord of options. I'm going to go with the appendices.

KELLY: That's your time, Senator.

M. CAVANAUGH: Thank you, Mr. President.

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

CLERK: Mr. President, amendments to be printed: Senator Machaela Cavanaugh and Senator McDonnell to LB191. Mr. President, priority

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motion. Senator Murman would move to adjourn the body until Thursday, April 20, at 9:00 a.m.

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