

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate March 17, 2025

DeBOER: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the forty-fifth day of the One Hundred Ninth Legislative Session, First Session. Our chaplain for today is Reverend Glen Emery from Grace Lutheran Church in Fairbury, Nebraska, Senator Tom Brandt's district. Please rise.

GLEN EMERY: Teach me your way, O Lord, that I may walk in your truth. Unite my heart to fear your name. Psalm 86:11. In the name of our Triune God, Father, Son, and Holy Spirit. Amen. During this season of the Lenten journey, help us to be contemplative, begging in true repentance for your pardon and favor. Help us to also contemplate the great length that our Lord Jesus Christ took to redeem us from our iniquities. And finally, may we rejoice in the salvation won for all who by the Holy Spirit have faith in Jesus and follow him. Today, in our personal life, in our-- and in our life as a legislator, we pray that you would lead and guide us by your counsel. You have told us in Psalm 32:8, I will counsel you with my eyes upon you. Here we are, Lord. Let your good spirit lead us in the land of uprightness. We yield ourselves entirely to you, O Lord our God. Govern our hearts and fill it always with holy thoughts. Govern our body, that our hands may not reach out after forbidden things, and that our feet may not walk in the paths of sin that lead to hell. Govern our life and our tongue, that we may not utter curses or shameful, unfitting, and unchristian words. Govern our entire life that from now on we may not sin against you, but may be called, and in truth actually be, a genuine believer in Jesus Christ. We come before you, seeking your wisdom and guidance for our state legislators, corporately and individually. You have placed these leaders in positions of authority, and we ask that you grant them discernment, integrity, and a heart for justice as they make decisions that impact the lives of many. May they know that they have no authority except that which you have granted them, so that they don't become haughty and conceited. Give them the courage to stand for the truth, the humility to listen with open hearts, and the wisdom to seek the common good above personal and political gain. May they govern with fairness, compassion, and a deep commitment to serving the people they represent. Bless their work, their families, and their efforts to build a state where justice, righteousness, and godly living prevail. May they be guided by your hand and strengthened by your presence. In your holy name we pray. Amen.

DeBOER: I recognize Senator Juarez for the Pledge of Allegiance.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate March 17, 2025

JUAREZ: Please join me, colleagues. 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.

DeBOER: I call to order the one hundred and-- the forty-fifth day of the One Hundred Ninth Legislature, First Session. Senators, please record your presence. Roll call. Mr. Clerk, please record.

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

DeBOER: Thank you, Mr. Clerk. Are there any corrections for the Journal?

CLERK: I have no corrections this morning, ma'am.

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

CLERK: I have no messages, reports, nor announcements.

DeBOER: Thank you, Mr. Clerk. I'm going to do these first. Senator McKinney would like to recognize Tera Thoms of Lincoln and Claire Savage of Omaha, sitting under the north balcony. Please rise and be welcomed by your Nebraska Legislature. Senator Arch would like to recognize Joy [SIC, Jay] Jackson, a resident of District 14 that is located-- she is located underneath the south balcony. Please rise and be welcomed by your Nebraska Legislature. Colleagues. The cinnamon rolls at your desk are provided by the freshman class in recognition of Saint Patrick's Day and the midpoint of the legislative session. Thanks to LaVon Clouse for preparing the rolls with modest assistance from her husband. Mr. Speaker for an announcement.

ARCH: Thank you, Madam President. I have a few announcements this morning. First, I want to let everybody know that we're going to be passing over LR25CA today at the principal introducer's request. I sent out an email on Friday with this announcement since the request was made after the agenda had been made public. Second, I have selected my 25 Speaker priority bills. All but two of the bills I selected are on General File. As I had mentioned early last week, bills out of committee had a slight advantage. With bills on General File, I had the additional input of the committee's vote to advance. So the bills I am designating as Speaker priority bills for this session include, and I'll, I'll quickly read off the list here, and then we'll be handing out copies as well. Senator Hunt's LB32, change provisions relating to disclaimers on political advertisements. Senator DeKay, LB50, change provisions relating to the distribution of the nameplate capacity tax. Senator Bostar, LB77, adopt the Ensuring

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate March 17, 2025

Transparency and Prior Authorization Act. Senator Holdcroft, LB133, provide authority for animal control officers to enforce state or local animal control. Senator Hughes, LB166, require the county treasurer to maintain confidentiality of certain persons residential. Senator Fredrickson, LB217, require suicide awareness and prevention training for employees of child placing agencies and child welfare workers. Senator Arch, LB346, change qualifications of the State Capital Administrator, provide for termination of boards, etcetera. Senator Quick, LB364, change provisions relating to legislative approval of an indication of intent to incorporate land into state park system. Senator DeBoer, LB388, change provisions relating to judicial nominating commissions. Senator Murman, LB391, adopt the, the Give to Enable Scholarship Act and provide for certain income tax. Senator Wordekemper, LB399 change provisions relating to property tax rates and qualifications for certain distributions under the Mutual Finance Assistance Act. Senator von Gillern, LB401, change provisions relating to income taxes imposed on partnerships and small business corporations. Senator Dungan, LB414, establish a suicide mortality review team for the Department of Veterans Affairs. Senator DeBoer, LB453, change requirements for background checks for guardians and conservators. Senator Quick, LB454, change provisions relating to regional behavioral health authorities and the Behavioral Health Services Fund. Senator Jacobson, LB529, provide certain exemptions relating to contracts for the Nebraska Investment Council under the State Procurement Act. Senator Dungan, LB560, change provisions relating to innovative tourism grants. Senator Brandt, LB561, change maximum weight limits for vehicles carrying raw milk. Senator Anderson, LB613, change provisions relating to the disclosure of tax information to municipalities. The Judiciary Committee bill, LB640, change calculation of a sentence reduction for good behavior during confinement in a jail. Senator Bostar, LB641, change provisions relating to Medicaid estate recovery. Senator Storer, LB667, change provisions of the Motor Vehicle Industry Regulation Act. Senator Raybould, LB696, change, provide and eliminate provisions of the professional landscape architects. Senator McKinney, LB704, change provisions relating to the review and modification of incarcerated parent's child support order. Senator von Gillern, LB707, change provisions relating to project eligibility under the Good Life, the Good Life Transformational Projects Act. And you'll be receiving a handout of that if you have not already received it. Obviously these are difficult decisions. Quite the challenge every year to, to pick those bills that I, I think would be most appropriate, have the broadest impact. So that was the attempt that I made in, in selecting these Speaker priorities. Finally, I want to let you know the next two

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate March 17, 2025

weeks before transitioning into focusing solely on priority bills, I will be devoting time to addressing the worksheet order bills on Select File. I want to continue, if possible, to move those bills. I am not anticipating scheduling any more worksheet order bills on General File. Thank you, Madam President.

DeBOER: Thank you, Mr. Speaker. Mr. Clerk, for the next item.

CLERK: Madam President, Speaker priorities to be read in as announced by the speaker. Additionally, announcement. The Agriculture Committee will meet in executive session, room 2022 at 11:00 this morning. Ag, 11:00 in room 2022. Additionally, some motions to be printed from Senator Spivey to LB632. That's all I have this time, Madam President.

DeBOER: Thank you. Mr.-- Thank you, Mr. Clerk. Senator DeKay would like to recognize nine high school students from Summerland Public School in Ewing. Please stand and be recognized by your Nebraska Legislature. Mr. Clerk, for the first item on the agenda.

CLERK: Madam president, the Agriculture Committee would report favorably on the gubernatorial appointment of Anna Castner Wightman to the-- Wightman to the Nebraska State Fair board.

DeBOER: Senator DeKay, you're recognized to open on the committee recommendations.

DeKAY: Thank you, Madam President, and good morning, colleagues. The Agriculture Committee recommends the approval of the appointment of Anna Castner Wightman to serve as a member of the Nebraska State Fair Board. Ms. Wightman appeared before the committee on March 11th. She was very responsive to the committee's questions, and the committee vote was unanimous to recommend approval. The Fair Board is an 11 member board. Seven members are chosen by State Fair districts, according to the bylaws of the Fair Board and four members appointed by the governor. Three of these represent the business communities of their respective congressional district, and one represents the business community of the host city, Grand Island. Anna would represent the business committee of the Second Congressional district, replacing former Senator Brett Lindstrom, who chose not to seek reappointment. Anna has been serving as the Senior Director of the Corporate Affairs of FNOB Bank in Omaha since 2000. She was previously the director of the State and Federal Relations for the Omaha Chamber of Commerce. She also served on the staff of former Secretary of State Scott Moore and former Congresswoman Virginia Smith. Anna is a graduate of Columbus High School and earned a bachelor's of science

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate March 17, 2025

degree at Nebraska Wesleyan University. She also talked about her experience as a 4H exhibitor in her youth. She brings a wealth of connections to the business community of the second district, and an enthusiasm that will be a great resource for the fair board. I ask your green vote on the committee report. Thank you.

DeBOER: Thank you, Senator DeKay. Turning to the queue, Senator Hansen, you're recognized.

HANSEN: Thank you, Madam Speaker. Colleagues, I just want to touch on briefly why I asked the speaker to pass over, make sure I get the number right, LR25CA. It's not that I still don't want to continue to move it forward. I'm just going to kind of put it on pause for a little bit. It seems like a lot of the discussion we're having in opposition on the floor was not even so much pertaining to the bill itself as it was to maybe other topics that some people had some grievances over. And so, in the good nature of not holding up the session for I don't know how many more hours, I think we have some other work that needs to get done. And so I want to kind of keep the ball moving forward, get some good bills on the floor, hopefully address LR25CA again later this session, or if anything, at the very beginning of next session. Since that is an LR we have some time yet still. So I like to make sure that we can get some good bills on the floor that deal with property tax relief, property tax reform, get the budget going, get, get the people's work done before we start bringing up other issues that have to do with senator pay or term limits. So with that, I would like to just let everybody know why we passed over LR25CA and it's not dead by any means. Just want to kind of bring it up later to get the people's work done first. Thank you, Madam President.

DeBOER: Thank you, Senator Hansen. Senator Dover would like to recognize 18 high school students from Madison High School in Madison. Please stand and be recognized by your Nebraska Legislature. Senator Moser, you're next in the queue.

MOSER: Thank you, Madam President. I just wanted to support the nomination from the Agriculture Committee. Anna Castner Wightman's father was city administrator of Columbus. My wife worked for Lloyd Castner for a time, and the family is great family. And I've known Anna for decades, and I think she'd be a great choice. I think she's successful in whatever she does. Thank you, Madam President.

DeBOER: Thank you, Senator Moser. Seeing no one, no one else in the queue. Senator DeKay, you're recognized to close. Senator DeKay waives

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate March 17, 2025

closing. The question is the adoption of the report offered by the Agricultural Committee. All those in favor vote aye; all those opposed vote nay. Have you all voted? Record, Mr. Clerk.

CLERK: 42 ayes, 0 nays on adoption of the committee report, Madam President.

DeBOER: The report is adopted. Mr. Clerk, items for the record.

CLERK: Thank you, Madam President. Your Committee on Government, Military and Veterans Affairs, chaired by Senator Sanders, reports LB166 and LB346 to General File both having committee amendments. Additionally, an amendment to be printed from Senator Riepe to LB41. It's all I have at this time.

DeBOER: Thank you, Mr. Clerk. Proceed to the next item on the agenda.

CLERK: Madam President, next item on the agenda, LB376 on General File, introduced by the Health and Human Services Committee. It's a bill for an act relating to the Department of Health and Human Services. Amends 28-3,107, 28-705 28-706, 43-512.11, 43-2624, 43-3301, 43-3342.04, 68-130, 68-150, 68-158, 68-716, 68-909, 68-919 [68-912], 68-916, 68-1006, 68-1007, 68-1509, 68-1738.03 [68-1735.03], 68-1804 69-2409.01, 71-2226, 71-2518. 71-7450, 81-132, 81-638, 81-642, 81-643, 81-645, 81-648, 81-649, 81-649.02, 81-664, 81-1113, 81-3116, 83-102, 83-105, 83-4,134.01, and 83-1216.01. Reissue Revised Statutes of Nebrasaka, and sections 30-38,113, 38-1130 38-1208.01, 38-1216, 43-4406, 43-4504, 43-4706, 68-919 68-974 68-995, 68-9,109 68-1530, 71-509, 71-564, 71-604.02, 71-2489, 71-7804, 76-3501, and 76-3505. Change the requirements for physical-- physicians performing or inducing abortion; change and eliminates various reporting requirements; changes requirements for rules and regulations as prescribed; redefines a term; changes requirements for the Title IV-D Customer Service Unit; changes fund-- funding provisions for child care grants; change eligibility requirements for young adults in the bridge to independence program; change requirements relating to office space maintained by counties; changes and eliminates requirements relating to application for, determination of need for, and payment of assistance to the aged, blind, and disabled; change notification requirements for certain test results; change requirements for nonvoting members of the Alzheimer's Disease and Other Dementia Advisory Council and the Primary Care Investment Council; changes requirements for affidavits relating to acknowledgment of maternity; change requirements of the State Commodity Supplemental Food Program; change requirements for new construction under the Radon Resistant New

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate March 17, 2025

Construction Act; changes responsibility requirements for the Division of Health [Children] and Family Services; changes and eliminates powers and duties department; eliminates provisions relating to spousal assets under the Medical Assistance Act, the Autism Treatment Program Act, maternal and child welfare, the Palliative Care and Quality of Life Act, the Outpatient Surgical Procedures Data Act and patients with complex health needs; provides for the use of wholesale drug distributor license fees for the prescription drug monitoring program; eliminates obsolete provisions; harmonize provisions; repeals the original section; outright repeals section 43-3326, 48-2307, 68-921, 68-922, 68-923, 68-924, 68-925, 68-962, 68-963, 68-964, 68-965, 68-966, 68-1008, 68-1118, 68-1518, 68-1735.02, 68-2004 71-17,115, 71-2201, 71-2202, 71-2203, 71-2204, 71-2205, 71-2207, 71-2208, 71-3005, 71-4501, 71-4502, 71-4503, 71-4741, 71-8313, 81-650, 81-6,111 81-6,112, 81-6,113, 81-6,114, 81-6,115, 81-6,116, 81-6,117, 81-6,118, 81-6,119 and 81-3133, and sections-- reissue Revised Statutes of Nebraska and section 68-1010, 71-4504, and 76-3507. The bill was read for the first time on January 16 of this year, and referred to the Health and Human Services Committee. That committee placed the bill on General File with committee amendments.

DeBOER: Senator Hardin, as chair of the Health and Human Services Committee, you're recognized to open on the bill.

HARDIN: Thank you, Mrs. President. I'm here to introduce LB376 as chair of the Health and Human Services Committee. LB376 is a committee bill brought to us by the Department of Health and Human Services, DHHS, that changes and eliminates reports, programs, and services within DHHS. There are several reports dealing with child support, Medicaid funding and services, child welfare expenditures, YRTC's, DD, credentialing of facilities and behavioral health that are being changed or eliminated. Also, programs and services such as county office space, palliative care, AABD, and the spousal impoverishment program are removed or updated. Many of these reports, services, and programs are outdated and need to be changed or removed. As a legislator, I value the importance of data and solid information in making policy decisions. Reports serve as an important tool of legislative oversight. However, when reports are layered over each other year after year, their importance is diminished. The same goes with programs and services. Programs that are already subject to federal mandates don't necessarily need to be in state law. Many programs and services need to be restructured and brought up to speed with current challenges. LB376 addresses these concerns by cleaning up these inefficiencies and making state government run better. With

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate March 17, 2025

that, I would like to close on my opening if I may, Mrs. President, and I would like to move on to the committee amendment.

DeBOER: Thank you, Senator Hardin. You are now recognized to open on the committee amendment.

HARDIN: LB376 was heard in the Health and Human Services Committee on February 19th and was advanced from the committee with 6 ayes, 0 nays, and 1 present not voting. There is also a committee amendment, AM411, which outright repeals the statute relating to the Stone Office Building at the Norfolk Regional Center. I have distributed a handout regarding this bill and would be happy to answer any of your questions. Please vote green on AM411 and LB376. Thanks.

DeBOER: Mr. Clerk.

CLERK: Madam President, Senator Machaela Cavanaugh would move to recommit the bill to committee.

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

M. CAVANAUGH: Thank you, Madam President. Good morning colleagues. I know normally when I vehemently oppose the bill, I would start with an indefinitely to postpone. But I genuinely think that this bill needs to, to go back to committee. It took the clerk four minutes to read this bill over the record. Four minutes. That is definitely a record. I have never heard the clerk more than 30 seconds reading a bill. I thank the chair of the committee, Senator Hardin, for passing out this summary of the bill, and if everyone has it at their desk, you should take a look. The summary is the great evidence of the fact that this should be at least one, two, three, four, five, six, seven, eight, nine, ten, eleven, twelve bills just by the way that the committee itself broke down this one bill. This is not how the sausage gets made. This is burying things on top of things, on top of things. Even if every single thing in this bill I agreed with, even if I thought it all was sound public policy, this is still egregious and offensive. This is not how we legislate. 59 sections. This bill has 59 sections, and it had one public hearing. The fiscal note doesn't indicate anything other than it outlines all of the sections. There's no, like, genuine fiscal impact. The, the counties indicated that they're going to charge us more for rental space, which is good, they should be charging us more. So it's going to cost us something to do that section of it, which I think it's section maybe 56, I'm not sure. Section 9 removes \$10,000 maximum limitation for childcare startup grants. The section also permits grants in excess of appropriations if

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate March 17, 2025

the funds are available in the Child Care Development Fund. So, I mean, I don't know if anybody cares about the Child Care Development Fund, but we're just eliminating a cap on grants so they can be more, which I like. I don't know what the analysis was on the sustainability of moving it to the Child Care Fund, but that's cool. The reports that are being eliminated, well there's a lot. There's one that eliminates reports on-- well, there's quite a few, I mean, that eliminate information that is kind of important. So this is the-- I looked this one up last week. This is the public health authorization dental services and evaluation report. So this is-- the DHHS submits an annual report evaluating dental hygiene services delivered by dental hygienist with public health authorization in the state. Evaluates-- evaluation highlights the function, activities, and locations served by this workforce. So why is this report important? Well, for those of you that pay attention to Medicaid and dental Medicaid, we have a problem of having pediatric dentistry in this state. And it is a huge, huge deficit. And so poor children who are on Medicaid are having a very difficult time getting in to see a pediatric dentist because we reimburse at such a low rate for pediatric dentistry. So this report kind of gives us an annual update on how things are going with kids in their dentistry. So I would like that to still happen. Feels important. It feels really important. Honestly, the elimination of these reports feels lazy. And based on the fiscal note, there's no savings to the state in eliminating them. All I know, based on the fiscal note and what's in this bill, is that when we eliminate these reports, we are diluting our oversight of the state. We are diluting the public's access to information about the functions of the state. Because these reports, yes, they come to us, but they are published on our website by the clerk's office under reports, so anybody can access that information. Any college student in public health who wants to do a research paper on something can access these reports and utilize that information. So I don't know why we're, we're eliminating them. But let's go through this. I also-- I will note that I love that section 1 isn't mentioned until the very end. And programs, section 7, any physician who performs/induces an abortion is now required to report to DHHS the post fertilization egg-- age limits of 12 or more weeks. The language of 20 or more weeks is removed. Now that's because of the ballot initiative. And that makes sense because the language has changed as to what an abortion allowance is to 12 weeks. So that makes sense. However, if we're doing a clean-up bill on ballot initiative language, it does feel like perhaps that should be its own hearing, as it was for clean-up language on minimum wage and clean-up language on paid sick leave. So I'm not really sure-- oh, or the gambling bills, or marijuana. Those all had their own hearings, but

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate March 17, 2025

abortion just slipped in to this bill with 59 sections. It's nothing to see here, friends, just move along. Did you have more thoughts about what we should have done to clean-up language and statute based around abortion? Who cares? We're just going to slip it in here. I mean, I can understand why you wouldn't have wanted to have a hearing. We might have done something like revisit the, what was it, dismemberment abortion bill or the abortion reversal bill. We might have, you know, gone back and been like, well, that science is junk and harms women, and maybe we shouldn't have done it because it's idiotic. But no, we're going to keep those things in there because we got to, we got to protect women by lying to them in the doctor's office about that they can reverse an abortion. You can't. But now DHHS sends you to a religious organization on their website that doesn't have real science. So that was fun. We did that in my time. I'm really proud of that one. I'm not, for the record. OK, so behavioral health. Oh, no. Sorry. DHHS system, section 15 requires counties to maintain the no additional cost to DHHS office and service facilities until June 2028. Now this might be, this might be what the amendment does, but I don't know, I'm sure the chair of the committee could spend more than two minutes introducing this bill. Actually, the clerk spent more time introducing this bill than the chair of the committee did. So this is really being treated with all the seriousness in the world. So section 15, I don't know if that is what the amendment is. I'll have to check that and get back on it. Because I think that's like the only thing that was changed was that they can now charge. Reports. Section 12, eliminating-- behavioral health, eliminating reporting requirements of number of children receiving behavioral health services at the Hastings Regional Center. Why, dear God, why are we eliminating that report? Would Chairman Harmon-- Hardin yield to that question?

DeBOER: Senator Hardin, will you yield?

HARDIN: Yes.

M. CAVANAUGH: Senator Hardin, why are we eliminating the receiving behavioral health services at the Hastings Regional Center report?

HARDIN: Which section are you looking at?

M. CAVANAUGH: It's section 12.

HARDIN: Let's see. It says we're changing reporting period from September 1 to June 30 to better meet the September 15th due date.

M. CAVANAUGH: Your handout says eliminate reporting requirements of the number of children receiving behavioral health services at the Hastings Regional Center.

HARDIN: I'll certainly work on getting a specific answer for you. What it can do for you is answer a lot of--

DeBOER: Time, Senators.

HARDIN: --the different things that you've mentioned as you've talked about--

DeBOER: Time.

M. CAVANAUGH: Time, that's my time.

DeBOER: Senators. Senator Cavanaugh, you're next in the queue.

M. CAVANAUGH: Thank you, Madam President. I would love for you to answer those questions. However, I'm not going to give you my time to do that. As the chair of the committee and to be respectful to this body and to the people of Nebraska, I would hope you would actually participate in this conversation and explain this bill in more depth as, again, it is 59 sections. So I think that we deserve at least that. So section 12 eliminates-- and just for the record, the chair of the committee could not answer why the priority bill of the committee introduced by the committee eliminates this report, which again, goes to my point that this bill has too much in it for anybody to have their hands around it and should be sent back to committee and have another hearing. So section 12. Section 12. It just strikes on page 13, line 29, the number of children receiving behavioral health services annually at the Hastings Regional Center. And then it changes a date from June 30th-- from September 1 to June 30. It does still have the number of state wards receiving behavioral health services, but not at the Hastings Regional Center specifically. So we no longer get to know what's happening at the Hastings Regional Center. I'd like to know why is that? Because there are no youth going to the Hastings Regional Center? Maybe that's the reason. But I'd like to know what the reason is before we eliminate the report. Next. Section 32 eliminates the biennial DHHS and NSP report relating to disqualification from purchasing or possessing a handgun. I got to tell you all, I'm a hard no on this one. Hard no. Super hard no. Why? Why would we not want to know how many people are being denied possession of a handgun? I, I, I think we should know those things. I think as we dig into policy issues, we should see if there's a

pattern, if there's more people over time or fewer people over time being denied possession of a handgun. This is information that is utilized for public policy, for decision making. It is data points. So why would we get rid of that? So that there's no oversight as to whether or not there seems to be an uptick or downtick in a handgun denials, possession denials? Section 37. Regional behavioral health authorities and local public health departments are now required to report on or before November 1 of each year on the use of funds through the Opioid Prevention and Treatment Act. DHHS/Behavioral Health Division shall now report on December 31 to the Legislature. So that one seems like a reasonable date change could have been on its own. Didn't have to be with the abortion cleanup language. That's a consent calendar bill. Didn't-- could have had a five minute hearing consent calendar bill right there. Section 37. We can all probably agree on that one. So let's write that one down. Section 37 does nothing about changes a date. Great. I see that I am almost out of time, so I will just say one more time on my motion to recommit to committee. I genuinely think that this bill needs to go back to committee. It needs to have a hearing where it is a hearing by section, so that people can come out and talk about the actual bill and know what is in the bill itself. And if we vote to move it forward, then I'm done for today. So if not, we will be taking this to cloture. Thank you, Madam President.

DeBOER: Thank you, Senator Cavanaugh. Senator Raybould, you're recognized.

RAYBOULD: Thank you, Madam President. Good morning, colleagues. Happy Saint Patrick's Day. Good morning, fellow Nebraskans. I stand in support of recommitting this back to committee, and all I can say is whoa, whoa. Like, what are we doing here? There is so much to talk about, and I'm sure we'll have to take the time to talk about, but just-- I'm going to just, just start with a couple of things that jumped out at me. Why, in section 38, would we eliminate report relating to the number of children for elevated blood lead levels? That is bonkers. You know, we could be-- and I will eventually ask Senator Hardin a question, but if he doesn't know the answer, I don't want to take my time, if he doesn't know the answer to this. You know, there is funding in the Bipartisan Infrastructure Act that states have access to, the municipalities in our state, have access to. The city of Lincoln has been incredibly proactive on this, and the easiest, most detectable marker is testing children and their blood lead levels and taking immediate action to help these children. So if we're not going to report on it, how can we manage the issue throughout our state of Nebraska with aging water infrastructure, including lead

pipes? So the lead service line replacement funding is integral to this. And so if you're not reporting it, you probably will have to forgo any federal funding that the municipalities need, the public water systems need, to assist in the lead pipe replacement. The other thing is in section 44 through section 51 eliminates cancer registry report. What? Removes reporting requirement involving cancer research and it's expenditures. Holy cow. UNMC in our state of Nebraska is on the cutting edge of doing this. And guess what, folks out there, and many farmers already know this. We have an overabundance, tragically, of phosphate nitrates, contamination in our groundwater and ground levels where we have seen huge spikes in colorectal cancer, non-Hodgkin's lymphoma, Alzheimer's disease, Parkinson's disease, and a number of kidney liver cancer related to this element alone. And that's why the cancer registry is essential, so we can track. Many of you probably don't even know that Nebraska ranks number five, the fifth highest pediatric cancer rates in the United States, right here in Nebraska. These things are shocking numbers that must be tracked, analyzed and assessed. And we as state legislators have a public policy responsibility to make sure we provide safe, clean drinking water to the residents in our state. And again, as a business person, you know, if you're not managing it, you and if you're not measuring it, you can't manage it. So these, these statistics on these reports are essential. Thank you, Madam President.

DeBOER: Time. Senator. Thank you. Senator McKinney, you're next in the queue.

McKINNEY: Thank you, Madam President. I'm rising, honestly, because I just have a lot of questions on this bill, and I'm just trying to digest it. Looking through the committee statement, and there's some things that point out, that, that stick out to me. Eliminating reporting requirement for children receiving behavioral health services at the Hastings Regional Center, which is in section 12. I really want to try to understand why is, why is that being eliminated? I'm also trying to understand section 13, which says as a requirement for younger adults in the Bridge to Independence program, who were in an out of state placement or discharge to independent living if they are 16 years old before Kinship Guardian Assistance Agreement or an Adoption Assistance Program agreement has been in effect, trying to understand that. Also, section 24 eliminate Medic-- Medicaid quarterly reporting relating to administrative spending. I act-- this is important as well because the DHHS has the biggest budget as far as a state agency if I-- I think I'm right. So I want to understand why are we eliminating quarterly reporting on administrative spending for that agency? Also trying to understand section 36, which says removes

women, infant and children from state CFF program, which is the commodity, commodity supplemental food program. Trying to understand that. Also section 38, eliminate reporting relating to the number of children for elevated blood lead levels. I really want to understand this because my district has the largest lead Superfund site in the state, and I really want to know why are we eliminating this report? What is the logic behind it? Is there something else replacing it? Because I think we should know and need to know the number of children who have elevated blood lead levels. Lead affects growth and development. And if we're going to eliminate that report, I really want to know the justification behind that. Looking at section 54, eliminates TRTC report regarding population served, programming services, and facility issues. This is another important one. Are we getting rid of the R-- YRTCs? In which I don't think we are. So I would really like to know what is the population being served at the Youth Rehabilitative Treatment Centers. I want to know what programming is being offered, what services are being offered, and what issues are at the facilities. Especially when I think of the situation, I think it was in Geneva, where they had a lot of issues in the past. So I don't understand why we would eliminate that report or the blood level reports. It's just really a lot of questions. Hopefully we'll get some answers today or some, some time before this bill moves forward. But it's a lot to try to digest and I'm still just looking through it. But I wanted to get up and just discuss those, which I'm kind of interested in for sure. So thank you.

DeBOER: Thank you, Senator McKinney. Senator Arch, you're recognized.

ARCH: Thank you, Madam President. This is a, I guess, something I just want to communicate to Senator Hardin on some concerns that I have with LB376. And these are very sp-- these are very specific. And I'm hoping that he would be willing to work with me between here and Select to address these issues. But one has to do, and this has been mentioned, this, the, the annual report from each YRTC. So apparently there's actually two annual reports that are required from the YRTCs. This is a-- this is one of those two. But this one in particular has, has requirements regarding programming services and improvements made at the YRTCs. So this isn't, this isn't occupancy and number of youth and so forth. This is specific to the programming, which was our issue when, when Geneva had issues that we weren't aware of what was going on, that the program had changed and another program had not replaced that. So I think that, I think that if we eliminate this report, we ought to at least put the requirements regarding program services over into the other annual report so we still receive that information, and that's one of the issues. The next one is that there were, there were

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate March 17, 2025

several places where a report itself is not eliminated, but the specific deadline to report is. And so not sure when the Legislature could expect to receive that report. So I think we need to take a look at, at some cleanup language on deadlines and make sure that it's just-- a just like-- just nondescript, but that we have a deadline when that report is due so we know when to expect, we know when to expect the information. And the last one I would mention is that there were several reporting requirements related to Medicaid contracts that are eliminated. And I know if we-- as we've talked about and we'll be, we'll be hearing, I anticipate we'll be hearing LB298 on the floor at some point this year regarding oversight. One of the things that we've talked about within that is making sure that we have some knowledge of what's going on with contracts. And Medicaid contracts being a huge portion of, of contracting, I would-- I think that we need to be careful about eliminating that. So those are the three things that I would mention, my concerns about LB376. And so if Senator Hardin gets a chance to speak here along the way, perhaps he can just let me know if he's willing to work with me on this between here and Select. Thank you, Madam President.

DeBOER: Thank you, Senator Arch. Senator Conrad would like to recognize 37, 37 ninth graders, two teachers, and one sponsor from North Star High School. They're located in the north balcony. Please stand and be recognized by your Nebraska Legislature. Mr. Clerk for some items.

CLERK: Thank you, Madam President. Your Committee on Transportation, chaired by Senator Moser, reports LB175, LB490, LB120 to General File, LB120 having committee amendments. Additionally, your Committee on Urban Affairs, chaired by Senator McKinney, reports LB287 to General File with committee amendments. Your Committee on Natural Resources, chaired by Senator Brandt, reports LB548 to General File with committee amendments, as well as LB531. Additionally, an approved reference report from the Referencing Committee concerning gubernatorial appointments. Additionally, an amendment to be printed from Senator DeKay to LB230. A new LR, LR72 from Senator Dorn. That will be laid over. That's all I have at this time, Madam President.

DeBOER: Thank you, Mr. Clerk. Senator Hardin, you're recognized.

HARDIN: Thank you, Mrs. President. In terms of section 12 and Hastings, that report was eliminated because Hastings no longer exists as a center. So it didn't make sense to continue having a report on that. Actually, what you'll find as a theme across this very broad bill is the fact that these reports, in many cases, have not even been

looked at in many cases, some of them since they were created in 2011 when we first went digital. The interesting thing about serving in HHS is about half of the bills that come across our desk there will say "and create an annual report." It's an easy thing to say. What's fascinating is that since the digital world, many of these reports that have been eliminated have not been accessed a single time, and we know that digitally. We don't know who might have accessed it, but we know that it hasn't been accessed in many cases since that time. And so when you take a look at it and say these reports do not write themselves. Real human beings who use toothpaste and deodorant and hours have to put these reports together, and that does take money and time. And so I commend the Department for doing a very broad, sweeping amount of work this last year to eliminate waste. And so when you have reports that haven't been looked at in years, it's good to look at that and say, hmm, do we really need that? Another interesting thing that's happened by the broad stroke of the brush is that many of these things are now being done internally, and there's no longer a need for outside organizations to take care or pay for that. That was the case in regards to some cancer related things, palliative care related things and so forth. And so if they're being done internally, there's no reason to do that redundantly outside. And so also we're not seeing a fiscal note because literally the department is trying to get ahold of data. When you're trying to get ahold of data, and we are working with CyncHealth to try and get data, we're working within the department to get meaningful data, because part of what we've learned is that not all data is created equally. The reason it's not all created equally is because we need clinical understanding. We need context for story for meaningful data. And the department feels like many times it can get numbers, but it can't get the story that goes with the numbers. And so they've been gradually working to get more of that so that they can have the real picture of what's happening. As for Speaker Arch, more than glad to talk with you about these various things that have been changed, like dates, those sorts of things. A lot of those just have been to allow more time, in fact, for the department to have a meaningful amount of time. They will still be filed annually, but it allows them to have more time to be able to meaningfully handle that data. And for example, the YRTC's, I'll get some information here in a little bit in terms of the specifics on the YRTC's as well as the MCO contracts and so on and so forth. But again, what I understand is that what we have in this bill is all meant to essentially eliminate fraud and waste or expensive redundancy. And so that's why it's so broad. And so, glad to speak to specifics where we can. But we can't have it both ways. We can't have it on the one hand where we say, shame on the most expensive department of the state in

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate March 17, 2025

Nebraska because they don't watch their spending. And then we-- when we try to watch our spending, shame on them, because they need to have a separate hearing on every piece of what they're trying to improve. So, glad to amend the bill. I think it's target rich for a number of things where we could do some amendments, and we're certainly open to that. So thank you, Mrs. President.

DeBOER: Thank you, Senator Hardin. Senator Fredrickson, you're recognized.

FREDRICKSON: Thank you, Madam President. Good morning colleagues. Good morning Nebraskans. I rise to say, so I, I sit on the HHS committee and I was the, if you look at the committee report, I was the single PNV vote on this bill out of committee. And I did that because there were a handful of concerns I had. I will say that a number of aspects of this bill look, maybe on the surface, a lot scarier than they actually are in reality. But I do think that there are still components of this bill that, that do need a little bit of work. And I actually agree a lot of with what Speaker Arch said earlier, and I'm happy to hear that he's willing to work with the committee to potentially work on some amendments that ensure that the bill is doing what it's intended to do and at the same time not minimizing legislative oversight. That is kind of a, a consistent theme that we've been seeing in, in this, in this Legislature in the last couple of years. So as folks have kind of pointed out here, there are, there are a lot of, there are a lot of areas of the statute that are, that are covered in this report. It's very wide reaching. The-- my biggest concern when I first read the bill was the list of all the reports that were being sun-setted or eliminated. And what I learned in that hearing was, according to the department, a number of these reports are reports specific to the Legislature. As Senator Hardin had mentioned that the department head said that were not being accessed on a regular basis. The, the department argued that this data is still being collected and that members of the Legislature could individually request this data as needed should they be interested, but eliminating that report. I will say this. I think that that component doesn't stand by itself in this life cycle we're looking at this session. What I mean when I say that is Senator Cavanaugh actually has a bill, LB579, that we heard in the Executive-- on the Exec Board about eliminating or not allowing for fees to be charged to members of the Legislature for requesting reports. I think if we're going to be eliminating legislative reports and reporting requirements to us, we need to also safeguard and ensure that we can get those reports or get that data when we request it, and that we are not being charged fees by code agencies for that. So these things go, go hand in hand. There

are a couple of parts of the bill that I wanted to specifically point out that I think might kind of look scary on the surface, and, and I certainly had concern about, but, but later was able to get more information on. So section 36, if you see in the summary, it says it removes women, infants and children from state CSF food program. Well, that of course sounds really terrifying on the surface, but CSF Food Program since 2014 has only been targeted for elderly populations, for example. So the removal of, of women, infants and children from the statute is not meaning that we're going to be eliminating the resource from that population, but just more harmonizing it with the reality of what the actual program is currently doing. So I, I'm continuing to listen to this debate. I think that there are incredibly valid points being brought up. I think that we need to ensure that whenever we are going to be eliminating reports to the Legislature, one of our, one of our highest responsibilities in here is oversight. And if we are going to be trusting code agencies that tell us that they will be providing us with information as requested, we also need to move forward with legislation like LB579, which would prohibit code agencies from charging legislators fees for accessing information that is important for us to actually do our jobs. So with that, I will yield the remainder of my time. Thank you, Madam President.

DeBOER: Thank you, Senator Fredrickson. Senator Conrad, you're recognized.

CONRAD: Thank you, Madam President. Good morning colleagues. I, I rise with concerns about LB376, and I would just add my voice to the chorus of senators who've already had a chance to weigh in the hear-- this morning. I think perhaps components of this legislation might be just fine. Identifying outdated or antiquated or dead letter law that no longer serves a purpose or usefulness. It's always a good idea to clean-up the statute books in that regard, and it can save some, perhaps, administrative time or energy or resource. But I do have a host of concerns about the bill overall, and some of the specific parts that have been identified thus far, and I think will continue to elicit a great deal of debate. So the first piece being we know that Health and Human Services, and this administration in general, has been very reluctant to provide full information to members of this body about various programs and services and appropriations and expenditures and activities. We've seen this evidenced through responses to public records requests that almost-- that are over \$60,000 for basic information. We've seen this administration thumb its nose at legislative oversight through the Office of the Inspector General. We've seen this administration come in opposed at the Executive Board level to Senator Machaela Cavanaugh's bill to try and

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate March 17, 2025

elicit additional information as state senator so that we can carry out our obligations and serve our citizenry. And it. So sometimes these reports and this data in this legislation might be our only window into what's happening in some of these major bureaucracies. And it's particularly troubling, troubling that the Legislature can't elicit information, considering not only do we have strong public records laws, but the Legislature itself specifically has two grants of authority from the people themselves in the Nebraska Constitution to ensure that the people's branch can, in fact, do its job and have free access to information. So look no further than Section-- Article IV, Section 19, which vests the management and control of charitable, mental, reformatory and penal institutions with the Legislature and as determined by the Legislature, which of course is relevant to many of these HHS reports. Additionally, look at Section 4--Article IV, Section 23, wherein the executive officials and heads of the institutions are required to report to the Legislature information from expanding agencies not just annually, but upon request as well. So there's two constitutional grants of authority and a strong open records law. Yet members of this body still cannot elicit basic information to do their job in many instances. The other thing that I think is perhaps troubling about this measure is that it's really a fake cost cutting measure. There have been many instances this session initiated by the Governor Pilleen State of the State address, where he talked about cleaning out the closets and eliminating duplication and redundancies in waste. Great goals, excellent goals. But then when you start to look at how the administration proposes to effectuate such goals, for example, through merging two major departments or eliminating some of the reports in this report, look at the fiscal note. You're not saving a penny. And indeed, in relation to the merger, you're actually increasing taxpayer costs and fiscal component. So it's important that the actions match the word and the rhetoric. And in both instances that has failed to happen. I have a lot more concerns, particularly as it relates to some of the public health components, and particularly as it relates to information that we need to have available as we do not have--

DeBOER: Time, Senator.

CONRAD: --robust oversight presently due to the lack of robust Inspector Generals. Thank you, Madam President.

DeBOER: Thank you, Senator Conrad. Senator Bosn would like to recognize 24 5th through 12th graders from home schools in Lincoln. Please stand and be recognized by your Nebraska Legislature. Senator Dungan, you're recognized.

DUNGAN: Thank you, Madam President. Good morning, colleagues. Oh, it's 11:11, make a wish. I stand, I think, in favor of MO86, the motion to recommit to committee. And with some hesitations about LB376 that kind of echo the complaints I think we've heard thus far. I appreciate Senator Fredrickson getting up and speaking a little bit about his experience in the committee. I think it's always helpful when members of the committee are able to contribute to the conversation. And I appreciate him pointing out that perhaps some of the things that are being eliminated or cut with LB376 are not, maybe, as alarming as they appear on the face. But I think my main objection, or I guess my concern with LB376, is the breadth of the action that's being taken in one bill. That's already been spoken about quite a bit. But whenever we get a bill that's split into 75 sections, I think it makes it difficult that obviously as a body to really parse apart all of the individual proposals that can be found in the, the bill. I think what makes this one particularly difficult is it's eliminating the desire or the need for more information. And one thing that I've noticed since I've been in this Legislature is that we, as a state, I think, are lacking a lot of aggregated data. I've attended a number of conferences, or at least a couple conferences that are nationwide, where I've spoken with other legislators from other states, and Nebraska seems to be something of an anomaly. For whatever reason, whether we're talking about the Department of Correctional Services or, as this bill seeks to change DHHS. It seems like we don't have as much aggregated data, either collected or shared, as a number of other states. And I'll be at these conferences and they'll pass out a packet and it'll have all 50 states' information as it pertains to a particular issue. But for whatever reason, on the Nebraska page, it's blank. And it'll say things like data not available, or data not shared. And to me, that's really concerning when we're getting together with folks from other states to talk about big picture issues. And it makes it really difficult for us as legislators to do our job if we don't have the information necessary to make those decisions. And so I think that conceptually, I just am in favor of more information and data being collected and being shared. I, I understand the concern about unnecessary red tape and unnecessary actions being taken. And I think that we, as a Legislature, over my time here in the last three years, have actually done a lot of really impressive bipartisan work to cut through red tape and to get rid of governmental hoops when they're not necessary. My concern, though, is that the things that we're eliminating potentially with LB376 may be necessary down the road. I guess I, I, I push back on the idea that just because a piece of data has not been looked at for a while means that it's not necessary to keep. And you'll see this, I mean, how,

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate March 17, 2025

how, how many things in libraries aren't checked out over a period of time, but ultimately still might be helpful down the road? So I-- just because these reports that are being talked about, I think Senator Hardin discussed the fact that many of them have not been accessed or discussed by the Legislature in recent years, that doesn't mean that at some point in the near future, we might not be curious about that information. Or perhaps an issue will arise at some point in two, three, maybe six, ten years where we may need the information that's being collected. And so I, I just, I find it inherently problematic to say that we don't need that. Now, I'm happy to be wrong. Perhaps some of the things in this bill are eliminating programs that are unnecessary, but I think that that's where we start to get into the problem with how wide reaching this bill is. I do have some questions about specific programs that I will likely get into my next time on the mic, cause I do think this is an important conversation to dig into. But for now, I, I just think the overarching concern that I have is, is the breadth of this bill. In addition to that, it seems contradictory to what I've been told over the last couple of years in the Legislature. I passed my priority bill last session, which created the Prenatal Plus Program, and I was told that it needed to have information in there aggregating data and reports to make sure that we could actually see the benefits of the program. Unfortunately, LB376 seems to be getting rid, in section 25, of the necessity to report the effectiveness of the use of our Medicaid dollars for the Prenatal Plus program, getting rid of the report in December of 2029. I just think with a new program, I like to see whether or not there's going to be the benefits of it. I like to see the effectiveness of the use of our Medicaid dollars. So I'll dig a little bit more into those specific issues as we proceed with this conversation. But I do appreciate hearing from folks on the committee as to why it's important to get rid of these individual reports. And I, I look forward to continuing the debate. Thank you, Mr. President.

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

M. CAVANAUGH: Thank you, Mr. President. I was looking for somebody from the Exec Board to ask to yield to a question. I don't see-- Senator Riepe was previously on the Exec Board. Would you yield to a question?

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

RIEPE: Yes I will.

M. CAVANAUGH: Good morning, Senator. How are you?

RIEPE: Well, that remains to be seen.

M. CAVANAUGH: So when you were on the Exec Board, the Exec Board is tasked with referencing bills, correct?

RIEPE: Yes--

M. CAVANAUGH: So--

RIEPE: Very seriously.

M. CAVANAUGH: If a bill came to-- in front of the Exec Board and it referenced statute, that was crimes and punishment. Where would that bill go?

RIEPE: Judiciary.

M. CAVANAUGH: OK. Thank you.

RIEPE: Oh, thank you.

M. CAVANAUGH: That wasn't so painful.

RIEPE: Surprisingly not.

M. CAVANAUGH: It's the luck of the Irish, I guess. Thank you, Senator Riepe. So LB376, it, it could be the, like, most beautiful bill in the universe and have just sunshine and roses in all 59 sections of it. Even if it did that, I still would oppose this. Because this is not the way we should do things. It's not the way we have done things. I don't know of any other time when a bill has been introduced in this manner and then kicked out of committee and all of these things. It usually-- like I was talking to a former colleague about this bill, Senator Wayne, and he said, well, that sounds like too many for a Christmas tree. And I said, it's not a Christmas tree. It's the actual bill that was introduced. Which Senator Wayne was-- former Senator was pretty shocked by, as was I, as am I. So I asked about section 28, the very first section in the bill. Section 1 of this bill is section 28, and section 1 of this bill references chapter 28, which is crimes and punishment. So just purely on that alone, the very first section of this bill, actually the first-- there's-- that statute is referenced three times. Chapter 28 is referenced three times in this bill listed right at the start, a bill for an act relating to the Department of Health and Human Services to amend sections 28-3,107, 28-705, 28-706. Three times it references crimes and punishment chapter, which would have if that was a bill, just that-- those three sections gone to

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate March 17, 2025

Judiciary. This is not how we should act. This is us being sloppy and slipshod and trying to just confuse the public and ourselves. This should be multiple bills. Period. No excuses. This shouldn't have happened. This should not have happened. And we should not allow this to happen. There are things I've been going through, there's things and I'm putting Xs and red near the sections that I disagree with and checkmarks, and I do have checkmarks near the sections that I do agree with, like section 12 now that I understand that it's not because of the Hastings YRTC, but it's because the Hastings Regional Center was torn down, as it should have been. It was haunted. It was very creepy. No longer exists. So eliminating that report makes sense. It makes sense. And that could be an a grouping of reports. This does not eliminate fraud. In fact, it does quite the opposite. It eliminates oversight. And when DHHS is repeatedly trying to kill records requests by state senators saying that it's going to cost \$60,000, \$7,000, \$500, whatever, when it is actually in the law that we are allowed to ask for these things with no charge, they continue to try to charge. And then we're going to eliminate the reports that we've put into statute so that we can at least have access annually to some of this vital information. No thank you.

ARCH: Time, Senator.

M. CAVANAUGH: Thank you.

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

SPIVEY: Thank you, Mr. President. And good morning, colleagues and folks that are watching. I first want to say how it was so refreshing to hear a baby up in the balcony making noises. I am a working parent, and I take my children everywhere. And I think having kids in places where democracy is built, where people are making decisions about the future of our state and our neighbors is just pleasant. And so I appreciate folks for engaging their family at the Capitol today. I really appreciate this conversation, and I support the MO86 to recommit to committee and, again, appreciate the conversation and dialog around this. I think Senator Hardin has made some clarity points around, like, what some of those reports are, which was helpful again as I was going through this very large, massive bill as well. I think our Health and Human Services department is one, if not the most important department that the state as a body regulates and oversees and in it impacts a majority of Nebraskans. And so whether you're looking at child welfare under HHS, if you are looking at Medicaid under HHS, the programs that they administer for maternal and child health, like they are an integral part of our fabric and ecosystem

here. And so-- and we know that there has been lots of opportunities for improvement and to be more collaborative, to create an experience that, again, really invest in the well-being of our families here. And so I do think that this conversation is absolutely important because of that. And I do think that there was a missed opportunity around the structure of this cleanup bill to be able to really add public insight and to dive into some of the especially reporting and data points that was already brought up. For example, with that, so I run an organization that looks at maternal and child health, and we actually are convening stakeholders across the state that look at maternal and child health, because we know that we are in a crisis. We know that our moms and babies are dying at higher rates than we are seeing nationally that also disproportionately impact low income and communities of color. And so as we think about how do we collect data, how do we disaggregated? Who's responsible for it at the county level at title five, through the Prism survey, through the Maternal Mortality Review Committee, there's all these moving parts. And so in community there are-- there is momentum around what does this look like? What do share dashboards look like? How do we communicate? And how do we not just look at the quantitative data but also the storytelling around the experiences. And so if this structure was created in a different manner, then that information would have been uplifted in a public hearing that could help influence not only HHS, but our work as a body as we work to legislate. And so I do think, again, that there is an opportunity here in the recommitment to committee to be able to dig into some of the pieces and sections that are really important and imperative for us to spend some time on. And I do appreciate HHS working to create efficiencies and effectiveness. And, and my hope is that this body and the committee will continue to make sure that it's not at the consequence of the people that it is serving. I also wanted to uplift and just appreciate Senator Fredrickson getting on the mic and talking about, from the committee perspective, the work that happens there, because again, we're not there. There are a set of folks that are there working in the committee space. And so I appreciate again that insight from him and Senator Hardin. And I hope that this recommitment could really be an opportunity to ensure that we are aligning to the best interest of what HHS needs to be successful running their agency, as well as the people that they impact will be also. Thank you, Mr. President.

ARCH: While the Legislature is in session and capable of transacting business, I propose to sign and do hereby sign LR64, LR65 and LR66. Returning to the queue. Senator Raybould, you are recognized to speak.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate March 17, 2025

RAYBOULD: Thank you, Mr. President. You know, I do apologize. We were in our Ag executive committee meeting, and I, I missed out on a lot of good explanations from Senator Fredrickson and Senator Hardin, so I apologize. So I will take some of my time to ask Senator Hardin if he wouldn't mind repeating some of the things he already said. But there's one section, section 32, that I have concerns about. The language that was stricken is the Nebraska State Patrol and the Department of Health and Human Services shall report electronically to the Clerk of the Legislature on a biannual basis the following information about the database: the number of total records of persons unable to purchase or possess firearms because of disqualification or disability shared with a National Instant Criminal Background Check System. And it goes on further talking about that. And so I'm deeply distressed by that. If-- you know, on the face value, it sounds really harsh. You know, just recently in the state of Nebraska, we've had horrific, at least two horrific murders by-- of, of domestic violence by firearms, and so from someone who was-- had a restraining order against him and another person I believe had behavioral health, mental health issues. So, Senator Hardin, would you yield to a few questions to clarify? And I apologize, you may have already addressed this. I'm going to go back to the eliminating the report relating to the number of children for elevated blood lead, lead levels. Could you just spend like a minute talking about that? Because I'd like to get on to the cancer registry and then the lack of reporting on firearms.

ARCH: Senator Hardin, will you yield to a question?

HARDIN: Yes I will.

RAYBOULD: OK. Jump right into the elevated blood lead levels in children.

HARDIN: And forgive me, which section are you referring to in this--

RAYBOULD: That is section 38, eliminates report relating to the number of children for elevated blood lead levels. And were you aware could possibly jeopardize our federal funding?

HARDIN: Again, I'll dive in and get a little bit more information for you on that specific piece in a little bit.

RAYBOULD: OK. Great. Thank you. But let's move on to the next question. I'm sorry. Section 44 through section 51 eliminates cancer registry report, removes reporting requirement involving cancer research and its expenditures.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate March 17, 2025

HARDIN: Yes. That one is actually being done internally by the department. And so again, it's information that's already there. If I can submit this just because a couple of people have brought this up, just so everyone knows, none of the data that has been collected to this point will be thrown away. It will also not be made inaccessible. It's actually going to be allowed to remain completely accessible, so nothing's going to be thrown away or put away so that no one can get ahold of it.

RAYBOULD: That-- I'm going to just respond. It seems rather foolish if you say, we're not going to measure it? You're not saying that they're going to continue to measure and monitor. Or you're saying that, hey, we're done measuring, I think we're good?

HARDIN: No, it's simply to say that many of these things, many of these things are actually not being put together in meaningful ways as far as data goes. I'm up in two slots here, and I'm going to talk more about that issue. And in fact, we, we need data more than ever. And in fact, what the department is doing with LB376 is making it possible so that we can actually have better answers for data everywhere. And a part of that--

RAYBOULD: Well, Senator--

HARDIN: --is to essentially go--

RAYBOULD: --let me interrupt you. I'm sorry. I just want to ask you the other one.

HARDIN: Yeah.

RAYBOULD: I think you'll have time to address it in greater detail. Can you tell us about the not reporting and striking the language of not reporting, particularly to the agency that issues alerts, National Instant Criminal Background Check System.

HARDIN: That has to do with the fact that here again, it's a redundancy. The federal government is already doing that. And so Nebraska is wasting money by re-- redoing what is already being done by the feds.

RAYBOULD: How is Nebraska reporting these things to the federal government?

HARDIN: Well, I don't know the specific lanes of the reporting, but what they find is that through their system, what they are amassing is

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate March 17, 2025

already available and being done on another level. And so it's these same types of redundancies throughout this entire bill that we're addressing.

RAYBOULD: I'm, I'm not sure I can agree with that. You know, law enforcement in the state of Nebraska, State Patrol and local law enforcement have a duty to report to this registry and alert--

ARCH: Time, Senator.

RAYBOULD: --individuals. Thank you, Mr. President.

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

HANSEN: Thank you, Mr. President. I'll be brief, colleagues. I'm on the HHS committee as well. Went through a lot of these reports and understood as best I can, I'm glad Senator Hardin is up here explaining and answering questions. He's doing a great job. And I think he's also exactly right. This is an effort, I think, by the department to help clean-up reporting sta-- a lot of required reporting that we have had over the course of many years. And he is right, being the chair of HHS at one point as well, a lot of the bills that come in front of us have some kind of reporting requirement, which maybe initially might make sense to do, to make sure some kind of program that we are incorporating or funding that we're using for something is being used appropriately. We can see if it's, if it's done right, if the, if the commission or committee that we're setting up is doing what's supposed to do. There's different kinds of variations. But then over the course of time, like everything happens in government, it just tends to kind of keep going on in perpetuity. And so this is a way for us to kind of, kind of rein some things in, get rid of some old reporting requirements that we don't need shift things around when it comes to money that we-- not so much money, but when it comes to maybe even child waiver, some of the things that Senator Machaela Cavanaugh brought up, a way to make sure that those are kind of being done more efficiently. If you look at the fiscal note, from my understanding, there's not a fiscal note at all. I know they-- it was a long fiscal note and they're trying to go over each kind of area that was in the bill. But I would assume if we were cutting a lot of services or you were seeing a lot of shifting or out of money in a nefarious way, the fiscal note would show that either from spending more money or getting more in revenue by cutting programs that we were allocating money to. So we didn't see that on the fiscal note. And so this is a good bill. I'm, I'm glad Department brought it. But no problem with people asking questions. I think it's

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate March 17, 2025

good to make sure that we're hashing out things, not missing something as a legislative body. So I'm going to vote for AM411 and then the underlying bill, and encourage all my colleagues to do so as well. Thank you, Mr. President.

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

HARDIN: Thank you, Mr. President. It's been fascinating for me as chair of HHS to learn about data. As I mentioned a little bit earlier, not all data is created equal. Let me give you an example. When you're looking at your smartphone app and you're curious about the weather, you're probably like me. You're wondering how to dress. What activities should I plan to do or not do? For myself, I look at it and say, hmmm, on which day when we have a break do we drive back across the state? Are we facing a blizzard or not? I'm interested in that kind of information, but I talked with a friend of mine who's a meteorologist, and in order to get that information that would land on a smartphone app about weather, each day they literally process thousands and thousands of pages of data. That data for me would not be helpful because I don't understand the story it's trying to tell. I need the help from an army of people and computer algorithms and models in order to make it understandable for me to simply pop open my smartphone, pop open my app, and look at the weather. That's really what I'm after. Interestingly, so is the department, and so is everyone who's interested in that data. Last year about this time, ChatGPT took the MCATs. You know, those doctor exams. It failed. ChatGPT scored 27% taking the MCATs. Why did ChatGPT do so poorly on the MCATs? You know what? It had to do with the clinical data. Despite the fact that it could memorize everything, it couldn't handle what every doctor deals with when she walks onto the floor, walks into a particular patient's room, considers that patient's medical situation, and basically says, you know what? We've got seven options here for this patient, and they're all bad. It's not like there's a good one and then one that's a little less good and so forth. They've got seven weak cloudy gray dull options. That's the real world of clinical data. And it tells a story. Data without context is not helpful. It's like dealing with all of that data that comes from the weather man. It's just not a meaningful story. And so each week I literally meet with people from the fiscal office. I meet with people from the department regarding their budgets. I meet with the Appropriations Committee. And I meet with Sen-- Auditor Foley and his staff. The beginning to the end of money related to the biggest budget in the state. I also meet with CyncHealth. The reason I do all of that is to understand this dirty four letter word data. We're trying to get an understanding of how come we have so much of it, and yet, even though it touches us

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate March 17, 2025

everywhere, we really don't seem to have as much as we want. And it's not an issue of quantity. It's an issue of quality. It's really expensive to get the story that goes with the data. And part of that I have humbly had to learn is the fault of this room, and not just this year. Literally, there are laws on the books going clear back to 1990 that actually keep CyncHealth from getting ahold of all of the data that it needs in order to do its job. No one in 1990 intended to pass a law that would make that happen. It was probably a very fine law, but once again, CyncHealth really came in after we went digital in 2011. The folks in 1990 could never have seen the day when all of a sudden digital demands would come along and require different things. I seriously think, and what I am learning, is that we really need to look at our old laws and say, wait a minute, we need to be aggressive in editing them and making sure that they're not standing in the way of the actual outcomes we want, which is quality data that tells the story. And that's why I spend time every week meeting with all of those organizations I just mentioned, because these are the people who know how to fix this. We're getting them to talk with one another.

ARCH: Time, Senator.

HARDIN: Thank you.

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

CONRAD: Thank you. Mr. President, good morning, colleagues. I wanted to also just lift general concerns about the elimination of reporting requirements in regards to some key public health measures and indicators and issues, most notably as related to lead poisoning and to the cancer data as well. These are issues that I have worked on in the past during the course of my time in the Legislature. These are issues that impact my district. North Lincoln, has a very high percentage incidence of children's lead poisoning. And if you-- I remember talking about these issues as well for many years as a member of the Appropriations Committee in my previous term of service. And if you go and you look at the targeted zip codes in Nebraska for a high incidence of lead poisoning in children, you'll see a lot of our historic core neighborhoods in our major metropolitan areas. But it's not just an issue that happens in urban Nebraska. And in fact, there's a significant amount of communities on these lists that emanate from rural and greater Nebraska as well. So I definitely want to make sure to key into that a bit more. I know I have talked to many families in my district whose children have been subjected to elevated lead in their blood and have suffered detrimental health effects due to those issues. And so I want to make sure we don't lose any transparency when

it comes to that key public health issue that I know impacts my district. I know Senator von Gillern had worked very, very hard over the last couple of years to try and ensure that we have better data and reporting in regards to things like the cancer registry through interim studies and hearings. And I appreciated him keeping the body updated on the progress and some of those endeavors that he was leading forward. And I'm worried about how some of these proposals might undercut our ability to get that key public health data when it comes to cancer generally. And then, of course, pediat-- pediatric cancer, which is another area that I've worked very hard on in my legislative career. And we need to ensure that we have all of the data available to address that very high level of pediatric cancer that we have in Nebraska. The other piece that I want to make sure to lift up is just kind of to take note of where we are in regards to the legislative oversight and the OIG issue. So, of course, it's well established that Attorney General Hilgers issued an Attorney General opinion in August, 2023, calling into question basic legislative oversight for our state's largest and most troubled departments, Health and Human Services and the Department of Corrections. The weaponization of that Attorney General's opinion, which is just that, an opinion, was seized by the Pillen administration, and they shut off access to legislative oversight on a host of key indicators and activities about what's happening to foster kids and what's happening to vulnerable folks in the correctional institutions, and kept away our ability to understand deaths, injuries, and potential waste, fraud and abuse of taxpayer dollars. That was then additionally weaponized and extended against the Ombudsman's Office itself, which wasn't even subject to the Attorney General's opinion and has stood as a beacon of legislative oversight and citizen engagement for almost 50 years. So then, because we were unable to move forward with reform measures in the last session, the Speaker moved forward with instituting a MOU to try and have some sense of cooperation until broader legislative action could happen. So we're presently under this mother, may I kind of legislative oversight approach with the administration and the courts looking into the Department of Corrections and the Department of Health and Human Services. I see I'm about run out--

ARCH: Time, Senator.

CONRAD: -- out of time. Thank you, Mr. President.

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

DUNGAN: Thank you, Mr. President. Good morning again, colleagues. I do rise, I think in support of the motion to recommit to committee and

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate March 17, 2025

still hesitant about LB376. Without going too much into detail again about the objections, I was wondering if Senator Hardin would be willing to answer just a couple of questions about some of the specific provisions in here.

ARCH: Senator Hardin, will you yield?

HARDIN: Yes.

DUNGAN: Thank you, Senator Hardin. Hardin. I do want to thank you for your, your obviously diligent work on this. I know you meet often with other people about the data and the information in here, and I do think that's important to make sure. But I was curious if you'd be able to answer a couple of questions about the necessity of a few of the specific provisions, ones that I was particularly interested in. I mentioned on my first time on the mic section 25, which changes the Prenatal Plus Program to, I think, sunset or terminate the report that's due to the Legislature on December 15th, 2029. Could you just explain a little bit as to why we would get rid of the report from the Prenatal Plus program?

HARDIN: That, yeah, it goes away at the end of that year. In a nutshell, just like all of the rest of these, it's because things are being done inside the department specifically so that they can get to better quality data. And that's really what they're after with, with, with all of these changes. It's not so much what they didn't put in there and what we weren't able to put in the bill, there's all of the reasons in terms of that qualitative part of things, in terms of what is being done. In most of these cases, it's not that data is not being collected. It's generally a redundancy of how we're doing it.

DUNGAN: So is the idea then that the data is being collected and then maintained by the department, just not being shared with the Legislature? Is that the main difference there?

HARDIN: I think it has to do with the fact that it takes so much time to get a meaningful piece of data. And that's what I'm trying to get my head around, is, wait a minute, how is it that we have so much data and yet it seems that we can't touch it? And that's not just with the department, it's also with CyncHealth. And so we're trying to get that mystery unraveled. But that's the consistent story that everyone keeps coming back to me with. Is garbage in, garbage out. If you really want better data, better to find the story that you're after, so that-- help us help you. Because, for example, CyncHealth was sharing with me something in the last week that they're working on issues related to

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate March 17, 2025

vaccine injury. Well, what kind of vaccine injury are we specifically talking about? Just in general? Because that's a fairly broad topic. Are we particularly talking about what happened with COVID? Are we talking about particular age groups? It's a very broad sort of thing, and it takes a lot of time to dig into the details of each case and try to determine that. And so it's not so much a matter that they don't want to share things with us. It's just that it's like finding an iceberg underneath the surface of the water. It's big to get to those answers.

DUNGAN: Well, and I know that when the Prenatal Plus Program was implemented, part of the concern that was raised was to ensure that the Medicaid dollars were being used effectively. And I know that Senator Clements and I had many discussions when that bill passed last session regarding a sunset, and there was a sunset implemented, I think, for 2028, which I think the idea was we could remove that sunset if we're able to demonstrate that the program is efficient or is working the way that it should. So my understanding is part of the report that was being asked to be given to the Legislature was in order to ensure efficacy of the program. And so would you agree that sometimes these reports that are being maintained and provided to the Legislature are, are being done so in order to ensure efficiency in government spending, to make sure that we're not just letting these programs go on willy-nilly essentially?

HARDIN: Yes. As I was saying earlier, about half the bills that come across our desk in HHS do have that lovely phrase, "and do an annual report." And so what's difficult is doing all the new ones that are coming in. As we know, about 1 in 6 bills actually make it through this gantlet and become law. And so those reports then become something that they have to do. Right? Well, we can't both complain about the lack of data that seems to come back to us, the story, if you will, and also have all of these old reports that are sort of either not being looked at. And so there's just kind of a need to freshen it up. That's what this bill is.

DUNGAN: No, and I appreciate your answers. I think it's helpful to kind of understand where we're coming from on this. And thank you, Senator Hardin, I'm running out of time here. So I, I know we're--

ARCH: Time, Senator.

DUNGAN: --getting to the end of the day today, but I appreciate the conversation. Thank you, Mr. President.

ARCH: Senator John Cavanaugh, you recognized to speak.

J. CAVANAUGH: Thank you, Mr. President. Good morning colleagues. I rise in support of the motion to recommit. I appreciate the conversation here. I didn't have a lot to add at the most-- at this point time, but I thought since it's Saint Patrick's Day. I thought I'd at least get up and talk. So I just want to say, Happy Saint Patrick's Day to everybody around here and appreciate the muffins from Senator Clouse's wife. Is that, is that right? Yeah. Senator Clouse was taking some small part of credit, which sounds like maybe it was more credit than he deserved. Which is-- seems like a very Saint Patrick's Day thing to do. But anyway, so that-- happy Saint Patrick's Day to everybody. This bill is interesting. I would echo the comments from other senators about I've never heard when the clerk reads the bill across and the sections, it take that long, which should be a red flag for a lot of folks that it took that long just to read across what all this bill touches. And I think a lot of us around here want to rush to get stuff done because there's a lot-- you know, we have a limited amount of time, 90 days, 45 days left as of today, so this is the midpoint. So we have a limited amount of time to get a lot of work done. And it's not a wrong instinct to want to get work done. But some-- doing work right takes time. And so having a conversation about what each of these parts and sections mean, I think is really important. I thought Senator Hardin hit on to something when he was talking about the reports. Garbage in, garbage out. I think that's an interesting phrase. Covers all manner of sin as they say. But if you are not taking the time to do the job right, the product that comes out is going to be one of a subpar nature. And so I think it's really important that we engage in the conversation, the folks from the committee engage. If it's one of your bills that's in here, appreciate talking about why you want to do what the bill does. For those of us that don't sit on the committee, the subject matter experts from the committee, it's helpful for us to know why certain things are in here. But, you know, I think people have an instinct to look at a recommit or a long extended debate and think that it's about something other than teasing out what's actually in this bill. Conversation between. Senator Dungan and, and Senator Hardin, I think, was very helpful here in understanding what's going on with these specific reporting requirements. And sometimes we have these conversations and they really do lead to substantive changes that then go-- takes a bill from you know-- I think Senator Linehan used to say it's harder to get 33 than to get 43 because you, in the, the slowdown in conversation, you address the concerns that people raise through that conversation. And some people maybe don't know they have a concern until the

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate March 17, 2025

conversation happens. So I think it's really important to actually engage sincerely in the conversation about what it is, the argument for these changes, and people to sincerely raise their concerns. And sometimes a concern is something just needs to be taken out, and then it eliminates the concern for the rest of a bill, especially a bill this size. So we can have a real conversation, take some things out of the bill, perhaps, and then it'll be consensus, it'll get 49 votes instead of needing to be held to get to 33 where it maybe can't get there. So by making those constructive changes, addressing the concerns that are raised, I think we can all get there. So that's all I have to say. Thank you, Mr. President.

ARCH: Senator Machaela Cavanaugh, I would like to recognize some special guests located under the north balcony. Ella Kathryn Anderson, Miss Omaha's Teen from Scottsbluff, and her parents, Irene and Mark Anderson, also from Scottsbluff. Mr. Clerk for items.

CLERK: Thank you, Mr. President. Items for the record. Communication from the governor. engrossed LB241, LB247e, LB286, LB289, LB377, LB396, and LB593 were received in my office on March 13, 2025, and signed on March 17, 2025. These bills were delivered to the Secretary of State on March 17th, 2025. Sincerely, Jim Pillen, governor. Additionally, Mr. President, your Committee on Enrollment Review reports LB22, LB34, LB123, LB297, LB 302, LB373 as correctly engrossed and placed on Final Reading. Additionally, your Committee on Agriculture, chaired by Senator DeKay, reports LB246 to General File with committee amendments. Amendments to be printed from Senator von Gillern to LB650. Motion to be printed from Senator Machaela Cavanaugh to LB376. Notice of committee hearing from the Government, Military and Veterans Affairs Committee. As well as a new LR, LR73 from Senator John Cavanaugh. That will be laid over. Finally, Mr. President, a priority motion, Senator McKinney would move to adjourn the body until Tuesday, March 18th at 9:00 am.

ARCH: Colleagues, you've heard the motion to adjourn. All those in favor say aye. Opposed nay. We are adjourned.