

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

DORN: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the fiftieth day of the One Hundred Eighth Legislative [SIC-- Legislature], First Session. Our chaplain for today is Pastor Jim Haynes of Christ Lutheran-- Christ Lincoln Church, Lincoln, Nebraska, Senator Jane Raybould's district.

PASTOR JIM HAYNES: Good morning. We pray. Almighty God, you have given us this good land as our heritage. Grant that we remember your generosity and constantly do your will. Bless our land with honest industry, truthful education and an honorable way of life. Prosper the work of farmers and all those who work to bring food to our tables. Save us from violence, discord and confusion, from pride and arrogance and from every form of evil action. Grant that we, who came from many nations with many different languages, may be a united people. Support us in defending liberties and give those to whom we have entrusted the authority of government, all who are gathered here, the spirit of wisdom that there may be justice and peace in our land. When times are prosperous, may our hearts be thankful. And in troubled times, do not let our trust in you fail. In Jesus' name. Amen.

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

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

DORN: Thank you. I call to order the fiftieth 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.

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

CLERK: I have no corrections this morning.

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

CLERK: There are, Mr. President. A report of registered lobbyists from March 23, 2023 is on file in the Journal, Legislative Journal. Additionally, agency reports electronically filed to the Legislature can be found on the Nebraska Legislature's website. Amendments to be printed: Senator Kauth to LB574, and motion from Senator Hunt to LB574. Additionally notice: the Transportation Committee will hold an

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Executive Session at 9:30 under the south balcony. Transportation, 9:30 under the south balcony. That's all I have this time, Mr. President.

DORN: Thank you, Mr. Clerk. Speaker Arch, you're recognized.

ARCH: Thank you, thank you, Mr. President. And colleagues, good morning. A reminder that Tuesday will not only be our first day of full day floor debate but also our first week of late nights. Tuesday and Wednesday adjournment times I anticipate will be around 9:00 p.m., with an hour recess for lunch from noon to 1:00 p.m., and a half-hour dinner break from approximately 5:30 to 6:00. Also a reminder that a meal for senators will be provided on those late nights. On Thursday, we'll re-- we will adjourn around 5:00 p.m., with a lunch recess again from noon to 1:00 p.m. And on Friday, we'll work through the lunch hour and adjourn sometime between 1:00 and 3:00. Additionally, I want to give members a heads-up that next week is Severe Weather Awareness Week. On Wednesday morning at 10:00 a.m., there will be a voluntary tornado drill for the occupants of the Capitol. As has been the practice in past years, the Legislature will remain in session and senators will not participate in the drill. Participation in the drill will be voluntary for legislative staff. Senator Briese and I, however, recommend that at least one person from each office participates in order to ensure that everyone is aware of the emergency procedure in case of a real tornado. Senator Briese will be sending out an email next week reminding you and your staff about the drill and the procedure for those staff who plan to participate. Thank you, Mr. President.

DORN: Thank you, Speaker Arch. Senator Jane Raybould would like to announce that underneath the south balcony is one of her constituents, Becky Haynes. Please rise and be recognized by your Nebraska Legislature. Also from Senator Dorn and Senator Brandt's district, the Public Health Solution Home Visitation staff is located in the north balcony. Please rise and be recognized by your Legislature. Mr. Clerk, first item.

CLERK: Mr. President, quickly, a new A bill: LB455A from Senator Wayne. It's a bill for an act relating to appropriation; appropriates funds to aid in the carrying out of the provisions of LB455. First item on the agenda, Mr. President: LB276. It's a bill-- excuse me-- introduced by Senator Wishart. It's a bill for an act related to the Nebraska Behavioral Health Services Act. It amends Section 71-801; adopts the Certified Community Behavioral Health Clinic Act; harmonizes provisions; repeals the original section; and declares an

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emergency. The bill was read for the first time on January 10 of this year and referred to the Health and Human Services Committee. That committee placed the bill on General File. There are committee amendments as well as other amendments, Mr. President.

DORN: Senator Wishart, you're welcome to open on the bill. You have 10 minutes.

WISHART: Thank you, Mr. President. Good morning, colleagues. I am here today to introduce LB276, a piece of legislation which enables the implementation of a delivery model for behavioral health services in Nebraska, known as the Community Behavioral Health Clinic Act. So what are CCBHCs? Community-- Certified Community Behavioral Health Clinics means a nonprofit organization. So for example, if you look at this sheet that I handed out to everyone and you look at the back, an example of that would be CenterPointe, which is a nonprofit in, in former District 27, that is just an incredible provider. It also includes a unit of the local behavioral health authority or an entity operated under authority of the Indian Health Services or an Indian tribe. And the goal of these clinics are to provide community-based mental health and substance use health services, and they must be nationally accredited. Colleagues, this legislation will increase access to mental, behavioral health and substance abuse services in our state. Over my years in the Legislature and my time in the Appropriations Committee, I have witnessed the struggle of those in need of access to mental health and to substance use treatments and the struggles of the providers that deliver that care. It-- the Le-- it is way past time, colleagues, that the Legislature step up and fund a system that has always been underfunded and attempt to build more capacity in our current system and expand the mental and behavioral health workforce in our state. In 2016, the Division of Behavioral Health of our Department of Health and Human Services conducted a rates study, showing that rates were between 15 percent to 40, 40 percent under the actual cost of providing services. That is what our providers have had to contend with for years, and yet they continue to provide services to Nebraskans. LB276 creates a financially prudent and innovative way to provide services that has demonstrated results in more access to services for people and their families, reductions in emergency room hospital visitations and fewer individuals entering into our system of incarceration. CCBHCs are not new in this country or to this body. I brought this bill last year as well as an interim study this fall. In 2017, CCBHCs were developed and piloted by Medicaid as a demonstration project that included eight states and SAMHSA, which is the Federal Substance Abuse and Mental Health Services Administration. And SAMHSA provided and continues to provide

initial startup grants for facilities around the country that [INAUDIBLE] apply. Currently, there are over 500 CCBHCs in the United States across 46 states. So what is the CCBHC model? Well, it requires outpatient mental health and substance use treatment services as well as primary care coordination, including monitoring of key health indicators and health risks, crisis mental health services, including 24-hour mobile crisis teams, emergency crisis intervention and stabilization, screening assessment and diagnosis, including risk management, psychiatric rehabilitation, peer and family supports and housing. And for me, what is most exciting about the CCBHC model is that it is taking a holistic approach to healthcare in which clinics are able to work and bill for the work that they are doing with other community partners such as law enforcement, hospitals, primary care providers and in our schools. And this collaborative work allows them to respond to the entire needs of an individual and their family who's going through a crisis situation. To allow clinics in Nebraska to continue to provide these services and save our resources in other areas of government, LB276 establishes a financial foundation to expand access to care and improve coordination with community partners by requiring the state of Nebraska to file a state plan amendment to draw down additional federal Medicaid dollars for providers in the system to deliver this array of services. Colleagues, now is the time to invest in this modest increase in Medicaid-matched dollars because this new delivery model has proven its effectiveness in savings to governmental entities all across the country and in our state. Our criminal justice system is overflowing with individuals in need of these services, and we have a mental health crisis that will only get worse as the pandemic continues to resonate through populations of Nebraska. This type of care system will be, colleagues, a game changer in helping us address these issues, as results from the pilot program have shown. Since I originally introduced LB976 last session, LR366 this last interim, I have worked with representatives from the Department of Health and Human Services, the past and current administration, and I want to thank them for being at the hearing in support of this legislation. In fact, Governor Jim Pillen came in person himself to testify in support of this legislation, as well as CEO Dannette Smith and Director Kevin Bagley. Together, we have worked to eliminate the General Fund fiscal note. So as you'll see when you look at your fiscal note, the department is going to be utilizing one-time cash funds that they have available to be able to work on implementing this model and filing the state plan amendment. The committee amendment-- as I believe Chairman Hansen is going to speak to-- also makes sure that, in future years, we are capping any General Fund obligations to \$4.5 million annually, which would then be matched

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by federal dollars. But what I will say is that as a member of Appropriations Committee, we have just finished Department of Health and Human Services hearings this week, and it is clear to me that we are consistently, as a state, appropriating dollars to behavioral health aid that is unable to be spent because there is a lack of innovative approaches like this that allow for providers to truly bill for the services that allows them to attract the staff to provide these services. And so what we're seeing is that while we're appropriating dollars continuously to support behavioral health aid, the investments that are actually being made by the state are coming in significantly below that. In fact, we had a \$335 million carryover in behavioral health aid this year. So, colleagues, what I want to say is when I look at this opportunity, I also recognize that, that I think with the current appropriations that we're providing to behavioral health aid, we will be able to cover the future cost of this program and provide the needed services to individuals in our state. So I look forward to this discussion today. Again, I really want to thank Governor Pilleen and the Department of Health and Human Services for working with me on this legislation. I think this is a testament to the fact that sometimes it takes multiple years to get a piece of legislation across the finish line. I hope this year this legislation comes across the finish line. And finally, I want to thank the Speaker for prioritizing this legislation. I-- it means a lot to me coming from a former Chair of Health and Human Services Committee that he has put his full support and scheduled this legislation so soon. And I also want to thank Chairman Hansen for working to support this legislation-- as always, collaborating with me to, to address any concerns and being able to get this bill voted out of the committee unanimously. With that, thank you, Mr. President. I look forward to the debate.

DORN: Thank you, Senator Wishart. As the Clerk indicated, there are amendments from the Health and Human Services Committee. Senator Hansen, you are allowed to open.

HANSEN: Thank you, Mr. President. AM674 is a simple amendment that establishes a cap for the amount of general funds that can be used for Certified Community Behavioral Health Clinics. The committee, with the approval of Senator Wishart, set the cap at \$4.5 million per fiscal year, which was based on the projected fiscal note. We felt this was necessary to ensure the continued function of the program at a responsible level in the event the federal government no longer provides matching funds. Being a friendly and responsible amendment, I would ask for your green vote on AM674. Thank you, Mr. President.

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DORN: Thank you, Senator Hansen. First in the queue is Senator Kauth to speak. Excuse me. Excuse me. Senator Wishart is first. The Chair recognizes Senator Wishart to speak.

WISHART: Oh, thank you, Mr. President. I'll, I'll just outline a, a couple of other items and, and then will yield the rest of my time so other individuals can speak and I can answer some questions off of the-- off the mike. I had the opportunity to work with Senator Friesen and Senator Walz several years ago on an interim study task force in which we visited assisted living facilities across the state that provide services to people who have very significant mental and behavioral health needs. And I have to say, colleagues, it was one of the more traumatizing and horrifying experiences that I think a lot of us who served on that committee have experienced in our time in the Legislature. We witnessed living facilities that are absolutely substandard. And these are state-licensed facilities that are struggling to provide basic care for individuals who have bipolar disorder, schizophrenia and other very severe mental health issues in which they have no family left. You know, we experienced people living in rooms with black mold and with no bed sheets, people with a fridge that had really no food in it. And this was across the state, was an issue. And it was clear that a lot of these assisted living facility providers were scraping by as much as possible with the small amount of dollars that they had to support this population of individuals. It's just not acceptable as a state for us not to be providing basic level of care. What is exciting, again, to me about this legislation is that this takes us to the next level. This is not just working in a silo with an individual, just getting them the medication they need. This is getting them the medication they need and then working with the, for example, the hospital system to make sure that, should there be an issue in which they end up having to be in the emergency room, that we've got supports for them to, to ensure they-- that doesn't happen to become a revolving door in their life. And I know from firsthand experience. My husband was a police officer for five years in, in Lincoln, and he dealt oftentimes when he would talk to me about his night shift with individuals who were experiencing a significant mental illness breakdown, who were ending up either in the hospital emergency rooms or, frankly, within the jail systems. And oftentimes, law enforcement are the individuals who are the ones who are dealing with this issue. Well, this offers law enforcement the opportunity to collaborate with these crisis 24-hour mobile clinics and get that person the care that they need so that they're not going into an emergency room and, and taking up another hospital bed, so that they're not going in to our county jail system. In the end, what we're

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seeing-- and we heard this in the hearing from those who have piloted this program-- is reductions in the amount of people going into the emergency room because of this model of care, reductions of individuals going into our incarceration systems. They're actually able to report as clinicians exactly how many individuals didn't have to go into--

DORN: One minute.

WISHART: --our jail system because of this level of support in this holistic approach. I'm really looking forward, again, to the debate today. Please ask me any questions on or off the mike. Thank you.

DORN: Thank you, Senator Wishart. Next up in the queue is Senator Kauth. You are recognized to speak.

KAUTH: Thank you, Senator Dorn. Senator Wishart, would you rise for a question? Sorry.

DORN: Senator Wishart, will you yield to a question?

WISHART: Happy to.

KAUTH: Thank you. I, I was reading through the bill and I really like it and I do support it. I just have more questions about how it supports the military, and are you going to be able to work with the VA with this?

WISHART: So I will need to-- we are getting that--

KAUTH: OK.

WISHART: --response to you.

KAUTH: Thank you.

WISHART: And I will be able to speak to that right when I hear--

KAUTH: And I yield time then to you if you want it. Or--

WISHART: No, I'm good. I will get you that answer.

KAUTH: Thank you. I yield time back.

DORN: Thank you, Senator Kauth and Senator Wishart. Next in the queue is Senator Linehan. You are recognized to speak.

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LINEHAN: Thank you. Thank you, Mr. President. I rise in support of LB276 and of Senator Wishart's efforts here. I think mental health-- we're in a better place than we were 20 years ago. I mean, there was a time when somebody had a severe mental health issue, they were put in a home and locked-- and the keys were thrown away. That is a very bad thing. Now we're in a situation where we don't do that anymore, but we're not picking up all that we need to do. And everybody needs to understand, if this has never touched your family, you're really, really lucky, because it can happen to anybody: any socioeconomic class, any group of people. Nobody is immune from this happening to your family. So I really appreciate what Senator Wishart's doing here, and I will yield the rest of my time to Senator Wishart.

DORN: Senator Wishart, you're yielded 3:47.

WISHART: OK. Thank you. I do have an answer to Senator Kauth's question. One of the criteria is the prioritization of veterans. So, colleagues, this is a type of program and, and model that will be specifically looking at how we can support mental, behavioral health and substance use treatment for our active duty military and veterans in the state. Thank you.

DORN: Thank you, Senator Linehan and Senator Wishart. Senator McKinney, you are next in the queue and recognized to speak.

McKINNEY: Thank you. I rise in support of LB276 and AM674. I think addressing mental health and behavioral health issues is probably one of the most important things we could do as a body, considering so many individuals within every community that is represented here in this body deals with. And it's also important because we have a lot of individuals with these issues that go unaddressed that eventually end up in our criminal or juvenile justice system. And I think if we start prioritizing things around mental health and behavioral health, it'd, it'd go a long way as far as addressing a lot of the issues that plague our communities. So I'm 1,000 percent in support of this bill. I, I rise, honestly, just to say, yesterday was tough. Tough conversation, tough vote. And now we're here today. And potentially, this bill and a few others will pretty much just be-- well, this might be heard, but the others on the agenda potentially won't be heard today. And one of those bills is my bill, LB630, which addresses hair policies in schools. And it's a really important bill that I strongly believe should be passed this year. And more than likely, it won't be heard and it won't be passed although it came out of Education without opposition and it also received a Speaker priority. And it's a very important issue for kids from my community. At the hearing, there were

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individuals from the Native American community that drove a lot of hours to come in support of the bill because one of those families, their daughter had her hair cut by a, by a school official. And that's what we're trying to prevent. And we can't prevent those things-- or, those things will potentially continue to happen if that bill doesn't go across the finish line this year. So I just want everybody to be aware that that is potentially going to happen and we have to figure it out because I'm going to be really frustrated if that bill and some other bills that pertain to these type of issues don't get across the aisle. We have to figure this out. We got-- we all got to have some tough skin and, and figure this out. We're all adults. We should be able to communicate with each other and figure things out. Nothing is ever perfect and life is never perfect. But as a, a black man, I've had to navigate with the odds against me my whole life to get here. So I got to work within those negative odds to try to find a way. Coming to this year, the odds are always against us, technically, by the numbers, but we have to find a way to get things done. If we're not getting things done, I don't feel like I'm serving my community, and that is going to be my frustration from the rest of this session if we don't get things like LB630 and LB276 across the finish line. Thank you.

DORN: Thank you, Senator McKinney. Next up in the queue is Senator Fredrickson. You are recognized to speak.

FREDRICKSON: Thank you, Mr. President. Good morning, Nebraskans. Good morning, colleagues. I rise today in strong support of LB276 and AM674 as well. I'm grateful to Senator Wishart for bringing this bill. I'm also grateful to the Governor for his support of this bill. So as, as has been highlighted by Senator Wishart, you know, CCBHCs really-- you know, I believe, as a mental health provider myself, I believe this does have the opportunity to really sort of transform how we are able to provide mental health resources and services in our state. They're-- CCBHCs provide evidence-based treatment. It is efficient. It is effective. It is cost-effective, which is something that's really important. It's integrated treatment. You know, one thing in the mental health field that we have learned over years and years of research is that holistic and integrative care is really impactful and it can really help folks, you know, with their-- with the management of their, of their symptoms, and so that's important. You know, mental health is complex. It's multifaceted. We have to be able to address the biological impacts, the psychological impacts, but also the social impacts. And the reality is environment plays a significant role in mental health. We do have biological factors of this. We have psychological factors of this. But the environment also plays

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significant factors in this as well. And I think to Senator Wishart's point, you know, having this comprehensive care and this comprehensive infrastructure in place, that is something that is going to be impactful for, for Nebraskans who are seeking these services. And finally, colleagues, I do, I do want to just kind of quickly say something. You know, I appreciate the support for mental health that has been kind of verbalized here on the floor. And I think that, you know, as a Legislature, we have a responsibility for a fiscal perspective to invest in mental health resources to ensure that our state has the infrastructure in place for that. But I think we also have a responsibility to take leadership on a more cultural perspective when it comes to mental health as well. And I think our responsibility goes beyond just these investments. And we can talk about, you know, the interest we have in mental health. But I also want to underscore, particularly with yesterday's debate and yesterday's vote, these are things that impact mental health in our state as well. And these are things that can drive mental health concerns in our state too. So, you know, I think actions can speak louder than words. I am grateful for the bipartisan support on the investment in the CCBHCs, and I think we should continue to move forward with this. But I would like for us all, colleagues, to be mindful as well about the conversations we have in here and the legislation we have in here and how that impacts mental health from a more cultural and environmental perspective as well. Thank you, Mr. President.

DORN: Thank you, Senator Fredrickson. Senator Arch, you're recognized to speak.

ARCH: Thank you, Mr. President. I want to give my perspective as, as having been on the HHS Committee for the past four years with regards to CCBHC and, and, and where I am and how I've-- and how I have perceived this, this issue over the last, over the last several years now. Senator Wishart indicated that, in 2017, the feds put together-- and, and what was most interesting about this, it was done in a very bipartisan manner on-- at the federal government to put together some type of funding mechanism as well as a new integrated concept of delivery of mental health services for the states, obviously recognizing that we have a very serious problem in, in the United States and in all of the states on how to provide services for mental healthcare. And so this concept came out of that. And some pilot grants through SAMHSA, as she indicated, was done. And some, and some, some states got on board early where they were a demonstration project. And so all of this has been developing over the last several years. What, what's interesting is that it, it, it-- two big pieces to

it, and that is that the funding of it is based on cost. So it's similar to your federally qualified healthcare centers, but it is for mental health and that it's so-- cost-based reimbursement, which has always been a struggle, is, is how to adequately fund mental healthcare in the state. So that is, that is a very different mechanism than a fee-for-service model set through Medicaid or other, other sources. And then the other piece is that it is, it is this care coordination that she mentioned between mental health and primary care. So what, what the federal government saw and we all see in the state is that the primary care relationship-- and, and in particular, the use of emergency rooms for care for mental health, that revolving door where people with serious and persistent mental illness finds them-- find themselves in the emergency room, which is the only place that they can find that care-- is now in a coordinated system. And so the concept I, I say is, is very different than simply a fee-for-service model. What gave me pause over the last several years-- and I would say that I kind of rode the break on this as, as these bills came to-- I, I kept saying, you know, I want to see other states. I want to see outcomes. I want to see cost. I want to see, I want to see how this really works. Because I will tell you that, that this is a, this is a transforming bill that moves us into a very different delivery model for mental healthcare in the state. I, I, I have-- I've used this phrase: you can't be a little CCBHC. You, you're, you're going to go all in with this, with this model of delivery. But I've come to the conclusion now, having seen outcomes results as well as cost results and the benefits to the recipients of these, of these services, that it's time for us to take the step. And I think you saw in the hearing when the Governor himself and Dannette Smith, the CEO of DHHS, Tony Green and others, came and testified in, in support. So we're in a unique situation where, obviously, we see a number of, of people testifying in support of this that it's-- that we are in that place now where, where we're ready to take this step. And so it will come in the form of a state plan amendment, and that's going to take a little time to develop. But other, other states are doing that, are taking that direction. We have SAMHSA grants already being received by those within the state. They have done that through a demonstration. SAMHSA, by the way, is a, is a federal--

DORN: One minute.

ARCH: --is a federal agency that-- they don't fund ongoing care, but they fund these pilot projects. And so some states went with that state plan amendment, with a waiver. Some states went with, with SAMHSA grants. Our state and individual agencies within the state have done, have done those, have done those SAMHSA grants. But I, I do

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believe and I do support LB276 and AM674, that it's time for the state of Nebraska to take the step and go into the CCBHC as a delivery model. Thank you, Mr. President.

DORN: Thank you, Senator Arch. Senator Hughes, you are recognized to speak. Senator Dungan, you are recognized to speak.

DUNGAN: Thank you, Mr. President. Colleagues, I rise today in support of LB276 and AM674. I don't want to echo too many of the comments that have already been made. I think that Senator Wishart, Senator McKinney, Senator Linehan all made very, very good points as to why we need to do this. My personal experience working with these kind of organizations, and actually specifically some of the organizations that are, that are named on the handout we have here and that we've heard about is that I, I worked as a public defender for almost a decade prior to coming to the Legislature. One of the things that I saw on a regular basis-- and I mean literally daily-- was that the vast majority of people that find themselves involved in the criminal justice system are there due to a number of factors. But oftentimes, they are primarily driven by, if not underlined by, mental health issues or substance use disorder. And one of the things that we consistently ran into problems with while trying to provide services for these folks-- there just simply either weren't services available that could work with the individuals that I was representing. Or if there were services available, there were wait lines that were too long to actually get them in. So you'd have people, for example, who might be diversion eligible or might be able to get into some sort of problem-solving court. But one of the big problems would be they wouldn't have access to get an evaluation done. And so let's say somebody is sitting in jail and they're there because of substance use problems. And in order to get accepted into a treatment facility, there first has to be an evaluation. The number of organizations that we have, at least in Lincoln, that go into jails to conduct evaluations has diminished to the point that it's nearly impossible to get it done. I think we maybe have one organization that was doing it when I left for the office, maybe two, and they were expensive and difficult to get, and the waitlists were months long. And so you have these people who are primarily sitting in, in custody because of a substance use problem. Everybody acknowledges that. But for whatever reason, they're not able to get the actual evaluation done in order to get into the treatment facility. And then even if they are lucky enough to get the evaluation done and have the recommendation for inpatient treatment, the waitlist for them to get into a bed in an inpatient facility, a short-term residential facility can be months long too. And so this problem then compounds over time, where you're

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looking at trying to get folks into facilities that can work with them on mental health issues or substance use issues and they end up sitting in places like jails even longer. That costs taxpayers hundreds, if not thousands, of dollars a day when you start to look at all of the different compounding costs. And from there, you start to look at societal factors: of they're then losing jobs, they're not able to be parents. And so these effects are not just on the individual. They're on society as a whole. And what I saw in my personal experience working with these organizations is that when individuals who are struggling with mental health issues or substance use disorder get involved in treatment, that is the first building block for, oftentimes, for getting them out of these problems that they're dealing with. And when I first heard about this CCBHC Program that we were talking about-- hearing about it from Senator Wishart, hearing about it at various lunch and learns that I went to-- I was really excited because it seemed like it's an opportunity to actually, as a state, take a step forward, as Speaker Arch said, and really sort of try to reinvent the program here and find a new way to reimburse these programs and, and make sure that we're not just increasing the amount of services but that we are creating a more integrated model. And when you look at it in a holistic approach like that, not only is it going to better affect our cities and not only is it going to better affect our state, but you're going to see actual outcomes for individuals that are positive and beneficial. Again, I personally have had the experience of working with folks both before, during and after--

DORN: One minute.

DUNGAN: Thank you, Mr. President-- their involvement in these kind of treatment facilities. And it really is life-changing. And when somebody is ready-- excuse me-- when somebody is ready to invest in themselves and they're ready to actually accept that treatment and work through these programs, the change you see in them from start to finish is phenomenal. And it, it really does make an impact not just on them, but on our society. So, colleagues, I would urge you to vote for this amendment, vote for the underlying bill. This is, I think, a fantastic program, and it's going to go a long way towards addressing issues that we all acknowledge are happening here in our state. Thank you, Mr. President.

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

M. CAVANAUGH: Thank you, Mr. President. Good morning, colleagues. I rise in support of LB276 and AM674. I believe I voted for this out of committee. I appreciate the work that Senator Wishart has put into this bill, and I think that it is a good piece of legislation. That, however, does not change the fact that this will be going eight hours and requiring 33 votes for cloture, as will everything on the agenda from this moment forward. So on Saturday, I went to a story hour with my children in Omaha. And it was very fun and silly. It was at a coffee shop that's also a church in Omaha. And after arriving there, I found out that the police had just been there before the story hour began, sweeping the building because of a bomb threat. A bomb threat on a children's story hour. Why? Why would there be a bomb threat on a children's story hour? That seems frightening, of course, but also very odd. Well, they didn't like the person who was reading the story. The person who was reading the story didn't align with the person who made the threats' view of what a children's story hour should be. I talked a while ago-- I don't know, two weeks ago or so-- about some movies that it's questionable what their status would be if bills like the one being heard in Judiciary today were to pass. This story hour was very much on the level of the movie Mrs. Doubtfire, where the character of Robin Williams ended up parlaying this series of events of him dressing as a woman to be his own children's nanny into a children's story hour TV show. I cannot imagine back when that movie came out ever thinking that something like that would result in bomb threats. We have a mental health crisis in this state and in this country, and members of this body are perpetuating that with their vitriol and their hate. And the legislation that they introduce-- the legislation that Senator Murman introduced that reinforces that it is OK to call a bomb threat on a story hour that I take my children to. Thankfully, I didn't. The police came and they swept the building. It happened again the next day. The staff, I'm sure, are shaken to their core. The families, myself included, questioned the safety of having our children gather in a wonderful, beautiful space filled with fun books, great stories, storytelling, friendship, community. And now we have to be worried about that.

DORN: One minute.

M. CAVANAUGH: We have to be worried about that because people in this body continually introduce legislation that normalizes the hate, that normalizes the vitriol. Now we have to have the FBI involved in investigating bomb threats against a story hour. And I don't see people in this body taking responsibility for that. We are going to have eight hours on this bill and every bill after on General. Then we're going to have the 30 minutes or whatever is allowed on the

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appropriations bills. Then we're going to have the four hours on the Select File bills. And I'm sure you all are going to try and come up with cutesy, cute, cute maneuvers because none of you, not a one--

DORN: Time.

M. CAVANAUGH: --of you.

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

CONRAD: Thank you, Mr. President. And good morning, colleagues. I rise in support of the measure before us and appreciate Senator Wishart for bringing LB276 to the Legislature this year and, and now to the floor. There's no doubt that we have a significant need for mental health and behavioral health programs and services all across the state of Nebraska. And vulnerable populations in underserved areas, including in my district in north Lincoln, are hit particularly hard in regards to a lack of a-- of access to these lifesaving, life-changing programs and services. There's no question. I've had an opportunity to work with and see the results from providers in my district, including CenterPointe, and my, my husband has proudly served on their board of directors for many years because of his passion and commitment for mental health services and behavioral health services for some of the most vulnerable in our community. I've had the chance to see my friend, former Senator Annette Dubas, lead the Behavioral Health Organization to new heights with incredible passion, skill and acumen. And Nebraska is really lucky to have her in that role, helping to coordinate, maintain and grow and enhance care. So this is a important measure, but I don't want to divorce it from the other challenges that we have before the Legislature. It's great that people are finding wideset-- spread support in regards to this piece. And Senator Wishart briefly touched upon some of the related corollary efforts that are happening through provider rates and the state budget. But let me just reframe that very quickly, colleagues. Anything, any description other than the reality of the fact that the Governor put forward a budget with 0 percent increase to provider rates amid a time of historic inflation would already be a huge problem, would already mean deep cuts for providers all across the state when we're experiencing a mental health crisis. Additionally, complicating that picture is the fact that we don't even need to do that. We are at a point of unprecedented fiscal opportunity in this state. Unprecedented. I sat on the Appropriations Committee for eight years. I saw better budgets for providers during deep recessions than we have now. And that tells you all you need to know about the Governor and this body's actual

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view when it comes to addressing mental health and behavioral health. This is a pittance in comparison to the actual needs and the actual solutions to ensure that we have adequate mental and behavioral health systems in our state. And you know it. And I'm glad that the Department of Health and Human Services' budgetary presentation is wrapped up. I'll be watching very, very carefully to see what the Appropriations Committee puts forward in regards to their budget that they advance to the floor. If you'll remember, their preliminary budget, I think, again, was another big goose egg. So we'll see if they've had a change of heart or a change of mind since that time. But let's not wrap ourselves up as being the great supporters and defenders of behavioral health and mental health on a very small piece of the puzzle when we're not willing to take a hard look at the big picture. This is one--

DORN: One minute.

CONRAD: --step forward-- thank you, Mr. President-- but we'll see if your intentions are pure and true as we take up other aspects regarding mental health, including the budget. We know this impacts rural Nebraska. We know this impacts urban Nebraska. We know every dollar that we invest in mental health and substance abuse treatment pays dividends for the criminal justice crisis that we have in our state. So this is indeed important, but it is not the only step. And I hope to see the equal passion and vigor across the political spectrum when we take up actual, broader, substantive, lasting solutions in our budget and otherwise. Thank you, Mr. President.

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

MOSER: Thank you, Mr. President. Good morning, colleagues. Good morning, Nebraskans. I rise in support of LB276. We had an incident in my district that illustrates the need for mental health programs to be more available. We had a citizen in my district who had an irrational and violent episode with his family. And he scared the family that-- you know, threatened them. And they called the police. The police came and took the person to be evaluated, but there was nobody in Columbus that was qualified to counsel him or evaluate him. And so they took him to Norfolk. And there, they interviewed the gentleman and talked to him a little bit. He had calmed down some since he was taken there. And they felt that he would benefit from some ongoing counseling or help, but they couldn't find a place for him. They finally figured out that they could take him to Kearney. Well, Kearney from Norfolk-- you know, it's 45 minutes to Columbus, and then it's two hours from

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Columbus to Kearney. And he had somewhat calmed down, was acting rationally and calmly. So they released him and he went back to live with family, which, in this case, was his grandmother. I don't know where the mother was, if she was part of the family or if she was not. But then, subsequently, he had another episode in which he was in the kitchen with a big butcher knife and, and lost his composure, went into one of these episodes, and he wound up stabbing Grandma and killing her. So those are the consequences of-- well, even with good social network-- good mental health networks, you can have somebody fall through the crack. But this was a case where decisions were made more on a practical basis, maybe more than on what counseling this person should have had. And it wound up that his grandmother was killed. And-- I haven't checked lately. I would assume that this person is in the penitentiary someplace. So I, I see the importance of it. Secondly, I looked at the cost of it, and I, I just had a couple of questions. I was wondering if Senator Clements would respond to, to some questions about the cost.

DORN: Senator Clements, will you yield to a question?

CLEMENTS: Yes.

MOSER: So we talked a little bit about this earlier. Is this workable within the budget?

CLEMENTS: Yes. We currently have about \$25 million unspent in behavioral health this year, and also the \$4.5 million this eventually will cost. The federal government is going to match it, and so it'll be a 50/50. So we'll get \$9 million of benefit with \$4.5 million of state expense. And we do have funds available to do that.

MOSER: OK. Thank you. That, that mirrors the discussion we had between the floor speeches here, is that we have money in this fund. And even if we didn't, this is critically important. But this should assure some that this is a worthwhile bill to support.

DORN: One minute.

MOSER: Thank you.

DORN: Thank you, Senator Moser and Senator Clements. Senator Hansen, you're recognized to speak.

HANSEN: Thank you, Mr. President. I'll be brief. I am in favor of AM674 and the underlying bill, LB276. And I just want to, I just want to give a shout-out to Senator Wishart for all the work that she's put

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into this, I believe, over the years. This is a good bill. I think it's appropriate. I, I appreciate the fact that we're making this kind of community centered, locally centered, where people know other people and the struggles that they're going through in their community, because all of our communities are different. And so-- and this is the first time I think, I think I can remember in HHS, that we've had the Governor come testify, CEO Smith testify, Director Bagley, Director Green come and testify in favor of this bill. And I believe there was no opposition even to this bill, so. Just appreciate everyone's green vote. I think this is a, this is a good bill, and I want to thank Senator Wishart for bringing it. Thank you, Mr. President.

DORN: Thank you, Senator Hansen. Senator Slama would like to announce the following guests: 63 students from the fourth grade of Syracuse Middle School. They are in our north balcony. Please rise and be recognized by your Nebraska State Legislature. Senator Day, you are recognized to speak.

DAY: Thank you, Mr. President. Good morning, colleagues. I rise in strong support of LB276 and AM674. I think that's what it says. I don't have my glasses on. I appreciate Senator Wishart's efforts on this bill that she has accumulated over the years. I have supported this bill in years past on the HHS Committee. And I strongly support it this year as well. I myself, since I was elected a few years ago, have always been a strong advocate for better mental and behavioral healthcare, especially for children. So this is something that I very strongly support. But I ca-- I would, would be remiss if I didn't stand up and mention kind of the absurdity of the conversation this morning. We literally spent hours this week discussing mental health of trans youth. And you all voted yesterday to advance a bill that you know is potentially going to put kids at serious risk of suicide-- like, today. And now we're standing up. Everybody wants to be friends. Everybody wants to come over and say hi and shake your hand and talk about what bills you've got on the agenda. I do have one right after Senator Wishart's bill. I don't get it. I don't get what we're doing here. I left the Chamber yesterday in tears. Yes, I was a little short on sleep and obviously was also crying when I was on the mike. I left the Chamber in tears yesterday. I went up to my office and I saw some staff members that were in my office also in tears. We saw people coming out of the balcony sobbing, in tears because they're genuinely afraid of the consequences of that bill being moved to Select File yesterday. And yet today, the very next thing we're doing is playing Kumbayah about how we all care about mental health. I don't, I don't get it. I don't get how you guys can vote green on that bill yesterday

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and introduce the very dangerous pieces of legislation that some of you have introduced this year and then stand up on the mike and want to talk about how you care about the mental health of Nebraskans. It's absurd. I don't know how you do it. I don't know how you sleep at night. I don't get it. Teach me how you do it. Because when I'm in here and I'm upset and I'm crying and I, and I talk about how I'm genuinely concerned about people, it's true. I go home and I think about it. I don't get sleep at night. I genuinely worry about the people that are affected by these bills, on all of them. I don't understand how you can vote green on that bill yesterday and then stand up today and talk about how you support this bill and you genuinely care about expanding access to mental/behavioral healthcare in Nebraska. I don't get it. From the Journal of American Medicine: in this prospective cohort of 104 trans and nonbinary youths aged 13 to 20 years receiv-- of--

DORN: One minute.

DAY: --of gender-affirming care, including puberty blockers and gender-affirming hormones, was associated with 60 percent lower odds of moderate or severe depression and 73 percent lower odds of suicidality over a 12-month follow-up. That's what we were voting against yesterday. But now we care about mental health. I don't get it. Tell me. Somebody come over to my desk and tell me how you can vote green and then stand up and talk about how you care about mental and behavioral health today. Share it with me. I'd like to know. I yield the rest of my time. Thank you, Mr. President.

DORN: Thank you, Senator Day. Senator Blood, you're recognized to speak.

BLOOD: Thank you, Mr. President. Fellow senators, friends all. I stand in strong support of both the amendment and the underlying bill. And I am in agreement with both Senator Day and Senator Conrad in saying this is fantastic, but it is too little and much of it is too late. We let this problem fester for a very long time in Nebraska, and it's going to take us a very long time to address this issue. With that said, since things are obviously being slow-- slowed down, I actually want to share a tweet from former Senator Ebke on the mike so it goes in the record today: all senators and staff in the Nebraska Legislature should remember that even when they're sitting under the balcony, the cameras will pick you up, not listening to what is said, and yucking it up when your colleagues are shedding tears. When you guys are doing this on the sidelines, when you are milling together and making a joke out of people's pain, Nebraska sees it, and you

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should be ashamed. And I just want to make sure you know that it doesn't go unnoticed-- not just by us, but by people outside of this Chamber. You know, I, I look over there yesterday and it's like, I kind of felt like I wanted to get those-- the Adirondack chairs and mimosas, because you looked like you were having a good time. You didn't look like you really cared about what the discussion was about. And then when the bill passed first-- through first round, that group of people upstairs that clapped when the rest of the balcony was in tears and in pain-- and that group is associated with several senators on this floor. Shame on you. Just shame on you. I just-- I don't understand what's going on today. It's like yesterday never happened. So I want to talk about Senator Murman's bill that's going to come up this afternoon because it's part of this, this culture war that now Nebraska is going through that I never thought we would see. And it's a bill restricting free expression. And we know that in the 19th century they had laws like this and they tried to enforce them. And guess what? Those were unconstitutional just like this bill is unconstitutional. It's because it disproportionately hurts the LGBTQ community, not that I think anybody in this body necessarily cares after yesterday. So these attacks on drag shows and the performers violate Nebraskans' rights to gather, to read and perform together. And they're an exercise of artistic, creative expression that really should be free from government suppression. I, I don't see you guys rushing to, to pass any bills about strip clubs. Because I think those are offensive, and I think they prey lots of times on women that are victims of sexual assault, incest. But, you know, if it doesn't bother you, then I guess you don't want to regulate it. It's only things that you don't agree with. And so I like to stay in my lane. I've talked about how our relationship with music in our family is, is very strong. And I want to talk about musicians who rock women's clothes and makeup. And I want to make sure that these musicians know that they can't come to Nebraska because they are wearing women's clothing and/or women's makeup and they are singing and performing. And Mr. Murman, Senator Murman's bill says you can't do that, Nebraska. So let's start with just the ones I could think of offhand. Kiss, Twisted Sister, Frank Zappa, Prince, Kurt Cobain-- obviously, he's not going to come and perform-- Ozzy Osbourne, Freddie Mercury, Marilyn Manson, Bob Dylan, Iggy Pop, Billie Joe Armstrong, The Cure, David Bowie, Alice Cooper, Bono, Mick Jagger--

DORN: One minute.

BLOOD: --Billy Corgan, David Crawl [PHONETIC], Harry Styles, Young Thug, Pharrell Williams, Kanye West and whatever he calls himself now. When you sully or demonize the First Amendment, you literally spit in

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its face when you try and pass bills like this and the bill that you passed yesterday. Not to mention that free expression that feeds our culture and the arts makes Nebraska the beautiful place that it is to live in. You are taking away these privileges and you are trying to tell Nebraskans how to define beauty. And to me, that is wrong. And to me, that violates their rights. And if you bring it back to the children, you, my friend, are full of malarkey. Thank you, Mr. President.

DORN: Thank you, Senator Blood. Senator Wishart, you are recognized to speak.

WISHART: Thank you, Mr. President. Is this my third time?

DORN: Yes.

DAY: Thank you.

DORN: Excuse me. It's your second time.

WISHART: It's my second time. OK. Thank you. Colleagues, I did want to add a few additional points to the discussion today on LB276. The first is that it-- when we're thinking about this in terms of the funding mechanism, I did want to bring to your attention-- I've worked with, with Chairman Hansen on, on capping the General Fund obligation in the future to be \$4.5 million. And again, we've discussed how I think there is an opportunity for room already in our budget to support this. But I also wanted to elaborate that this is a 75/25 match, federal match for the Medicaid portion of this. So what that means is that whatever we contribute in general funds will be matched by 75 percent federal funding, which is, which is very exciting. And the other is that, for behavioral health aid, there is a 20 percent match on top of that as well. And so there really is an opportunity here, colleagues, for us to draw down federal funding to go and support helping us fix this mental health crisis. The other thing I wanted to elaborate on is that-- colleagues, this is-- it's-- this is really game-changing legislation. We're talking about a system-wide change in how we conduct mental and behavioral health supports in our state. We're talk-- that's why it takes such a long runway for us to get this set up, because it is a system-wide change to looking at how we support people on a holistic level and how we engage entire community stakeholders out of their silos, working together to support individuals. And the reason why I say it's game changing is because I have numbers from the pilots to put to that. I have-- we have results to show for this. So, for example, in, in some of the CCH-- CCBHCs

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that have been piloting this work for, for a number of years, I want to give you three examples of results that have come from this. First, at baseline, as part of-- one of, one of the pilots, 28 individuals reported spending a collective-- prior to CCB-- CCBHC services-- 28 individuals reported spending a collective 253 nights in the hospital for a, a psychiatric problem in the 30 days prior to enrollment. Six months later-- six months later, the total nights spent in the hospital for mental healthcare in the 30 days prior to reassessment interviews dropped to 76. That's a total of 177-night reduction. That's a 70 percent reduction that came from this pilot program. In 2020, the average cost per inpatient day in Nebraska for hospital inpatient days was \$2,473. This finding indicates that hundreds of thousands of dollars may have been saved in hospital costs, which is six months of CCBHCs services engagements. Secondly, poor health and unresolved health concerns are contributing factors to homelessness for individuals across the country. An estimated 21 percent of people experiencing homelessness--

DORN: One minute.

WISHART: --have a serious mental health condition. After six months of program engagement, 24 individuals reported 674 homelessness nights, a reduction of 83 homeless nights, and a decrease of more than 10 percent. I don't have enough time to talk about the jail in detail, but we've seen a 53 percent reduction in terms of the individuals who are participating in the CCBHC Program in terms of collective nights in jail. Colleagues, this is hitting on all the key indicators that, as a Legislature, we need to be talking about and addressing. And I know there are other pieces of legislation that should come before this body to fill the hole piece of the pie that needs to happen with this. But I do want to say that what we're doing today is not something little. It is absolutely game changing for our state when it comes to mental and behavioral health services. Thank you.

DORN: Thank you, Senator Wishart. Senator Murman, you are recognized to speak.

MURMAN: Thank you, Mr. President. I feel compelled to answer some of the questions that have been brought up on the floor this morning about a bill that I am sponsoring that's going to be in the Judiciary Committee this afternoon. There was a bomb threat made to Urban Abbey about a week ago. And after-- as soon as I heard about that bomb threat, I sent a email to Reverend McKnight, who is the reverend of that church. And I will read the email now. Thank you to your congregation for writing to my office. First, I wholeheartedly condemn

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the bomb threat made against you and your congregation. I hope that the person who made these-- this threat is brought to justice. Earlier this year, Catholic members of the Newman Center at the University of Nebraska-Omaha, were left with messages threatening them because of their advocacy for pro-life legislation. This sudden rise in intimidating Christians, regardless of their political, religious or personal values and objectives is deeply troubling. It is clear that we disagree on the issue of drag and its relevance to the Bible or Christianity. While we will likely not come to an agreement on this issue, I respect your right and the right of your congregation to organize for or against issues that you see fit. This civic engagement is standard for ensuring the great promise of America: free of intimidation. I wish you and the folks at Urban Abbey well. God bless, Senator Murman. And I would like to ask if Senator Machaela Cavanaugh would yield to a question, if she's available.

DORN: Would Senator Machaela Cavanaugh yield to a question?

M. CAVANAUGH: Yes.

DORN: Senator Cavanaugh, do you feel that I am responsible for this threat--

M. CAVANAUGH: Yes.

MURMAN: --that was made to Urban Abbey?

M. CAVANAUGH: Yes, I do. Yes.

MURMAN: OK. If I'm responsible for this threat, do you feel that you are responsible for threats that are made--

M. CAVANAUGH: I didn't introduce legislation to perpetuate hate in our communities, so no.

MURMAN: Well, do you agree that you support pro-abortion on demand legislation?

M. CAVANAUGH: That's not a real thing.

MURMAN: That's not a real thing?

M. CAVANAUGH: No.

MURMAN: You--

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M. CAVANAUGH: Abortion on demand is not a real thing. So no, I don't support abortion on demand because that's not a real thing.

MURMAN: Do you support pro-cho-- so-called pro-choice legislation?

M. CAVANAUGH: I support reproductive health legislation.

MURMAN: OK. With your support of that legislation, are you responsible for bomb threats that were-- a shooting, shooting threat that's made against the Newman Center at the University of Nebraska-Omaha?

M. CAVANAUGH: I don't believe that I introduced any legislation that would incite such a response.

MURMAN: Well, you do support--

M. CAVANAUGH: Have I introduced legislation that has incited such a response, Senator Murman?

MURMAN: I'm not--

M. CAVANAUGH: I'm not aware of any.

MURMAN: --totally sure of what--

M. CAVANAUGH: You introduced legislation that is inciting this type of response. I have not introduced legislation that incites this.

MURMAN: Thank, thank you, Senator Cavanaugh.

M. CAVANAUGH: You're welcome.

MURMAN: Senator Blood, would you yield to a question?

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

BLOOD: Absolutely.

MURMAN: Senator Blood, do you feel it is appropriate for children to be in strip clubs and adult entertainment centers, bars?

BLOOD: Do I feel it's appropriate for children to be in strip clubs? I do not.

MURMAN: Well, the legislation I have proposed is to keep children--

DORN: One minute.

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MURMAN: --out of bars where adult entertainment is being done with drag.

BLOOD: Actually, that is not how your bill reads. Your, your bill is poorly written. I suggest you take a moment and read through it. And if you need help with the comprehension, I'd be happy to help you with that.

MURMAN: That, that is the amendment that I brought to the bill. Perhaps you missed the amendment.

BLOOD: Perhaps I did miss the amendment. I will read that as well. But until I see the definition of what a drag show is, I don't think there's going to be anything that I would support that you've written in reference to this.

MURMAN: The amendment's been up for quite a while. It's AM67. I'd suggest you, you reference that amendment. Thank you, Senator Blood. And I will yield the rest of my time back to the Chair.

DORN: Thank you, Senator Murman, Senator Blood and Senator Machaela Cavanaugh. Senator Hughes, you are recognized to speak.

HUGHES: Thank you, Chairman. I rise in support of LB276. For all my colleagues and any Nebraskans out there listening, there is easily accessible resources if you or someone you know is contemplating suicide. 988 is the number to call to reach the Suicide and Crisis Lifeline. This was established in 2020 by Congress and went live last summer. You can call or text 988 to reach help. Again, 988 to-- number's to dial, to text if you or someone you know needs help or support for suicidal, mental health or substance abuse crisis. According to the mental health in America's "State of Mental Health" for 2023, 63.7 percent of Nebraska youth with major depression did not receive any mental health treatment. The same study by Mental Health America ranked all 50 states and the District of Columbia by their prevalence of mental health issues in youth and the rates of access to mental healthcare for youth. States with the lowest rankings had a higher prevalence of mental health issues and had lower rates of access to care for youth. Nebraska ranked 49th. Colleagues, we have a problem and we are not doing enough to address it. This issue is not just limited, limited to youth. The same study I referenced earlier ranks Nebraska 44th for the prevalence of mental illness in adults and youth. Nebraska ranks 39th in substance use disorders in our youth, with over 7 percent reporting this problem. That's 11,000 kids in our state who are self-medicating because they're not getting help, and

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this is unacceptable. Our kids today grow up in a fishbowl with the entire world watching-- every comment shared, every mistake that is potentially recorded, shared and scrutinized, and these are things we need to keep in mind. I wanted to address the issue of mental health and the fact that we are not getting help-- people the care that they need. LB276 is one of the ways that we can use to address this need. Thank you, Mr. President. I yield my time.

DORN: Thank you, Senator Hughes. Senator Conrad, you are recognized to speak.

CONRAD: Thank you, Mr. President. And again, good morning, colleagues. I wanted to just put, I guess, a finer point on where we are in terms of our fiscal picture and our overall budget, which is, of course, the key priority for the Legislature every session, particularly in the first year of the biennial, more so than, than the, the short years where we come in and make adjustments. But this is a good learning opportunity for new senators or perhaps even returning senators who maybe are having trouble kind of grasping the unprecedented nature of where we are from a fiscal perspective, which I think is very hard to grasp. We've never had this sort of opportunity available before. But I continue to rise in support of the measure. I want to talk more about the nexus between the criminal justice system and the behavioral health system. Senator Wishart started to talk about that a little bit. But we have some unique challenges here in our home county of Lincoln and Lancaster County, which other communities are facing across the state as well. So, colleagues, let's take a minute for a little bit of a teaching opportunity because we're really going to need to flex our fiscal mus-- muscles as we prepare for other A bills and as we prepare for the budget. Open up your gadget. Look at the fiscal note for LB276. You can see very clearly there is a modest, a modest cash and federal fund expenditure in the present biennium. And then it talks about some additional funding obligations in, in the outyears. In this biennium-- there's a zero fund-- there's a zero General Fund impact. So that means the price tag to you all in the biennium that we're going to be operating in and as it fits into the budget from a General Fund perspective, which is kind of the only one that matters for that for folks that don't know, is zero, is zero. So to get up and say, like, oh my gosh. I'm not sure if we can fit this within the context of the budget, the fiscal note already tells you the impact to the budget from general funds in this biennium is zero. OK? And then take that into account for where we are. We have a \$2 billion unallocated surplus. \$2 billion. \$2 billion. So while this is important, I appreciate what Senator Wishart and others are trying to do-- again, you cannot divorce yourself from the fact that this is the

tinest piece of a puzzle. If you're serious about mental healthcare, if you're serious about behavioral healthcare, you're going to have to get a lot more serious real quickly. And what a disservice to our state presently and to our future knowing that mental health and behavioral healthcare crises and challenges, challenges are intersectional-- and there's so many of societal challenges: what's happening in schools, what's happening at work, what's happening in the criminal justice system. There's a lot of other good ideas that are out there to try and finish out this puzzle that's before us, to add to this piece that's on the agenda today. Senator Fredrickson has a bunch of good bills in regards to mental health. Senator Hughes has a training bill before the Education Committee. And I'm sure there's a host of other really, really good ideas in relation to mental health that are pending before Appropriations--

DORN: One minute.

CONRAD: --Health and Human Services and the Judiciary Committee as well. So this is a good place to start. It's a good learning opportunity about what our fiscal picture looks like. But I, I ask you to think seriously, colleagues, about what this really means in the greater scheme of both the budget and the provision of mental health and behavioral health services across the state and in your own communities. I'm going to punch in again because I didn't have an opportunity to go more deeply in regards to the nexus, particularly in the criminal justice and juvenile justice system. But think carefully and take the lesson to heart. Look at the fiscal note. It's a \$0 General Fund impact. There should be a question to nobody. Can we afford this? The fiscal note tells you yes. And if you don't understand that, you need to brush up on the budget. Thank you, Mr. President.

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

M. CAVANAUGH: Thank you, Mr. President, colleagues. I still remain in support of this bill. Last night, I-- my brother and I stopped at our parent's house on the way home. My parents had to-- picked up my two oldest children. And they had the news on, as they oftentimes do, and the news was covering the Legislature. And they did a story on LB574. And at the end of the story, they shared the same information, the hotline information that Senator Hughes shared this morning. And my mom instantly said it should tell us all something that they had to share that after they did this story. And it should also tell us all something that Senator Hughes needs to share that. I'm grateful that

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she did. And I'm grateful that the news channel did. Colleagues, what you are doing in this Legislature, the 2023 Legislature, is causing damage and hurt. It is cruelty. It is selfish. It is demeaning. It is demoralizing, dehumanizing. You can create false equivalencies all you want. You can play gotcha with me on the microphone, Senator Murman and Senator Hansen, all you want. I support reproductive health for everyone. I also support kindness, generosity, grace and compassion. I very much actively work to not introduce legislation that would incite the opposite of kindness, grace and compassion. And Senator Murman knows me well enough to know that to be true. He just doesn't like that I support reproductive health rights, and so he wants to malign me for that and equate it with attacking the identity of a population of people. It is not something that you can equate. Supporting individuals' rights and wanting to take their rights away are not the same thing. All of the mental health bills that we have this year are of vital importance because of the work of this body this year. And they all should have 49 votes because they're of vital importance. But it is extremely ironic, as Senator Day pointed out, that people who yesterday voted to take away the rights of parents to help their children seek medical care that will help stabilize their mental health, those same people are standing on the microphone talking in support of a bill that supports mental health. It is the abuser continuing to abuse the victims and act like they aren't the abuser. I don't know what is more challenging, to sit through the last three days of the debate or to listen to you all talk today with this, like, false earnestness of caring about people and their well-being?

DORN: One minute.

M. CAVANAUGH: Yesterday, you all voted to take away the rights of one of your colleagues-- knowingly, eyes open. And the three people that didn't have the courage to go ahead and vote against-- or, vote for the bill, finally, but had the courage to vote for it really-- voting for cloture is voting for the bill. You don't win any prizes. You don't get back any courage for standing up and doing the right thing. You voted for cloture, you voted for the bill. It's that simple. But thanks for sharing resources for the people that you're hurting. I yield the remainder of my time.

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

DAY: Thank you, Mr. President. I rise still in support of AM674 and the underlying bill, LB276. I'm going continue to talk about, since we are discussing mental health this morning, talking about mental health

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of trans youth. But first, just to the conversation that was just being had about bomb threats to Urban Abbey related to drag show story hour-- or, drag story hour, I just sometimes want to ask senators, how many times have people publicly posted pictures of your children and called you a groomer? How many times have people gotten on social media and said that you're in support of mutilating children? How many times have peop-- people publicly said that you're in favor of murdering babies? This is the type of language that surrounds bills like LB371, the drag show bill that's being heard in Judiciary this afternoon; LB626, the abortion ban; and LB574, the ban on gender-affirming care. And those are the things that incite bomb threats. Calling senators "groomers," saying that we support the mutilation of children and that we support murdering babies is what causes people to react so strongly with emotion that they call in bomb threats to places like Urban Abbey. It is not the same thing as supporting an individual's right to reproductive healthcare and the right to choose if, when and under what circumstances they want to be a parent or reproduce. That is not the same thing. It's not even close to being in the same universe. And I, I struggle to understand how some of you cannot connect the dots between the legislation that you introduce that deliberately maligns marginalized and oppressed groups. And, and the supporters of it use this-- again, as I described the other day, when we talk about medical procedures, this language that makes medical procedures sound barbaric because we're talking to people that don't understand medicine. Words like "mutilation," words like "murder," words like "groomers," that's the stuff that incites bomb threats. It's not the same. So when people start publicly posting pictures of your children on social media and calling you a groomer, then you can come to us and talk to us about how difficult it is to do this job or how much pressure you're under. But until then, it's not even close to the same. Going back to the Journal of American Medicine, I was reading earlier--

DORN: One minute.

DAY: Thank you, Mr. President. "Receipt of gender-affirming care, including puberty blockers and gender-affirming hormones, was associated with 60 percent lower odds of moderate or severe depression and 73 percent lower odds of suicidality over a 12-month follow-up." Let's see here. Transgender and nonbinary youths are disproportionately burdened by poor mental health outcomes-- this is important. Listen. We're talking about mental health-- poor mental health outcomes owing to decreased social support and increased stigma and discrimination, like bills like LB574 and saying that kids are being mutilated by doctors and by parents and they're groomers. This

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is what we're talking about when we're talking about increased stigma and discrimination.

DORN: Time.

DAY: Thank you, Mr. President.

DORN: Thank you, Senator Day. Senator Blood, you're recognized to speak.

BLOOD: Thank you, Mr. President. Fellow senators, friends all, I stand in strong support of the amendment and the underlying bill. And I see that there is a vote card going around, so it looks like we're going to be called to vote to this soon, so I think that's fantastic. And it's nice to see people moving around, participating in the process. With that said, I would ask that Senator Murman please yield to a question.

DORN: Senator Murman, will you yield to a question?

MURMAN: Yes.

BLOOD: Senator Murman, I did read your amendment and it makes the bill worse. Can you explain to me what your definition of adult entertainment is?

MURMAN: Adult entertainment would be entertainment that is toward the prurient interest or illicit sexual interest.

BLOOD: I'm sorry. It's what? Can you say it a little louder?

MURMAN: Prurient, prurient interest.

BLOOD: Prurient interest. So rock concerts, adult entertainment?

MURMAN: No.

BLOOD: No? In what way?

MURMAN: Well, not unless it, it was sexual in nature, extremely sexual in nature.

BLOOD: Have you been to a rock concert?

MURMAN: It's been a few-- it's been a while, but yes, I have.

BLOOD: Have you been to a, -- have you seen a rapper perform?

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MURMAN: Yes, I have.

BLOOD: Are you listening to the radio? Do you know songs about, like, people's booties? And-- I want to be not too graphic on the mike today. You, you know what music's about, right?

MURMAN: Sure.

BLOOD: So with the way you describe it and the way this bill is described, adult entertainment could pertain to rock concerts.

MURMAN: No, I don't think so.

BLOOD: Why?

MURMAN: Well, it just depends on the sexual nature of the entertainment.

BLOOD: So are we-- do we have sexual nature police now that'll be taking care of this?

MURMAN: And I, I'm not sure about rock concerts, but some of them definitely wouldn't be appropriate for children, and this, this bill refers to children.

BLOOD: Right, which would be the parent's choice whether to take their child or not to a rock concert. There are many concerts my husband and I went to that we most definitely never took our children to. And that's the job of the parent, not the job of government. And then you talk about how an artist must exhibit a gender identity difference. You heard the list I read earlier. There are a long list of performers who dress and wear makeup and perform in adult entertainment venues. And then it adds in the amendment, an "artist lip-syncs, dances, reads books." Can you tell me what books they're reading in strip clubs, Senator Murman?

MURMAN: In what kind of club?

BLOOD: What books are they reading in strip clubs?

MURMAN: Oh, strip clubs. No, I can't, actually. I didn't, I didn't realize they read books in strip clubs.

BLOOD: The way this is written, that's my understanding. Performs before a live audience for education or entertainment purposes. So if Senator Cavanaugh dressed as she is today with a tie, or Senator

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DeBoer, if they were to have an opportunity to talk to college students today, and maybe they wanted to read Ladies Chatterley-- Lady Chatterley's Lover-- I don't know. That's the first one that comes to mind-- they'd be breaking the law.

MURMAN: I'm not familiar with that book, but.

BLOOD: It's a classic.

MURMAN: No, it's, it's "and" in the amendment, so it has to-- it would have to fit all the, all the definition there.

BLOOD: Oh, so they have to be lip-syncing, dancing, reading, books and otherwise all at the same time?

MURMAN: Well, something in that category, yes.

BLOOD: All at the same time?

MURMAN: No, not at all at the same time.

BLOOD: So if they are dressed as men and they are reading to a class of college students, they are violating your amendment and your underlying bill.

MURMAN: No, not unless they are going toward the prurient interest or--

DORN: One minute.

MURMAN: --illicit sexual interest.

BLOOD: Can you show me where in state statute "prurient interest" is defined?

MURMAN: I'm not sure if it is, but I-- that's how I--

BLOOD: But we're basing law on it.

MURMAN: --would define adult entertainment.

BLOOD: Are you talking about adult entertainment of a sexual nature?

MURMAN: Yes.

BLOOD: That is not adult entertainment, Senator Murman, based on its definition.

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MURMAN: That is the goal of this amendment. And this bill is a work in progress, but that is definitely the intent.

BLOOD: I can say, sir, that I have been to plenty of drag shows, and with the exception of some not really great lip-syncing in many of them, there has never been anything of sexual nature that I have ever seen. Have you been to a drag show, Senator?

MURMAN: Not in recent years, but I have seen on social media drag shows and that--

BLOOD: Because everything on social media is true?

MURMAN: --and where children were involved, and they definitely--

DORN: That is time.

BLOOD: Thank you, Mr. President.

DORN: Thank you, Senator Murman and Senator Blood. Senator McKinney would like to announce the following guests: six members from the Eastern Nebraska Community Action Partnership, Senior Wellness participants in the north balcony. Please rise and be recognized by your Nebraska State Legislature. Senator McKinney, you're recognized to speak.

McKINNEY: Thank you, Mr. President. I rise again in support of LB276 and the underlying amendment. But, you know, I'm really, really, really frustrated. And I'm trying-- I'm going to be as careful as possible with my words, but I am frustrated. A bill that would address discrimination in schools for kids is more than likely not going to be heard this year. We're also potentially not going to get any criminal justice reform this year. We didn't get any last year. And that-- if we walk away from this session and we don't get any criminal justice reform but we vote for a budget that builds a prison, I don't know where I stand with a lot of people, a lot of affiliations. I'm just going to be completely clear about it. My outlook is going to be different. We talk about mental health. We talk about helping marginalized communities and all these things. We have to find a way as a body to get to the bottom of these things and address these issues. I'm not up here trying to minimize what happened yesterday, because what happened yesterday is also frustrating, because it shouldn't have happened. But just like I would tell one of my wrestlers when they lose a match, you, you got to wake up tomorrow and be ready and you've got to fight-- live to fight another day and you have to figure it out. You can't necessarily be stuck in the moment

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as-- we, we, we have to get things done. I don't have the luxury to go back to north Omaha and say, we didn't get no criminal justice reform done. When I go inside the prisons and they ask what happened, and I'm like, man, we'll try again next year. We'll try again next year. We'll try again next year. We'll try again next year. That's why people feel hopeless. That's why people are jaded towards the system and to politicians and to people. That is why. That's why black people don't vote. That's why black people feel hopeless, because they don't have no hope in us that we'll ever put things to the side and, and care enough to do what's right. I got to walk in this body every day knowing the odds are against me and I got to figure it out. That's frustrating. I had to walk in here last year after we voted to not include slavery in teachings last year. But I had to walk in here and smile and live to fight another day. I don't-- like, y'all really don't get it, and it's really frustrating to me, honestly speaking. We either got to figure it out or-- like they said yesterday, I'm not cool with a lot of people, and that's on both sides. We have to figure it out. Because this is-- I'm just saying, if we walk away and LB630 doesn't pass, we don't get any criminal justice reform but everybody votes for the budget to build a prison, I'm-- I, I, I just don't know what type of conversations I'm going to have with people and where I stand with people. So whoever needs to get together, I advise y'all to get together. Figure it out. Be leaders. We're not being leaders. Be a leader and step up and figure it out. That's what we should be doing. Going back and forth and, and, and all this stuff is not productive. We're not getting anything done. Let's be leaders and figure this out.

DORN: One minute.

McKINNEY: You're a senator for a reason. Figure it out. Thank you.

DORN: Thank you, Senator McKinney. Senator Conrad, you're recognized to speak. And this is your third time.

CONRAD: Thank you very much, Mr. President. And thank you to my friend, Senator McKinney. I, I think, as per usual, he really hit the, the nail on the head there in regards to, of course, his frustration that I think is, is shared probably by every member of this body to a certain degree or another and for different reasons. And just to react quickly to, to two of his points, which I wholeheartedly agree with. There should be a very broad and strong coalition when it comes to recognizing the intersectionality of these battles, whether that's a racial justice perspective, a gender justice perspective, a socioeconomic perspective. And I, of course, am an imperfect ally, but try to utilize that, that intersectional lens when looking at all of

the different issues that, that are before the body. And, you know, I, I think that Senator McKinney is 100 percent right on. Here we are again, the nexus to the budget, with a massive new prison proposed, which would be one of the most complex and expensive earmarks in the history of the state. What does that say about us as people, Nebraska? That instead of investing in one of the most significant projects in the state on a school or a university or a road or a mental health center, it's a prison. And we might as well put a sign out front that says the Pillen-Geist-Ricketts prison industrial complex, because that's why we didn't get criminal justice reform last year, and everybody knows it. Senator Geist led the charge against it with, with Governor Ricketts. And so here we are again. And now scrapping around maybe for crumbs when it comes to criminal justice reform because the full comprehensive study and analysis from CJI, which has worked in other states, was thrown out the window and is dead on arrival and is a nonstarter. And we know we need each of those pieces to move the needle. Everybody knows that, so let's not dance around it. Just have the courage of your convictions and own that and say that. So let's talk about criminal justice reform. We have an ongoing crisis in Lincoln and Lancaster County, which Senator Matt Hansen really tried to address during his time here and made some inroads, which this bill is absolutely related to in a certain degree. But we have a huge backlog at the regional centers. A huge backlog. And this bill doesn't really impact that care. This is about community-based care. And we have a huge overcrowding prison-- overcrowding problem in our county jail in Lancaster County, which is relatively new, and again goes to prove the point: if you build it, you will fill it. And it is the most expensive, least effective way to deal with society's problems. And now the state wants to continue down that path on the state level. So we have such an acute mental health crisis-- and Senator Dungan and Senator John Cavanaugh I'm sure can talk about this-- but we have such a problem with mental health services in our community. But people who go to jail for relatively minor or perhaps not minor crimes and who are so mentally ill that they're not able to stand trial have this huge backlog to even get their foot in the door at the regional centers. So they languish in our county jails. It's bizarre. It's a bizarre human rights--

DORN: One minute.

CONRAD: --failure. And yet none of these solutions that you've put forward do anything to truly address that. And of course, we can't talk about mass incarceration without as equally and voraciously talking about racial injustice. And we have-- and again, it's well-documented-- some of the most significant disparities in our

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criminal justice system of any state in the country. Of any state. And to Senator McKinney's point and Senator Wayne's point and others' points, we're-- you know, the, the filibuster needs to be about that as well. Until any of you wake up and come forward with solutions in regards to racial justice, additional action shouldn't be happening on those other matters, whether that's the canal to nowhere or the massive new prison or the giveaway to private developers and flooding Ashland or whatever it may be as your pet projects--

DORN: Time.

CONRAD: Thank you, Mr. President.

DORN: Thank you, Senator Conrad. Senator John Cavanaugh would like to announce the following guests: 26 students and two teachers from the fourth grade at Jackson Elementary in Omaha. Please stand-- they're in the north balcony. Please stand and be recognized by your Nebraska State Legislature. Senator Brandt would also like to announce the following guests: the Nebraska Farm Bureau Promotion and Education Committee, celebrating ag week, 10 members. They are in the north balcony. Please rise and be recognized by your Nebraska State Legislature. Senator Day, you are recognized to speak. And this is your third opportunity.

DAY: Thank you, Mr. President. I understand Senator McKinney's frustrations. We all have bills that we want to get passed this session. The only bill that I have that's gotten out of committee is the one that's on the agenda today. I hear what he's saying. It's a difficult place to be in to watch your bills slowly get pushed down the agenda as filibusters continue to happen. It is frustrating. But I would say that we should have gotten criminal justice reform passed last session, and it didn't not pass because of us. We are the ones introducing the bills. It should get passed this session. I have a, a bill that I introduced in Judiciary to eliminate life imprisonment without parole for juveniles. I'm 99.9 percent positive that bill's not even going to get out of committee. And it's not because of me. I think people sometimes feel the need to take their frustrations out on particular people in this body because we're the most visible ones that seem to be standing in their way. And the reality is is that those of us that are introducing criminal justice reform bills are not the ones standing in the way. We're the ones that introduce those bills. We're the ones that vote for those bills. And, quite frankly, everybody knew what was going to happen. We talked about it for eight hours. You need to talk to the senators who were originally a no on LB574 and flipped their votes to yes. Those are the people that are

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standing in the way, because everybody knew what was going to happen. Going back to discussing mental health of trans youth. Trans and nonbinary youths are disproportionately burdened by poor mental health outcomes, owing to, owing to decreased social support and increased stigma and discrimination. This is again reinforced by-- well, I talked about a little bit on the mike yesterday. The lead researcher from the study from the Karolinska Institute, Cecilia Dhejne, in her response to her work being misinterpreted and taken out of context in the interview that I discussed yesterday, where she specifically talks about her work being misinterpreted. She talks about-- she is asked-- let's see here. Moreover, people using your study to support spurious anti-trans fact claims also seem to not understand that your study findings aggregate two chronological groups. In simple language, would you please explain what the above paragraph means and what your study findings show for those trans people transitioning after 1989? Her response--

DORN: One minute.

DAY: --excuse me-- is: The aim of trans medical interventions is to bring a trans person's body more in line with their gender identity, resulting in the measurable diminishment of their gender dysphoria. However, trans people as a group also experience significant social oppression in the form of bullying, abuse, rape and hate crimes. Medical transition alone won't resolve the effects of crushing social oppression: social anxiety, depression and post-traumatic stress. We cannot just look at mental and behavioral healthcare when it's sanitized from the social issues that we seem to struggle with. We have to look at mental/behavioral healthcare in the context of people's actual lives. How does legislation or how does a lack of access to healthcare affect mental/behavioral health of these individuals and of these communities? We can't just stand up and say that we support access--

DORN: Time.

DAY: Thank you, Mr. President.

DORN: Thank you, Senator Day. Senator Blood, you're recognized to speak. And this is your third opportunity.

BLOOD: Thank you, Mr. President. Fellow senators, friends all. Again, enthusiastically stand in support of both the amendment and the underlying bill. With that, I'd like to continue a little bit of the discussion that we just had with Senator Murman. I did look up the

definition of Puritan, because you rarely hear that definition, and I can't seem to find it as far as law goes, which is always puzzling to me why we try and base legislation on things that aren't based in law and based-- something that we can stand up for in the courts. And I don't think he means a member of the 16th or 17th century Protestant group, so he must mean "one who practices or preaches a more rigorous or professedly purer moral code than that which prevails." Which, friends, is the problem with this year's session. When we personally don't like something or don't approve of something or don't think something or someone should exist, we bring forward this crap legislation that we are seeing this year. We bring it forward and we don't care who we hurt and we don't care how it affects their families. When people come to this floor, when people come to the hearings and they show emotion and they spill their guts, we look the other way. I bet you when you guys go by car accidents, you turn your head. But when it comes to human emotion, you guys seem oblivious. Unless, of course, it's something that you believe in. And the clown show that I've seen come in this year, people from other states quoting papers from people who literally did social media on January 6, praising the people that hurt others and tried to take down the Capitol in Washington, D.C. Those are some of the people that you guys have been quoting. I don't believe Nebraska's intent when they decided they wanted a Unicameral was that we could make it easier to spread hate, to legislate hate. I don't believe they thought that public hearings would become the circus that it is, where if you don't have people in your own state that are going to support your causes, that you're just going to fly somebody else in from another state. I still remember-- I can't even remember what the topic was-- but you guys threw in Ron Howard's brother, whose career had been faltering because-- I think it was drug addiction. And then you held him up to be the moral code for some bill. And by the way, drug addiction, another mental health issue. People look the other way here in Nebraska. But it's OK when it's somebody famous because, you know, they didn't mean to. And I certainly am not minimizing people who do have drug or alcohol addictions. It is a serious issue. The point is the hypocrisy. Like, I don't understand what's going on in this Legislature this year. I feel sorry for Senator Terrell. I have lots of bills that I'd like to get passed. I have an education bill that I can't get out of Education that was given to me by the Pentagon, one of the many interstate compacts that I have had pass since a freshman senator. And I have explained the bill to the Chair five times. Five times. And I can't get it out of committee. And there is nothing wrong with that bill except that it's going to give us another tool to help bring teachers to Nebraska. What's going on this year? We don't care

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who we hurt. We don't care how we hurt them. When we hurt them, we pretend it doesn't happen. We think if we play nice in short windows of time that maybe we can get the bills moving forward.

DORN: One minute.

BLOOD: We can do better. We have done better. Our first two years when I was a freshman senator were not great. But then we came together because we realized if we work together and quit the culture wars, that we could get more done. But now we've caved. And you caved because there's a majority that believes in the culture wars, and I respect that. If I was the majority, I'd be pushing back more than we already do. We can do better. If you want to see the bills move forward, do better. That's all that we're asking. We're not asking you to not stand behind what you believe is right and true. We're asking you to start being reasonable. Can you be reasonable? I know you can. Come on, neighbors. Let's do a better job.

DORN: Thank you, Senator Blood. Senator Wayne, you are recognized to speak.

WAYNE: Thank you, Mr. President. I have been hopping in and out of this queue because I, I really don't know what to say. First, by saying that what is happening to Senator Hunt and her child on social media has to stop. And I'm asking a person from the other side of the aisle to get up and say the same thing. I am challenging a person from the other side of the aisle to get up and say the same thing. The reason why I say that is because no matter what situation or who invokes anybody, kids and families are off limits. Why do I say that? Because my freshman year, my house was Betsy Rioted. I had postcards of kids being blown up and shot in which my daughter couldn't go and answer the mail anymore at our house because of the horrifying things sent to my house. We had Barbie dolls with blood all over them delivered to my, my office. We have to stop. And it starts here on this floor on how we personally attack everybody. When you would personally attack somebody, it just gives more drive to them and whatever side and whatever friends to figure out a compromise to shove it back down that person's face. Whether it's good legislation or not, it becomes personal. I have a little background in this because I come from the best-- I, I'm biracial. I get the best and the worst of both worlds racially in my own family. And if you come to this body with the idea that people are evil or people are bad, you're not going to make progress on anything. Nobody in here, except for probably Senator McKinney, has ever had to have "the talk" about what to do when a cop pulls you over. I can't come in here with that burden on the fact that

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me and my brother were drug out with guns pointed at us. I can't come in here with that burden that my son's going to go through that. It's personal. But I can't come in here with that burden, or nothing will change in my community. I don't have the luxury to blow up everything. I blow up strategically, but I don't have the luxury because my community needs something. Every year-- I'm on social media, and not one senator ever stood up for me, and that's fine. But I told myself, if anything happened that happens to me on social media, I'm going to stand up and say it's wrong. So I'm challenging somebody on the other side to say the same thing. We can debate. We can not like each other in here. But when we leave here, it doesn't and shouldn't go to the families. They didn't sign up for those personal attacks. And with all due respect, the culture war has been going on against my community since this damn body opened up. Now we're shocked that it's a culture war this year? We voted to remove slavery. And yes, I took that very personally. I took it personally because of my trip to Africa, watching everybody else on that mountain talk generations back, including Senator Brewer, who can trace his lineage. And I can't. I'm just glad that was the end of the year because I didn't talk to so many people afterwards.

DORN: One minute.

WAYNE: But I couldn't come this year to this body with that same burden. Otherwise, we stop progress. This ain't perfect. This body ain't perfect. And I'm OK with blowing up things. But what I can't understand right now is we're upset about a bill that moved that discriminates but we're going to stop another bill that stops discrimination. We're saying certain kids means more than other kids when we do that. That's the same culture war. Thank you, Mr. President.

DORN: Thank you, Senator Wayne. Senator Vargas, you're recognized to speak.

VARGAS: Thank you very much. So, originally, I was going to talk about-- and I still will talk about this. I know it was mentioned on the mike earlier about Urban Abbey, and that is in my district. Those are, those are my friends. That's where I take Ava and Luca on Saturdays and Sundays. And we would have been there where Senator Cavanaugh-- I think both Cavanaugh's were there in attendance. We would have been there. And, you know, the hard part about this is-- my, my whole family, my kids, we, we go there for story time. We go there to sit and read. We go there to engage with our community. And it's always felt like a very safe place. And for the first time in-- and,

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and we've been seeing more of this: it's been feeling like less of a safe place and a more dangerous place because of the threats that are happening. And for them listening, because they reached out to me as well, I, I'm just really-- I'm sorry. Nobody deserves that at all in any way, shape or form, especially given how amazing the events are and how the storytime is happy and parents are bringing their kids and it is a joyful and educational and a, a community experience. So as a state senator representing that district, I just want to say I'm sorry that that, that that hate exists and that it was targeted towards Urban Abbey because you and the parishioners and others in the community don't deserve that. And, you know, the hardest thing about this is-- I have respect for my colleagues. The hardest part is trying to figure out intent on bills. It really is. And seeing bills like what Senator Murman is introducing-- I mean, it is, it is a reason why what we saw in these emails is referenced, why they are threatening Urban Abbey. And-- that, that's fact. That's not an interpretation. This is, there's legislation being introduced and people using that legislation to say, I want a community or I want a group of people to be targeted because of what is happening. So I just wanted that to be made clear because we have a responsibility to do better in terms of empathy and compassion in this body. And I don't mean that to say that every single one of us is not empathetic or compassionate. It's that-- I'm coming in with eyes wide open when I'm introducing a bill that there's going to be somebody that I piss off or somebody that's really happy and everything in between. I do think it's a little bit disingenuous at times where senators, even some of my colleagues that I respect, aren't seeing or recognizing that people are going to be hurt by some of their bills and are representing it and are trying to pretend like it doesn't exist. That's the part that probably, for me personally, is, is extremely difficult to stomach because it's just pretending that that voice doesn't exist. I can stomach and barely stomach that you think it's the right policy, you know. And I've disagreed and agreed with my colleagues--

DORN: One minute.

VARGAS: --on policy. But if you can't accept that people are against it for a valid reason, even though you may not agree with it, I think that's one of the most important things we should be trying to do in this body. And it's something that I hope for Senator Murman in this, and others for all of our bills, that we are still going in with eyes wide open, that it's OK. There's going to be opposition to our bills, but denying it is denying a lot of the people's voices in this process. And it makes it easier to just pretend like those people's voices don't really matter. I do have more to say in regards to the

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larger conversation here on what we spend our time on. And I hope one thing I'm taking away from many people getting on the mike is that we don't attack each other and particularly we don't attack each other's families--

DORN: Time.

VARGAS: Thank you.

DORN: Thank you, Senator Vargas. Senator Freg-- Fredrickson would like to announce the following guests: 40 students and for teachers from the fourth grade from Cody Elementary in Omaha, Nebraska. They are in the north balcony. Please stand and be recognized by your Nebraska State Legislature. Senator John Cavanaugh, you are recognized to speak.

J. CAVANAUGH: Thank you, Mr. President. Well, it's nice to see the kids here. I had a class from Jackson Elementary in my district. It was my first fourth graders to visit since I've been elected. But we walked by and we saw the statue of "Buffalo Bill" Cody out in the hallway, so I hope the kids from Cody Elementary get to go see that. But I rise in support of AM674 and LB276. And I thought it would be good to talk about a little bit about mental health needs in our communities. And as I look at the list on the back of this handout-- I think Senator Wishart handed out-- and these names are all familiar to me: CenterPointe, Community Alliance, Family-- or, Heartland Family Services, Lutheran Family Services. I guess South Central is not one I'm familiar with, but I don't think they service Omaha. But when I was a public defender for seven years before I got elected, I represented innumerable number of clients who required these services. Mental health services, drug and alcohol services are what led people into the criminal justice system. And so expanded access to mental healthcare has been something I've been keenly interested in as a form of criminal justice reform in the state. It would be hard to objectively quantify the number of people I represented who had either a diagnosed or, or an undiagnosed mental health issue that required treatment, but it's an extremely high percentage. I, I wouldn't be shocked if it was in the 80 percent to 90 percent range. Because every single person, if they got into the criminal justice system to the point where they were being represented by the public defender's office, probably got some kind of evaluation and needed the services provided by these entities. So that's why I think this bill is important. I appreciate the work of everyone on this and I appreciate the conversation we've had this morning. I did want to address-- I, I think it, it is an interesting follow-up to our conversation

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yesterday. And I particularly thought it was interesting-- I watched the news coverage on TV last night about what we did yesterday and the effects of the Legislature. And particularly striking to me was the fact that the news, local television news, felt compelled to put up the Suicide Risk Hotline after the story. They put up the 988 number. So if you're experiencing-- if you have, have concerns, you need someone to talk to, that's the number. I've heard other folks mention it on the floor today: 988. And I thought that was pre-- particularly striking to me because this was-- the news thought that anyone who had just observed what the Legislature would-- done maybe needed to be counseled, maybe would be in crisis. Maybe as a result of actions that we took, the news thought we were causing harm to people to such a degree that they thought it was important that they put up a Suicide Risk Hotline-- again, 988. So that really struck me as hard to stomach, that the thought that just our conduct here on the floor on one day was of such risk to the health of the state of Nebraska that the news put that on there. So I think that's important in the context of all of this broader conversation. You know, there's a lot of things you can say, a lot of perspectives you can take on what we should be doing. And I agree-- I would-- there are things I would like to accomplish. There are things-- specifically, criminal justice reform is high on my list as well. I've brought a number of criminal justice reform bills.

DORN: One minute.

J. CAVANAUGH: Thank you, Mr. President. And I would like to see us find a way to move forward in a way that will allow us to make some positive progress for the state of Nebraska. And I think that's possible. But I think, first, we all need to redirect our perspective in a way to understand that we should be not making negative progress towards people in the state of Nebraska. And so mental health is an important issue. LB276 I think is a good step in that direction, and so I would support LB276. Thank you, Mr. President.

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

WALZ: Thank you, Mr. President. Good morning, colleagues. I stand in full support of LB276 and AM674 and really want to thank Senator Wishart for the work that she's done on this important issue. I am going to yield my time to Senator Conrad. I have been appreciative of the conversation that she's been having regarding the budget, so I'm going to yield some more time to her. Thank you.

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DORN: Senator Conrad, you're yielded 4:24.

CONRAD: Thank you, Mr. President. And thank you to my friend, Senator Walz. Colleagues, I want to just preface my remarks before I have a chance to dig in deeper on some of the fiscal and, and budgetary issues that are before us, not so much in this bill but, of course, in many others coming this year and as we prepare for the budgetary debate as well. But let, let's just be really honest about exactly what's going on here. You threw away your oath in regards to serving in a nonpartisan body when you stacked and greased the committees-- regardless of seniority, regardless of preference, regardless of any norms, tradition, on day one. That set off-- that was a catalyst to fast-track through any legislation that you want to and remove the power of the committees. So that's a big part of it. And we also know, whether it's Senator Murman's drag bill or Senator Kauth's anti-trans bills or Senator Albrecht's abortion ban, this is all part of a national playbook. It's well-documented. It's well-documented. These aren't sincere issues that constituents bubbled up with. You know-- well, maybe in some-- to a certain degree. Maybe not others so much. And you all read the playbook. You put your name on it. You introduced the bills. You had hearings. You didn't have any amendments on your committees. And you pushed it out. And we've had raucous, acrimonious, toxic debate. And it goes back to not only the role you played in regards to setting the committees. It goes back into the roles the Chairs play in terms of setting the schedule for bills to be heard and/or not execed on and pushed out. It goes back to a failure of leadership, including Speaker Arch, whose one job is to defend the institution and to defuse bombs, and he refuses to do such. So you can be upset at Senator Day or Cavanaugh or Hunt or Conrad or whoever is the flavor of the moment for your ire. But look back. Look at yourself. Nobody forced Senator Arch to run for Speaker. It's not mandatory. He stepped into that role voluntarily. And thus far, he's failed. And he has-- none of us that you're mad at have the power to change any of these things. I've tried to change the agenda. I've tried to offer you olive branches, and you've rejected them at every turn. I'm going to keep trying. I have love in my heart for each of you. I care about this institution. And it's not a personal attack if we call you out for your substantive actions. That's political accountability. There's a difference, and you know it. So every day that this body doesn't pass a massive new prison, undercut the minimum wage and the will of the voters, restrict voting rights with a restrictive-- many restrictive voter ID and other proposals, a total abortion ban, a huge tax giveaway--

DORN: One minute.

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CONRAD: --to corporations and rich people, working to nullify federal gun laws-- which has already been advanced from the committee, every day those things don't pass is a win for Nebraska. Every single day. But you know what's a loss for Nebraska every single day? Every single day you dig in and you don't come to the table and you don't work on housing and you don't work on workforce development and you don't work on education and you don't work on healthcare. Every day you don't do that is a loss for Nebraska. That's why we're at detente. That's why we're at a standstill. The North Star has been clear. Nebraska's number-one challenges are clear. The solutions are clear. We have unprecedented fiscal opportunity to address them, to change the face of Nebraska for generations, and you refuse. You refuse to stand in your power. You refuse to seize that opportunity. So own your complicit nature--

DORN: Time.

CONRAD: --and action in the debate and stop pointing fingers. Thank you, Mr. President.

DORN: Senator Line-- Senator Linehan, you're recognized to speak.

LINEHAN: Question.

DORN: Question's been called. Do I see five hands? I do. The question is, shall debate cease? Been requested to place the house under call. All those in favor vote aye; opposed vote nay. Record, Mr. Clerk.

ASSISTANT CLERK: 23 ayes, 1 nay to go under call.

DORN: The house is under call. All members, please return to your seat. All unexcused personnel, please leave the floor. The house is under call. Senator Erdman, please check in. Senator Machaela Cavanaugh, check in. Senator Bostar and DeKay, please return to the Chamber. The house is under call. All unexcused members are now present. The question before the body is to cease debate. A roll call vote has been requested. Mr. Clerk, please call the roll.

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

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Senator Dungan voting yes. Senator Erdman voting yes. Senator Fredrickson voting yes. Senator Geist voting yes. Senator Halloran voting yes. Senator Hansen voting yes. Senator Hardin voting yes. Senator Holdcroft voting yes. Senator Hughes voting yes. Senator Hunt. Senator Ibach voting yes. Senator Jacobson. Senator Kauth voting yes. Senator Linehan voting yes. Senator Lippincott voting yes. Senator Lowe voting yes. Senator McDonnell voting yes. Senator McKinney voting yes. Senator Moser voting yes. Senator Murman voting yes. Senator Raybould voting yes. Senator Riepe voting yes. Senator Sanders voting yes. Senator Slama voting yes. Senator Vargas voting yes. Senator von Gillern voting yes. Senator Walz voting yes. Senator Wayne voting yes. Senator Wishart voting yes. Vote is 44 ayes, 1 nay, Mr. President.

DORN: Debate has ceased. Senator Hansen, you're recognized to close on the amendment. Senator Hansen waives closing. The question before the body is the adoption of the committee amendment. Roll call vote has been requested. Mr. Clerk, please call the roll.

ASSISTANT CLERK: Senator Albrecht voting yes. Senator Arch voting yes. Senator Armendariz voting yes. Senator Ballard voting yes. Senator Blood voting yes. Senator Bostar voting yes. Senator Bostelman voting yes. Senator Brandt voting yes. Senator Brewer voting yes. Senator Briese voting yes. Senator John Cavanaugh voting yes. Senator Machaela Cavanaugh not voting. Senator Clements voting yes. Senator Conrad voting yes. Senator Day voting yes. Senator DeBoer voting yes. Senator DeKay voting yes. Senator Dorn voting yes. Senator Dover voting yes. Senator Dungan voting yes. Senator Erdman voting yes. Senator Fredrickson voting yes. Senator Geist voting yes. Senator Halloran voting yes. Senator Hansen voting yes. Senator Hardin voting yes. Senator Holdcroft voting yes. Senator Hughes voting yes. Senator Hunt. Senator Ibach voting yes. Senator Kauth voting yes. Senator Linehan voting yes. Senator Lippincott voting yes. Senator Lowe voting yes. Senator McDonnell voting yes. Senator McKinney voting yes. Senator Moser voting yes. Senator Murman voting yes. Senator Raybould voting yes. Senator Riepe voting yes. Senator Sanders voting yes. Senator Slama voting yes. Senator Vargas voting yes. Senator von Gillern voting yes. Senator Walz voting yes. Senator Wayne voting yes. Senator Wishart voting yes. Vote is 44 ayes, 0 nays, Mr. President.

DORN: The amendment is adopted. I raise the call. Mr. Clerk for a motion.

ASSISTANT CLERK: Mr. President, Senator Machaela Cavanaugh would move to reconsider the vote on AM674 to LB276.

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

M. CAVANAUGH: Thank you, Mr. President. This is the fun thing about calling the question when there's four people left in the queue and most of us were on our third time and couldn't talk again after this, is that I can just put a motion up to reconsider. But don't worry, friends. I have 10 minutes to open. And you're not under call of the house, so you don't have to stick around if you don't want to. So I see that the queue is not cleared. I don't know if it gets cleared or not. I'm-- nope. Doesn't get cleared. Awesomesauce. Thank you. OK. So, yesterday, probably just about every single person in this body was sent this article from someone they know, or a constituent. But it's from the Washington Post and it's, "Most Trans Adults Say Transitioning Made Them More Satisfied With Their Lives." So I'm going to share this article with you. And if you're wondering why I'm sharing that now-- because we're talking about mental health. And though most of you in this body-- 33 of you to be exact-- voted to deprive children from access to the mental healthcare that they need if they are going on a path of discovering their trans identity, I thought since we're talking about mental healthcare-- giving people mental health-- yesterday, we voted to take away mental health-- I might share about how actually giving individuals access to this improves their mental health. "Most Trans Adults Say Transitioning Made Them More Satisfied With Their Lives." Washington Post and KFF surveyed one of the largest randomized samples of U-- U.S. transgendered adults to date about their childhoods, feelings and lives. Transgendered Americans experience stigma and systemic inequity in many aspects of their lives, including education, work and healthcare access, a wide-ranging Washington Post-KFF poll finds. Many have been harassed and verbally abused. They have been kicked out of their homes, denied healthcare and accosted in bathrooms. A quarter have been physically attacked, and about one in five have been fired or lost out on a promotion because of their gender identity. There are more than twice-- they are more than twice as likely as the population at large to have experienced serious mental health struggles such as depression, yet most trans adults say transitioning has made them more satisfied with their lives. "Living doesn't hurt anymore," said TC Caldwell, a 37-year-old black, nonbi-- nonbinary person in Montgomery, Alabama. "It feels good to just breathe and be myself." We conducted this survey-- the trans survey was conducted in English and Spanish November 10 to December 1, 2022 among 515 U.S. adults who identify as trans and 823 cisgender U.S. adults. Sampling, data, weighted and tabulated mirror-- were managed by SSRS. Random sampling methods help ensure results are respect-- representative of the trans population

overall, with respondents reaching through-- reached through probability-based survey panels by Gallup, NORC and SR-- SSRS. The Post-KFF poll is the largest nongovernmental survey of U.S. transgender adults to rely on random sampling methods. More than 500 people who identify as trans answered questions about their childhoods, their feelings and their lives post-transition. I'm going to skip ahead. I think-- actually, this was distributed by Senator Fredrickson. And there are some spots that have been highlighted in this article, so I'm going to skip ahead to those on the next page. Post-KFF survey provide-- quote, provide critical tools for researchers, policymakers and advocates seeking to better understand the needs of transgender people to help find ways to improve their lives. Oh, it's stapled together here. Most trans adults say they knew when they were young that their gender identity was different from the sex they were assigned at birth. About a third, 32 percent, say they began to understand their own gender identity when they were 10 or younger. And un-- another third, 34 percent, realized, realized it between the ages of 11 and 17. Compared with Americans as a whole, trans adults are more than twice as likely to say they experienced serious mental health problems such as depression or anxiety growing up-- 78 percent versus 32 percent for the U.S. overall. Just over half of trans adults say they had a happy childhood, 53 percent. But that rate is far lower than the 81 percent of Americans overall who say their childhood was happy. Transition. Poll data shows that there is no one timeline for trans people. three in 10 say they began telling their-- telling others they were trans before age of 18, while about a third, 32 percent, came out between ages 18 and 25. Others came out later. And 12 percent of trans adults have not told anyone. The back is, six key takeaways from the Post-KFF survey of transgendered Americans. Whether a trans person is out to family and friends depends on their age. Most trans people, trans people consider themselves nonconforming or nonbinary. Most have, have not had transition-related medical treatments. Many transgendered people knew they were trans from a young age. Most transgendered adults say they have faced discrimination and verbal harassment. And the final, most transgender adults say living as a gender different from the one assigned to them at birth improved their lives. How much time do I have left?

DORN: 3:45.

M. CAVANAUGH: Thank you. Colleagues, I'm not going to stop. I'm not. I have a high threshold for abuse. I am fine with being maligned and targeted in your comments. I'm fine with you finding your own ways to maneuver things in this body. But I also learn. And every time I see people trying to find a way to stop me from doing what I'm doing, I

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learn from that. I take it forward and I find a different way. I was very clear. I was very clear four weeks ago about my intentions with this session. And I was crystal clear yesterday. I went to Senator Arch, Speaker Arch, a week ago, and I said, I want this to stop. I want to stop filibustering. I want to move this session forward. If this bill doesn't have the votes to advance, when this bill fails on cloture, I stop. It was very clear. It was very transparent. If the rest of you want to work on a deal to assuage your transphobia that still is transphobic to make you feel better about voting for this bill, it's unconst-- the amendment that Senator Jacobson brought is unconstitutional, discriminatory and just takes out the parts of the anti-trans-affirming care that you were comfortable with. It doesn't matter if you're comfortable or uncomfortable with trans-affirming care. It does not matter. It's not up to you. The amendment assuaged your transphobia. You're still transphobic if you think that you should have a say in trans-affirming care. You shouldn't. Only if you are seeking that care yourself or you are the guardian or parent of a minor who is seeking that care should you have a say. That's when you should have a say. I have met with Speaker Arch numerous times since the--

DORN: One minute.

M. CAVANAUGH: --beginning of session, numerous times since I began filibustering. I have met with the Governor. I have talked with several of my Republican colleagues. I have tried. I have tried and tried and tried again. You decided as a body to dig in on this issue. You decided as a body that it was more important to attack trans children than anything else. And you can keep insulting me. You can keep maligning me. You can keep being cutesy with procedural things. But this is on your shoulders. I have been very clear about the fact that I was digging in and I have been very clear about how important this is to me and to the community at large. And I am not going to stop.

DORN: Time. Thank you, Senator Machaela Cavanaugh. Senator Dungan, you're up. You, you're recognized to speak.

DUNGAN: Thank you, Mr. President. I appreciate that. Colleagues, I rise still in support of LB276 and AM674 and I suppose in opposition to the motion to reconsider. I figured if we're going to be here anyways, I'd like to sort of redirect the conversation back to the bill and talk a little bit about some of the issues we discussed briefly earlier-- not that we're not having an important discussion about many other things. But this bill, as I mentioned in my prior

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comments, is very near and dear to my heart. Senator Wishart, Senator Conrad, my rowmate, John Cavanaugh all mentioned the ways in which this bill and the CCBHCs, the Certified Community Behavioral Health Clinics, are going to be a major boon to those who find themselves in the criminal justice system. And I talked about it a little bit before as well. And I think-- I, I just want to take this moment also to echo some of the concerns and the things that Senator McKinney raised and Senator, Senator Wayne raised. I mean, there's a lot of really important things out there and folks affected by things in the criminal justice community that we need to be focusing on as well. And so there are aspects of this bill that absolutely speak towards that. One thing that I say often, though, is, you know, oh, the people that I worked with as a public defender were in the criminal justice-- or, I'm sorry, in the mental health or behavioral health system. And folks don't necessarily understand what that means. Obviously, people have mental health issues. People have substance use disorder issues. But I think it's sometimes helpful to explain what that actually looks like and how it can compound. I don't want to get into too many details of people's cases, but I, I represented a client one time who had-- essentially, he was schizoaffective. He had schizophrenia and many other mental health issues, and he was having an episode, to put it simply. And he was struggling. And he thought maybe he was being followed. He wasn't entirely sure if he was being followed, and he knew something was wrong. And so he went into a gas station and he asked the attendant at the gas station, can you call somebody? I need help. And the attendant at the gas station said, get out of here, man. I don't want, I don't want to deal with you. And he said, no, no, no, I need help right now. And he essentially was asking, begging for some help. Call an ambulance. Call the police. Call somebody. I, I just need help. I don't know if I'm being followed. I don't know if this is real. And the attendant again told him to kind of get out of there. And so in an act of desperation, allegedly this guy grabbed a lighter off the counter and allegedly held it up to a, a box of food or something that was on one of the, the shelves and he just kind of held it up to there until it started to smolder on the bottom. And the attendant at the gas station called the police. And ultimately, this gentleman who had schizophrenia and many other issues was charged with theft for the lighter that he picked up and he was charged with arson for trying to burn the building down. He clearly started this entire circumstance by acknowledging his mental health issues. And upon working with him, what became clear and evident to me was that he didn't have avenues to get help for the things that he knew he was struggling with prior to this incident happening. We hear oftentimes people have cries for help, but I think this was one of the most

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explicit and vivid cries for help I'd ever seen because it was both literally a cry for help, asking for help and for them to call somebody, and then this sort of snowballing into this incident. And what was especially frustrating was not just that this gentleman couldn't get help ahead of time, but it was especially frustrating that once he got in the system, when he was in jail, he didn't have the money to get out of jail. But then we weren't able to find him easily accessible and ready services for those mental health issues while he was in custody. And we were incredibly fortunate in my office to have a social worker--

DORN: One minute.

DUNGAN: Thank you, Mr. President-- a social worker who was able to try to connect him with services. And ultimately, we had an evaluation done. And he, I believe, ultimately got the services that he needed moving forward. But I just-- I, I highlight that story so my colleagues who are paying attention and listening know that this is not sort of this 30,000 foot-- oh, yeah, people have substance use issues, people have mental health issues. It really does affect folks. And it's, it's real. And people need this help. And the, the services that are required in order for these CCBHCs to, to be a part of this program, the mental health and substance use services, crisis mental health services, screening assessment diagnosis, including risk assessments, treatment planning, outpatient clinics, all of these are services that are going to go a long ways to helping these people. And if we do them now and if we implement services like this sooner than later, we can stop the fires before they start instead of trying to put them out afterwards. And that's always the better option when we're talking about criminal justice issues. It makes--

DORN: Time.

DUNGAN: Thank you, Mr. President.

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

M. CAVANAUGH: Thank you, Mr. Speaker-- or, sorry, Mr. President. Little tired. Not-- I am not a little tired. I am extremely tired. This week has been extremely emotionally taxing I'm sure for most people in this Chamber. It has been extremely emotionally taxing for me personally and professionally. This is not what I set out to do in this Legislature, but we are where we are. So, this bill, LB276, has a federal match. And I think it's great when we find opportunities to

draw down federal funds because even if-- where there's a philosophy of smaller government, which apparently there is not, because yesterday everyone voted for bigger government and a nanny state. But assumedly, if there is this philosophy of smaller government, we still pay federal taxes in Nebraska. And I think we have a responsibility to the people of Nebraska to draw down and maximize federal taxes. And so I know a lot of people would prefer to see government doing less, and I would too. I'd like to see government doing less in my parenting, thank you very much. I'd like government-- to see government doing less in my bedroom, thank you very much. And I'd like to see government doing less in my doctor's office, thank you very much. But if we're going to have big government, we may as well take care of people at the same time. We may as well have SNAP. We may as well have childcare subsidies. We may as well do something with this little thing called the TANF rainy day fund that has \$130 million in it. And we have done nothing to increase eligibility or increase payments while we are in an economic crisis, while the cost of everything is more expensive and the cost-- and the amount of money that we are giving directly to the most needy families has remained stagnant. We are doing nothing about that. Thank you very much. School meals. We're seeing a wave. I would love to see this wave. OK. Imagine a world where instead of we have a wave of legislation across the country that is being debated and enacted that demoralizes and dehumanizes a specific population of people, imagine instead if we had a wave of legislation across the country that fed children. That fed children. Wow. We can have nice things if we choose. We can feed children. We can be responsible, thoughtful policymakers. We can feed children. We can pass Senator Walz's bill or my bill to have universal school meals. We can pass Senator Day's bill to increase SNAP eligibility. We can pass Senator Hunt's bill that gets rid of the prohibition on convicted drug felons-- which, continually, the piece of the puzzle that is left out on that is that every adult is counted in the SNAP allocation in the household. So--

DORN: One minute.

M. CAVANAUGH: --even though the household can still qualify with a convicted drug felon adult in the household, it still impacts and reduces the amount of SNAP allocation to that family to have that person in the household. We could change that. We could do a million different things with the TANF rainy day fund, not just raid it for pet projects, which several legislators have introduced. But we could also give it indirect cash assistance to families or even increase the allocation that we give to the birthing crisis centers or whatever the things are that aren't medical places. We could do a lot of things. Or

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we could decide how members of this body and members of our communities parent. But I appreciate that people are willing to draw down federal funds for this bill.

DORN: Time.

M. CAVANAUGH: Thank you.

DORN: Thank you, Senator Machaela Cavanaugh. Senator Fredrickson would like to announce the following guest: 54 students from the fourth grade from Cather Elementary in Omaha, Nebraska in the north balcony. Please rise and be recor-- recognized by your Nebraska State Legislature. Senator John Cavanaugh, you're recognized to speak.

J. CAVANAUGH: Thank you, Mr. President. Well, it's deja vu all over again. I speak right after a grade school in Senator Fredrickson's district was introduced. And I hope the kids got to see-- there's a Willa Cather statue out in the hallway that's actually directly across from the "Buffalo Bill" Cody statue. So I hope you get a chance to get out there. Welcome, kids from Cather Elementary. So again, I rise in support of AM674 and LB276. And I was just telling my rowmate, Senator Dungan, that his story that he was telling-- as I was walking by and I heard it-- I thought he was telling a story about somebody I'd represented because that story was so familiar to me, all of those details about that person in experiencing a mental health crisis. And finding themselves in the criminal justice system was something that I experienced representing people. The details down to the disposition of the case sounded-- I, I honestly thought he was telling a story about somebody I'd, I'd represented. And so that, I think, is a good indication of the need, because Senator Dungan, if you know, was a public defender in Lancaster County and I was a public defender in Douglas County. So, different places, but same issues presenting themselves. And the take I've always had about this-- obviously, I think mental healthcare seeks-- serves as a form of criminal justice reform because if we do help people get them earlier intervention with services, they are going to be less likely-- if you get mental health services, people going to be less likely to depend on the illegal drugs, substances or alcohol, become dependent upon those to address their underlying issue. And if they don't go down that path, they're obviously not going to get into the, into the criminal justice system for use of illegal substances, possession of a controlled substance or other associated crimes with that, which often become property crimes. And then if people-- if we address people's mental health issues early, we will see that those people won't commit other crimes as well unrelated to those substance abuse issues. And ultimately, what

happens is if we have this kind of early intervention, we get people services, they get to have a more complete and full life. They get-- they stay out of trouble. They get-- they have stability. Their families have stability. They're able to get a job and contribute. But in the terms of the criminal justice system, whenever there is a crime, there is a victim of that crime. And the story that Senator Dungan was telling, that person in that store, I'm sure was scared. I'm sure that the owners of that store, if that wasn't the same person, was scared that their property was being damaged. And in some instances, it goes further than that story. There actually-- there's much more damage and harm to somebody's store. People-- items get stolen all the time by individuals experiencing mental health episodes. And so by investing in services like the ones we're talking about here, investing in these, these entities that provide these services, by investing in a lot of other things that we are talking about in terms of the mental health space, the bill that the Exec Board prioritized of mine, which is about trying to get a handle on our mental health bed capacity that we've already advanced to Select File last week, that's another example of something we need to be doing to, to figure out how to address this issue. Because right now in the state, I can tell you that the biggest mental health providers are our county jails and our state penitentiaries. And so we need to be figuring out how to help people before they get into those-- into that position--

DORN: One minute.

J. CAVANAUGH: Thank you, Mr. President-- because that early intervention is going to help them in the long run. It's going to keep them out of the criminal justice system, but it's also going to prevent people from being victims of crimes because these individuals will not be doing the things that they're doing in service of their addictions, in serv-- in, in-- as a result of their mental health episodes. So, again, I support AM674. I support LB276. I support other bills that are looking to expand our access to mental healthcare, access to healthcare in general, access to housing stability and access to food stability. All of those things are part of a broader approach to criminal justice reform. But I also do support bills, like the ones that Senator McKinney was talking about, that address the criminal justice system directly. Thank you, Mr. President.

DORN: Thank you, Senator John Cavanaugh. Seeing no one in the queue, Senator Machaela Cavanaugh, you're recognized to close.

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M. CAVANAUGH: Thank you, Mr. President. I think I'm-- we're, like, almost done for the day, so I'm going to go ahead and withdraw my motion. And I'm sure I think I have an amendment up next, and hopefully we'll just get on with our weekend. Thank you.

DORN: No objection. So ordered. Mr. Clerk for items.

ASSISTANT CLERK: Thank you, Mr. President. Your Committee on Urban Affairs reports LB6 to General File. Committee on Enrollment and Review reports LB574 and recommends it be placed on Select File. Amendments to be printed: Senator Slama to LB92 and to LB214; amendment from Senator Conrad to LB343 and to LB535 and LB277; Senator Machaela Cavanaugh, amendment to LB78-- two amendments to LB78. New resolution: LR71, offered by Senator Wishart. That will be laid over. In addition to that, the Executive Board will, will be holding a meeting in room 1525 upon adjournment. I have a motion from Senator Erdman that will be printed. The motion from Senator Erdman is a rule suspension to provide that, for the remainder of the One Hundred Eighth Legislature, only one motion to postpone to a time certain to commit or postpone indefinitely shall be offered on the same day at the same stage of a bill or proposition. Committee on Urban Affairs reports LB223 is placed on General File. And finally, priority motion: Senator Armendariz would move to adjourn until Tuesday, March 28, 2023 at 9:00 a.m.

DORN: All those in favor of adjourning say aye. Oh, just a minute. Speaker Arch for announcements.

ARCH: Thank you. Woof. That was close. All right. Colleagues, Senator Erdman's motion to suspend the rules and adopt a change for the remainder of this session to Rule 7, Section 6 was just read into the record and is being handed out to each of you. I want to announce that I'll be scheduling this motion for debate Tuesday morning. I believe the body needs to discuss and make a decision about this proposed rule change before proceeding with additional bill debate. Senator Cavanaugh said it correctly. We-- many senators, including she and myself, have, have tried to resolve our conflicts through negotiations, discussions, so forth, over weeks but have all been unsuccessful. To date, we're running out of time. I believe we need to consider some changes that will make the remainder of this session more efficient in the flow of the bills without stopping serious debate on the bills. That's the challenge before us, how to balance those two priorities: flow of bills; good, solid debate on the bills. So I would ask that, over the weekend, you please consider this motion. Be prepared to discuss this matter first thing Tuesday

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morning. Following the, the debate of this motion, we will continue our debate on LB276. Thank you, Mr. President.

DORN: Thank you, Speaker Arch. Colleagues, you've heard the motion to adjourn. All in favor say aye. Roll call vote has been requested. Mr. Clerk, please call the roll.

ASSISTANT CLERK: Senator Albrecht voting yes. Senator Arch voting yes. Senator Armendariz voting yes. Senator Ballard voting yes. Senator Blood voting no. Senator Bostar. Senator Bostelman voting yes. Senator Brandt voting yes. Senator Brewer voting yes. Senator Briese. Senator John Cavanaugh voting yes. Senator Machaela Cavanaugh not voting. Senator Clements voting yes. Senator Conrad voting no. Senator Day voting yes. Senator DeBoer voting yes. Senator DeKay. Senator Dorn voting yes. Senator Dover voting yes. Senator Dungan voting yes. Senator Erdman. Senator Erdman voting yes. Senator Fredrickson voting yes. Senator Geist voting yes. Senator Halloran voting yes. Senator Hansen voting yes. Senator Hardin voting yes. Senator Holdcroft voting yes. Senator Hughes. Senator Hughes voting yes. Senator Hunt. Senator Ibach. Senator Ibach voting yes. Senator Kauth voting yes. Senator Linehan voting yes. Senator Lippincott voting yes. Senator Lowe voting yes. Senator McDonnell. Senator McKinney voting yes. Senator Moser voting yes. Senator Murman voting yes. Senator Raybould voting yes. Senator Riepe voting yes. Senator Sanders voting yes. Senator Slama. Senator Vargas voting yes. Senator von Gillern voting yes. Senator Walz voting yes. Senator Wayne voting yes. Senator Wishart voting yes. Vote is 38 ayes, 2 nays, Mr. President.

DORN: We are adjourned.