

FORTY-SIXTH DAY - MARCH 18, 2021

LEGISLATIVE JOURNAL

**ONE HUNDRED SEVENTH LEGISLATURE
FIRST SESSION**

FORTY-SIXTH DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, March 18, 2021

PRAYER

The prayer was offered by Senator Dorn.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Lowe.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Foley presiding.

The roll was called and all members were present except Senators Halloran, Lindstrom, and Sanders who were excused; and Senators Bostar, M. Cavanaugh, Day, B. Hansen, Hunt, and Lathrop who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the forty-fifth day was approved.

REPORTS

Agency reports electronically filed with the Legislature can be found on the [Nebraska Legislature's website](#).

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of March 17, 2021, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Patrick J. O'Donnell
Clerk of the Legislature

American Communications Group, Inc.
 UNO Chapter of the AAUP
 Husch Blackwell Strategies
 Schneider Electric
 Ingram, Maya
 Secure Democracy
 Zulkoski Weber LLC
 McCain Foods

GENERAL FILE

LEGISLATIVE BILL 88. Senator Groene renewed the Halloran amendment, [AM690](#), found on page 693.

SPEAKER HILGERS PRESIDING

Senator Groene moved for a call of the house. The motion prevailed with 13 ayes, 5 nays, and 31 not voting.

Senator Groene requested a roll call vote on the Halloran amendment.

Voting in the affirmative, 14:

| | | | | |
|-----------|----------|------------|---------|--------|
| Albrecht | Brewer | Friesen | Hughes | Moser |
| Arch | Clements | Groene | Linehan | Murman |
| Bostelman | Erdman | Hansen, B. | Low | |

Voting in the negative, 23:

| | | | | |
|---------------|------------|-------------|----------------|----------|
| Aguilar | Day | Kolterman | Pansing Brooks | Wayne |
| Blood | DeBoer | McCollister | Slama | Williams |
| Bostar | Flood | McDonnell | Stinner | Wishart |
| Cavanaugh, J. | Hansen, M. | McKinney | Vargas | |
| Cavanaugh, M. | Hunt | Morfeld | Walz | |

Present and not voting, 8:

| | | | |
|--------|-------|---------|-----------|
| Brandt | Dorn | Gragert | Hilkemann |
| Briese | Geist | Hilgers | Pahls |

Excused and not voting, 4:

| | | | |
|----------|---------|-----------|---------|
| Halloran | Lathrop | Lindstrom | Sanders |
|----------|---------|-----------|---------|

The Halloran amendment lost with 14 ayes, 23 nays, 8 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

Senator Albrecht offered her amendment, [AM660](#), found on page 697.

SENATOR MCKINNEY PRESIDING

SPEAKER HILGERS PRESIDING

Senator Morfeld offered the following motion:

[MO14](#)

Invoke cloture pursuant to Rule 7, Section 10.

Senator Morfeld moved for a call of the house. The motion prevailed with 20 ayes, 7 nays, and 22 not voting.

Senator Morfeld requested a roll call vote, in reverse order, on the motion to invoke cloture.

Voting in the affirmative, 33:

| | | | | |
|---------------|------------|-------------|----------------|----------|
| Aguilar | Day | Hilgers | McDonnell | Vargas |
| Blood | DeBoer | Hilkemann | McKinney | Walz |
| Bostar | Dorn | Hunt | Morfeld | Wayne |
| Brandt | Flood | Kolterman | Pahls | Williams |
| Briese | Geist | Lathrop | Pansing Brooks | Wishart |
| Cavanaugh, J. | Gragert | Linehan | Slama | |
| Cavanaugh, M. | Hansen, M. | McCollister | Stinner | |

Voting in the negative, 12:

| | | | |
|-----------|----------|------------|--------|
| Albrecht | Brewer | Friesen | Lowe |
| Arch | Clements | Groene | Moser |
| Bostelman | Erdman | Hansen, B. | Murman |

Excused and not voting, 4:

| | | | |
|----------|--------|-----------|---------|
| Halloran | Hughes | Lindstrom | Sanders |
|----------|--------|-----------|---------|

The Morfeld motion to invoke cloture prevailed with 33 ayes, 12 nays, and 4 excused and not voting.

The Albrecht amendment lost with 15 ayes, 25 nays, 5 present and not voting, and 4 excused and not voting.

Senator Morfeld requested a roll call vote, in reverse order, on the advancement of the bill.

Voting in the affirmative, 28:

| | | | | |
|---------------|---------------|-------------|----------------|----------|
| Aguilar | Cavanaugh, M. | Gragert | McDonnell | Walz |
| Blood | Day | Hansen, M. | McKinney | Wayne |
| Bostar | DeBoer | Hunt | Morfeld | Williams |
| Brandt | Dorn | Kolterman | Pansing Brooks | Wishart |
| Briese | Flood | Lathrop | Slama | |
| Cavanaugh, J. | Geist | McCollister | Vargas | |

Voting in the negative, 15:

| | | | | |
|-----------|----------|------------|-----------|--------|
| Albrecht | Brewer | Friesen | Hilgers | Lowe |
| Arch | Clements | Groene | Hilkemann | Moser |
| Bostelman | Erdman | Hansen, B. | Linehan | Murman |

Present and not voting, 2:

| | |
|-------|---------|
| Pahls | Stinner |
|-------|---------|

Excused and not voting, 4:

| | | | |
|----------|--------|-----------|---------|
| Halloran | Hughes | Lindstrom | Sanders |
|----------|--------|-----------|---------|

Advanced to Enrollment and Review Initial with 28 ayes, 15 nays, 2 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 324. Placed on Select File with amendment.

[ER24](#)

- 1 1. On page 1, line 6, after "provide" insert "powers and".
- 2 2. On page 7, line 24, strike the period and insert an underscored 3 semicolon.
- 4 3. On page 15, line 18, after "sell" insert "the".
- 5 4. On page 19, line 22, strike "or" and show as stricken.

(Signed) Terrell McKinney, Chairperson

AMENDMENT(S) - Print in Journal

Senator Friesen filed the following amendment to [LB233](#):

[AM702](#)

- 1 1. On page 4, strike beginning with "or" in line 14 through "medium"
- 2 in line 15 and insert "available for use by the general public"; and in
- 3 line 18 strike "property" and insert "automobile, truck, trailer,
- 4 semitrailer, or truck-tractor".

Senator McDonnell filed the following amendment to [LB250](#):

[AM417](#)

(Amendments to Standing Committee amendments, AM232)

- 1 1. On page 27, line 23, strike the new matter and reinstate the
- 2 stricken matter; and in lines 24 through 25 strike the new matter.

Senator J. Cavanaugh filed the following amendment to [LB507](#):

[AM567](#)

(Amendments to Standing Committee amendments, AM256)

- 1 1. Strike section 8 and insert the following new section:
- 2 Sec. 8. The use of seed that is treated, as defined in section
- 3 81-2.147.01, in the production of agricultural ethyl alcohol shall be
- 4 prohibited if such use results in the generation of a byproduct that is
- 5 deemed unsafe for livestock consumption or land application.

Senator Erdman filed the following amendment to [LB88](#):

[AM662](#)

- 1 1. On page 5, strike line 8 and insert "disciplined, reassigned, or
- 2 transferred without due process".

Senator Murman filed the following amendment to [LB88](#):

[AM661](#)

- 1 1. On page 5, line 1, strike "So incites students" and insert "Can
- 2 be reasonably expected to incite students so".

Senator Wayne filed the following amendment to [LB218](#):

[AM703](#)

(Amendments to Standing Committee amendments, AM133)

- 1 1. On page 2, strike lines 21 through 27, show the old matter as
- 2 stricken, and insert the following new subdivisions:
- 3 "(c) Adopts any of the following:
- 4 (i) Section 305 or 310 of the 2018 edition of the International
- 5 Building Code without the exceptions described in subdivision (1)(a) of
- 6 section 71-6403;
- 7 (ii) Section 101.4.3 or any portion of chapter 29 of the 2018
- 8 edition of the International Building Code;
- 9 (iii) Section R313 or any portion of chapters 25 through 33 of the
- 10 2018 edition of the International Residential Code; or
- 11 (iv) Section 809 of the 2018 edition of the International Existing
- 12 Building Code;".

UNANIMOUS CONSENT - Add Cointroducer(s)

Unanimous consent to add Senator(s) as cointroducer(s). No objections. So ordered.

Senator Cavanaugh, M. name added to LB8.

Senator Day name added to LB8.

Senator Cavanaugh, J. name added to LB8.

Senator Day name added to LB64.

Senator Linehan name added to LB236.

Senator McCollister name added to LB241.

Senator Blood name added to LB322.

Senator Brewer name added to LB661.

VISITOR(S)

The Doctor of the Day was Dr. David Hoelting of Pender.

ADJOURNMENT

At 1:40 p.m., on a motion by Senator McDonnell, the Legislature adjourned until 10:00 a.m., Monday, March 22, 2021.

Patrick J. O'Donnell
Clerk of the Legislature