

**THIRTEENTH DAY - SEPTEMBER 30, 2021****LEGISLATIVE JOURNAL****ONE HUNDRED SEVENTH LEGISLATURE  
SECOND SESSION****THIRTEENTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Thursday, September 30, 2021

**PRAYER**

The prayer was offered by Senator Geist.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator Lowe.

**ROLL CALL**

Pursuant to adjournment, the Legislature met at 10:00 a.m., President Foley presiding.

The roll was called and all members were present except Senator Flood who was excused.

**CORRECTIONS FOR THE JOURNAL**

On page 94, strike line 9.

The Journal for the eleventh day was approved as corrected.

The Journal for the twelfth 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 September 29, 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

Mammoser, Matthew  
 National Association for Gun Rights  
 Mikolajczyk, Megan N.  
 Planned Parenthood North Central States (Withdrawn 09/24/2021)  
 Valenti, John  
 Sanofi US (Withdrawn 09/24/2021)

**BILLS ON FINAL READING**

The following bills were read and put upon final passage:

**LEGISLATIVE BILL 3.** With Emergency Clause.

A BILL FOR AN ACT relating to redistricting; to amend sections 50-1153 and 50-1154, Revised Statutes Cumulative Supplement, 2020; to set the district boundaries of the legislative districts by the adoption of maps by reference; to provide for applicability of sections; to harmonize provisions; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 37:

|           |            |           |                |          |
|-----------|------------|-----------|----------------|----------|
| Aguilar   | Clements   | Hilgers   | McCollister    | Slama    |
| Albrecht  | Day        | Hilkemann | McDonnell      | Stinner  |
| Arch      | Dorn       | Hughes    | Morfeld        | Vargas   |
| Blood     | Friesen    | Kolterman | Moser          | Walz     |
| Bostelman | Geist      | Lathrop   | Murman         | Williams |
| Brandt    | Gragert    | Lindstrom | Pahls          |          |
| Brewer    | Halloran   | Linehan   | Pansing Brooks |          |
| Briese    | Hansen, B. | Lowe      | Sanders        |          |

Voting in the negative, 7:

|               |        |            |          |
|---------------|--------|------------|----------|
| Cavanaugh, J. | Erdman | Hansen, M. | McKinney |
| Cavanaugh, M. | Groene | Hunt       |          |

Present and not voting, 4:

|        |        |       |         |
|--------|--------|-------|---------|
| Bostar | DeBoer | Wayne | Wishart |
|--------|--------|-------|---------|

Excused and not voting, 1:

Flood

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

**LEGISLATIVE BILL 1.** With Emergency Clause.

A BILL FOR AN ACT relating to redistricting; to amend sections 32-504 and 32-505, Reissue Revised Statutes of Nebraska; to set the district boundaries of the Representatives in the Congress of the United States by the adoption of maps by reference; to harmonize provisions; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 35:

|           |          |            |             |                |
|-----------|----------|------------|-------------|----------------|
| Aguilar   | Briese   | Gragert    | Kolterman   | Murman         |
| Albrecht  | Clements | Groene     | Lindstrom   | Pahls          |
| Arch      | Day      | Halloran   | Linehan     | Pansing Brooks |
| Blood     | Dorn     | Hansen, B. | Lowe        | Sanders        |
| Bostelman | Erdman   | Hilgers    | McCollister | Slama          |
| Brandt    | Friesen  | Hilkemann  | McDonnell   | Stinner        |
| Brewer    | Geist    | Hughes     | Moser       | Williams       |

Voting in the negative, 11:

|               |            |          |        |
|---------------|------------|----------|--------|
| Bostar        | DeBoer     | Lathrop  | Vargas |
| Cavanaugh, J. | Hansen, M. | McKinney | Wayne  |
| Cavanaugh, M. | Hunt       | Morfeld  |        |

Present and not voting, 2:

|      |         |
|------|---------|
| Walz | Wishart |
|------|---------|

Excused and not voting, 1:

Flood

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

**LEGISLATIVE BILL 6.** With Emergency Clause.

A BILL FOR AN ACT relating to redistricting; to amend sections 24-201.02 and 24-201.04, Reissue Revised Statutes of Nebraska; to set the boundaries of the Supreme Court judicial districts by the adoption of maps by reference; to harmonize provisions; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 46:

|               |               |            |                |          |
|---------------|---------------|------------|----------------|----------|
| Aguilar       | Cavanaugh, M. | Halloran   | Lowe           | Slama    |
| Albrecht      | Clements      | Hansen, B. | McCollister    | Stinner  |
| Arch          | Day           | Hilgers    | McDonnell      | Vargas   |
| Blood         | DeBoer        | Hilkemann  | McKinney       | Walz     |
| Bostar        | Dorn          | Hughes     | Morfeld        | Williams |
| Bostelman     | Erdman        | Hunt       | Moser          | Wishart  |
| Brandt        | Friesen       | Kolterman  | Murman         |          |
| Brewer        | Geist         | Lathrop    | Pahls          |          |
| Briese        | Gragert       | Lindstrom  | Pansing Brooks |          |
| Cavanaugh, J. | Groene        | Linehan    | Sanders        |          |

Voting in the negative, 1:

Hansen, M.

Present and not voting, 1:

Wayne

Excused and not voting, 1:

Flood

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

**LEGISLATIVE BILL 5.** With Emergency Clause.

A BILL FOR AN ACT relating to redistricting; to amend sections 75-101.01 and 75-101.02, Reissue Revised Statutes of Nebraska; to set the boundaries of the public service commissioner districts by the adoption of maps by reference; to harmonize provisions; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 45:

|           |          |            |             |                |
|-----------|----------|------------|-------------|----------------|
| Aguilar   | Clements | Halloran   | Linehan     | Pansing Brooks |
| Albrecht  | Day      | Hansen, B. | Lowe        | Sanders        |
| Arch      | DeBoer   | Hilgers    | McCollister | Slama          |
| Blood     | Dorn     | Hilkemann  | McDonnell   | Stinner        |
| Bostar    | Erdman   | Hughes     | McKinney    | Vargas         |
| Bostelman | Friesen  | Hunt       | Morfeld     | Walz           |
| Brandt    | Geist    | Kolterman  | Moser       | Wayne          |
| Brewer    | Gragert  | Lathrop    | Murman      | Williams       |
| Briese    | Groene   | Lindstrom  | Pahls       | Wishart        |

Voting in the negative, 3:

Cavanaugh, J. Cavanaugh, M. Hansen, M.

Excused and not voting, 1:

Flood

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

**LEGISLATIVE BILL 8.** With Emergency Clause.

A BILL FOR AN ACT relating to redistricting; to amend sections 85-103.01 and 85-103.02, Reissue Revised Statutes of Nebraska; to set the district boundaries for members of the Board of Regents of the University of Nebraska by the adoption of maps by reference; to harmonize provisions; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 46:

|               |          |            |                |          |
|---------------|----------|------------|----------------|----------|
| Aguilar       | Clements | Hansen, B. | McCollister    | Stinner  |
| Albrecht      | Day      | Hilgers    | McDonnell      | Vargas   |
| Arch          | DeBoer   | Hilkemann  | McKinney       | Walz     |
| Blood         | Dorn     | Hughes     | Morfeld        | Wayne    |
| Bostar        | Erdman   | Hunt       | Moser          | Williams |
| Bostelman     | Friesen  | Kolterman  | Murman         | Wishart  |
| Brandt        | Geist    | Lathrop    | Pahls          |          |
| Brewer        | Gragert  | Lindstrom  | Pansing Brooks |          |
| Briese        | Groene   | Linehan    | Sanders        |          |
| Cavanaugh, J. | Halloran | Lowe       | Slama          |          |

Voting in the negative, 2:

Cavanaugh, M. Hansen, M.

Excused and not voting, 1:

Flood

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

**LEGISLATIVE BILL 7. With Emergency Clause.**

A BILL FOR AN ACT relating to redistricting; to amend sections 79-311 and 79-312, Reissue Revised Statutes of Nebraska; to set the district boundaries for members of the State Board of Education by the adoption of maps by reference; to harmonize provisions; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 41:

|           |          |             |                |          |
|-----------|----------|-------------|----------------|----------|
| Aguilar   | Clements | Hansen, B.  | McDonnell      | Vargas   |
| Albrecht  | Day      | Hilgers     | McKinney       | Walz     |
| Arch      | Dorn     | Hilkemann   | Moser          | Wayne    |
| Blood     | Erdman   | Hughes      | Murman         | Williams |
| Bostar    | Friesen  | Kolterman   | Pahls          | Wishart  |
| Bostelman | Geist    | Lindstrom   | Pansing Brooks |          |
| Brandt    | Gragert  | Linehan     | Sanders        |          |
| Brewer    | Groene   | Lowe        | Slama          |          |
| Briese    | Halloran | McCollister | Stinner        |          |

Voting in the negative, 7:

|               |            |         |         |
|---------------|------------|---------|---------|
| Cavanaugh, J. | DeBoer     | Hunt    | Morfeld |
| Cavanaugh, M. | Hansen, M. | Lathrop |         |

Excused and not voting, 1:

Flood

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

**PRESIDENT SIGNED**

While the Legislature was in session and capable of transacting business, the President signed the following: LBs 3, 1, 6, 5, 8, and 7.

**MOTION(S) - Return LB14 to Select File**

Senator M. Cavanaugh moved to return LB14 to Select File for the following specific amendment:

[AM44](#)

(Amendments to Final Reading copy)

- 1 1. Strike section 1.
- 2 2. Renumber the remaining sections accordingly.

Senator M. Cavanaugh withdrew her motion to return.

**BILL ON FINAL READING**

The following bill was read and put upon final passage:

**LEGISLATIVE BILL 14.** With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to appropriate funds for the expenses incurred during the One Hundred Seventh Legislature, First Special Session, 2021; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 44:

|           |               |            |             |          |
|-----------|---------------|------------|-------------|----------|
| Aguilar   | Cavanaugh, J. | Groene     | Linehan     | Sanders  |
| Albrecht  | Clements      | Halloran   | Lowe        | Slama    |
| Arch      | Day           | Hansen, B. | McCollister | Stinner  |
| Blood     | DeBoer        | Hilgers    | McDonnell   | Vargas   |
| Bostar    | Dorn          | Hilkemann  | McKinney    | Walz     |
| Bostelman | Erdman        | Hughes     | Morfeld     | Wayne    |
| Brandt    | Friesen       | Hunt       | Moser       | Williams |
| Brewer    | Geist         | Lathrop    | Murman      | Wishart  |
| Briese    | Gragert       | Lindstrom  | Pahls       |          |

Voting in the negative, 0.

Present and not voting, 2:

Cavanaugh, M. Hansen, M.

Excused and not voting, 3:

Flood Kolterman Pansing Brooks

A constitutional two-thirds majority having voted in the affirmative, the bill

was declared passed with the emergency clause and the title agreed to.

**PRESIDENT SIGNED**

While the Legislature was in session and capable of transacting business, the President signed the following: LB14.

**PRESENTED TO THE GOVERNOR**

Presented to the Governor on September 30, 2021, at 10:45 a.m. were the following: LBs 3e, 1e, 6e, 5e, 8e, and 7e.

(Signed) Jamie Leishman  
Clerk of the Legislature's Office

**MESSAGE(S) FROM THE GOVERNOR**

September 30, 2021

Patrick J. O'Donnell  
Clerk of the Legislature  
State Capitol, Room 2018  
Lincoln, NE 68509

Dear Mr. O'Donnell:

Engrossed First Special Session Legislative Bills 1e, 3e, 5e, 6e, 7e, and 8e were received in my office on September 30, 2021.

These bills and their accompanying maps were signed and delivered to the Secretary of State on September 30, 2021.

Sincerely,  
(Signed) Pete Ricketts  
Governor

**EXPLANATION(S) OF VOTE(S)**

Had I been present, I would have voted "aye" on final passage of LBs 1e, 3e, 5e, 6e, 7e, 8e and 14e.

(Signed) Michael J. Flood

**MOTION - Suspend Rules**

Senator Hilgers offered the following motion:

[MO11](#)

Suspend Rule 4, Section 6, to permit consideration of LR1.



The Hilgers motion to suspend the rules prevailed with 44 ayes, 0 nays, 1 present and not voting, and 4 excused and not voting.

### RESOLUTION(S)

**LEGISLATIVE RESOLUTION 1.** Introduced by Redistricting Committee: Linehan, 39, Chairperson; Blood, 3; Brewer, 43; Briese, 41; Geist, 25; Lathrop, 12; Lowe, 37; Morfeld, 46; Wayne, 13; Hilgers, 21.

WHEREAS, redistricting of various election districts is required under the Constitution of Nebraska and the Constitution of the United States; and

WHEREAS, due to delays in the receipt of census data from the United States Department of Commerce, Bureau of the Census, the Legislature was unable to conduct the required redistricting during the First Session of the 107th Legislature; and

WHEREAS, the Governor called the Legislature into special session on September 13, 2021, for the purpose of redistricting the various election districts; and

WHEREAS, the staff of the Legislative Research Office and other legislative employees have worked countless hours in an unprecedented timeframe to assist the Redistricting Committee in conducting its work during the special session; and

WHEREAS, without the personal sacrifices made by the staff of the Legislative Research Office and other legislative employees during the special session, it would not have been possible for the Legislature to complete the redistricting process in a timely manner; and

WHEREAS, the Legislature recognizes the outstanding work of its employees.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, FIRST SPECIAL SESSION:

1. That the Legislature extends its deepest thanks and appreciation to the Legislative Research Office staff, including Director Ben Thompson, Tim Erickson, LaMont Rainey, Elice Hubbert, Dillon Cornett, Mark Marsh, and Jeff Fryman, as well as Grant Latimer, Committee Clerk to the Chairperson of the Redistricting Committee, Trevor Fitzgerald, Legal Counsel to the Vice-Chair of the Redistricting Committee, and Beau Ballard, Research Analyst to the Speaker of the Legislature, for their dedication and sacrifice in assisting the Legislature during the 2021 redistricting process.

2. That copies of this resolution be sent to Director Ben Thompson, Tim Erickson, LaMont Rainey, Elice Hubbert, Dillon Cornett, Mark Marsh, Jeff Fryman, Grant Latimer, Trevor Fitzgerald, and Beau Ballard.

LR1 was adopted with 44 ayes, 0 nays, 1 present and not voting, and 4 excused and not voting.

### PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LR1.

**PRESENTED TO THE GOVERNOR**

Presented to the Governor on September 30, 2021, at 11:37 a.m. was the following: LB14e.

(Signed) Jamie Leishman  
Clerk of the Legislature's Office

**MESSAGE(S) FROM THE GOVERNOR**

September 30, 2021

Patrick J. O'Donnell  
Clerk of the Legislature  
State Capitol, Room 2018  
Lincoln, NE 68509

Dear Mr. O'Donnell:

Engrossed First Special Session Legislative Bill 14e was received in my office on September 30, 2021.

This bill was signed and delivered to the Secretary of State on September 30, 2021.

Sincerely,  
(Signed) Pete Ricketts  
Governor

**MOTION - Approve Journal**

Senator Williams moved that the Journal for the Thirteenth Day, as prepared by the Clerk of the Legislature, be approved.

The motion prevailed.

**MOTION(S) - Adjourn Sine Die**

Senator Hilgers moved that the One Hundred Seventh Legislature, First Special Session of the Nebraska Legislature, having finished all business before it, now at 11:48 a.m., adjourn sine die.

The motion prevailed.

Patrick J. O'Donnell  
Clerk of the Legislature