

FIFTH DAY - SEPTEMBER 17, 2021**LEGISLATIVE JOURNAL****ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION****FIFTH DAY**

Legislative Chamber, Lincoln, Nebraska
Friday, September 17, 2021

PRAYER

The prayer was offered by Senator McCollister.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Kolterman.

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 B. Hansen and Wayne who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the fourth day was approved.

COMMITTEE REPORT(S)**Natural Resources**

The Natural Resources Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Kurt Alan Bogner - Environmental Quality Council
Joseph Citta Jr. - Environmental Quality Council
Tassia Falcon da Silva Steidley - Environmental Quality Council
Robert C. Hall - Environmental Quality Council
Lance A. Hedquist - Environmental Quality Council
Jessica Kolterman - Environmental Quality Council
Kevin Peterson - Environmental Quality Council
Marty Stange - Environmental Quality Council

Amy Staples - Environmental Quality Council
Alden Zuhlke - Environmental Quality Council

Aye: 8. Aguilar, Bostelman, Cavanaugh, J., Gragert, Groene, Hughes, Moser, Wayne. Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) Bruce Bostelman, Chairperson

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of September 16, 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

Gibson, Rachel

League of Women Voters of Nebraska

REPORTS

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

COMMITTEE REPORT(S) Redistricting

LEGISLATIVE BILL 1. Placed on General File.

(Signed) Lou Ann Linehan, Chairperson

GENERAL FILE

LEGISLATIVE BILL 1. Title read. Considered.

Senator Blood offered the following amendment:

AM15

1 1. Insert the following new section:

2 Sec. 3. The entirety of Sarpy County shall be included in

3 congressional district 1 and the entirety of Douglas County shall be

4 included in congressional district 2.

5 2. Renumber the remaining sections accordingly.

SPEAKER HILGERS PRESIDING

Pending.

COMMITTEE REPORT(S)

Redistricting

LEGISLATIVE BILL 5. Placed on General File.**LEGISLATIVE BILL 6.** Placed on General File.

(Signed) Lou Ann Linehan, Chairperson

CONFLICT OF INTEREST STATEMENT

Pursuant to Rule 1, Sec. 19, Senator Morfeld has filed a Potential Conflict of Interest Statement under the Nebraska Political Accountability and Disclosure Act. The statement is on file in the Clerk of the Legislature's Office.

RECESS

At 11:00 a.m., on a motion by Senator Aguilar, the Legislature recessed until 12:30 p.m.

AFTER RECESS

The Legislature reconvened at 12:30 p.m., Senator Hughes presiding.

ROLL CALL

The roll was called and all members were present except Senators Briese, Hilkemann, McDonnell, Morfeld, Pahls, Stinner, and Vargas who were excused until they arrive.

GENERAL FILE

LEGISLATIVE BILL 1. Senator Blood renewed her amendment, [AM15](#), found in this day's Journal.

SENATOR SLAMA PRESIDING**SENATOR HUGHES PRESIDING**

Senator Blood withdrew her amendment.

Senator M. Hansen offered the following amendment:

[AM12](#)

1 1. Strike the original sections and all amendments thereto and

2 insert the following new sections:

3 Section 1. Section 32-504, Reissue Revised Statutes of Nebraska, is

4 amended to read:

5 32-504 (1) Based on the ~~2020~~ 2010 Census of Population by the United

6 States Department of Commerce, Bureau of the Census, the State of

7 Nebraska is hereby divided into three districts for electing

8 Representatives in the Congress of the United States, and each district
9 shall be entitled to elect one representative.

10 (2) The numbers and boundaries of the districts are designated and
11 established by maps identified and labeled as maps ~~CONG21-13001-1,~~
12 ~~CONG21-13001-1A, CONG21-13001-2, CONG21-13001-2A, and CONG21-13001-3~~
13 ~~CON11-30001-1, CON11-30001A, CON11-30001-2, CON11-30001-3,~~
14 ~~CON11-30001-3A,~~ filed with the Clerk of the Legislature, and incorporated
15 by reference as part of ~~this legislative bill Laws 2011, LB704.~~

16 (3)(a) The Clerk of the Legislature shall transfer possession of the
17 maps referred to in subsection (2) of this section to the Secretary of
18 State on ~~the effective date of this act May 27, 2011.~~

19 (b) When questions of interpretation of district boundaries arise,
20 the maps referred to in subsection (2) of this section in possession of
21 the Secretary of State shall serve as the indication of the legislative
22 intent in drawing the district boundaries.

23 (c) Each election commissioner or county clerk shall obtain copies
24 of the maps referred to in subsection (2) of this section for the
25 election commissioner's or clerk's county from the Secretary of State.

26 (d) The Secretary of State shall also have available for viewing on
27 his or her website the maps referred to in subsection (2) of this section
1 identifying the boundaries for the districts.

2 Sec. 2. Section 32-505, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 32-505 For purposes of section 32-504, the Legislature adopts the
5 official population figures and maps from the ~~2010~~ 2020 Census
6 Redistricting (Public Law 94-171) TIGER/Line Shapefiles published by the
7 United States Department of Commerce, Bureau of the Census.

8 Sec. 3. Original sections 32-504 and 32-505, Reissue Revised
9 Statutes of Nebraska, are repealed.

10 Sec. 4. Since an emergency exists, this act takes effect when
11 passed and approved according to law.

SPEAKER HILGERS PRESIDING

Senator Wayne offered the following motion:

[MO1](#)

Recommit to Redistricting Committee.

SENATOR HUGHES PRESIDING

Senator Linehan offered the following motion:

[MO2](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Linehan moved for a call of the house. The motion prevailed with
36 ayes, 3 nays, and 10 not voting.

Senator Linehan requested a roll call vote on the motion to invoke cloture.

Voting in the affirmative, 29:

Aguilar	Briese	Geist	Hilkemann	Murman
Albrecht	Clements	Gragert	Hughes	Sanders
Arch	Dorn	Groene	Lindstrom	Slama
Bostelman	Erdman	Halloran	Linehan	Stinner
Brandt	Flood	Hansen, B.	Lowe	Williams
Brewer	Friesen	Hilgers	Moser	

Voting in the negative, 17:

Blood	DeBoer	McCollister	Pansing Brooks	Wishart
Bostar	Hansen, M.	McDonnell	Vargas	
Cavanaugh, J.	Hunt	McKinney	Walz	
Cavanaugh, M.	Lathrop	Morfeld	Wayne	

Present and not voting, 2:

Kolterman Pahls

Excused and not voting, 1:

Day

The Linehan motion to invoke cloture failed with 29 ayes, 17 nays, 2 present and not voting, and 1 excused and not voting.

The Chair declared the call raised.

AMENDMENT(S) - Print in Journal

Senator Linehan filed the following amendment to LB1:

[AM20](#)

(Amendments to Final Reading copy)

1 1. Strike section 1.

Senator Linehan filed the following amendment to LB1:

[AM18](#)

1 1. Strike section 1.

Senator Morfeld filed the following amendment to LB1:

[AM17](#)

1 1. On page 2, strike beginning with "CONG21-39001" in line 9 through
 2 "CONG21-39001-3A" in line 11 and insert "CONG21-50002, CONG21-50002-1,
 3 CONG21-50002-1A, CONG21-50002-1B, CONG21-50002-1C, CONG21-50002-2,
 4 CONG21-50002-2A, CONG21-50002-3, CONG21-50002-3A, and CONG21-50002-3B".

Senator McCollister filed the following amendment to LB1:

AM25

1 1. On page 2, strike beginning with "CONG21-39001" in line 9 through
2 "CONG21-39001-3A" in line 11 and insert "CONG21-20001, CONG21-20001-1,
3 CONG21-20001-2, and CONG21-20001-3".

Senator Hunt filed the following amendment to LB1:

AM23

1 1. On page 2, after line 14 insert the following new subsection:
2 "(3) The Legislature shall request and utilize 2020 Census data from
3 the United States Department of Commerce, Bureau of the Census, and data
4 from the Department of Correctional Services regarding prison inmates and
5 their addresses prior to incarceration. For purposes of the maps referred
6 to in subsection (2) of this section, all inmates who were residents of
7 Nebraska prior to being confined to a prison in Nebraska shall be counted
8 as a resident of the county, city, or village in which the inmate was a
9 resident prior to being confined."; and in line 15 strike "(3)(a)", show
10 as stricken, and insert "(4)(a)".

Senator Hunt filed the following amendment to LB1:

AM16

1 1. On page 2, strike beginning with "CONG21-39001" in line 9 through
2 "CONG21-39001-3A" in line 11 and insert "CONG21-50001, CONG21-50001-1,
3 CONG21-50001-1A, CONG21-50001-2, CONG21-50001-2A, and CONG21-50001-3".

ADJOURNMENT

At 6:55 p.m., on a motion by Senator Pahls, the Legislature adjourned until
12:00 p.m., Monday, September 20, 2021.

Patrick J. O'Donnell
Clerk of the Legislature