

**SIXTH DAY - SEPTEMBER 20, 2021**

**LEGISLATIVE JOURNAL**

**ONE HUNDRED SEVENTH LEGISLATURE  
FIRST SPECIAL SESSION**

**SIXTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Monday, September 20, 2021

**PRAYER**

The prayer was offered by Senator Blood.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator B. Hansen.

**ROLL CALL**

Pursuant to adjournment, the Legislature met at 12:00 p.m., President Foley presiding.

The roll was called and all members were present except Senators Bostar, Murman, and Wayne who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the fifth day was approved.

**COMMITTEE REPORT(S)**  
Redistricting

**LEGISLATIVE BILL 3.** Placed on General File.

(Signed) Lou Ann Linehan, Chairperson

**GENERAL FILE**

**LEGISLATIVE BILL 3.** Title read. Considered.

Senator M. Hansen offered the following amendment:

[AM26](#)

- 1 1. Strike the original sections and all amendments thereto and
- 2 insert the following new sections:
- 3 Section 1. Section 50-1153, Reissue Revised Statutes of Nebraska, is

4 amended to read:

5 50-1153 (1) The State of Nebraska is hereby divided into forty-nine  
6 legislative districts. Each district shall be entitled to one member in  
7 the Legislature. The Legislature adopts the official population figures  
8 and maps from the 2020 ~~2010~~ Census Redistricting (Public Law 94-171)  
9 TIGER/Line Shapefiles published by the United States Department of  
10 Commerce, Bureau of the Census.

11 (2) The numbers and boundaries of the legislative districts are  
12 designated and established by maps identified and labeled as maps  
13 LEG21-13001, LEG21-13001-Douglas/Sarpy, LEG21-13001-Lancaster,  
14 LEG21-13001-1, LEG21-13001-2, LEG21-13001-3, LEG21-13001-4,  
15 LEG21-13001-5, LEG21-13001-6, LEG21-13001-7, LEG21-13001-8,  
16 LEG21-13001-9, LEG21-13001-10, LEG21-13001-11, LEG21-13001-12,  
17 LEG21-13001-13, LEG21-13001-14, LEG21-13001-15, LEG21-13001-16,  
18 LEG21-13001-17, LEG21-13001-18, LEG21-13001-19, LEG21-13001-19A,  
19 LEG21-13001-20, LEG21-13001-21, LEG21-13001-22, LEG21-13001-22A,  
20 LEG21-13001-22B, LEG21-13001-23, LEG21-13001-23A, LEG21-13001-24,  
21 LEG21-13001-24A, LEG21-13001-25, LEG21-13001-26, LEG21-13001-27,  
22 LEG21-13001-28, LEG21-13001-29, LEG21-13001-30, LEG21-13001-31,  
23 LEG21-13001-32, LEG21-13001-32A, LEG21-13001-32B, LEG21-13001-33,  
24 LEG21-13001-34, LEG21-13001-34A, LEG21-13001-35, LEG21-13001-36,  
25 LEG21-13001-36A, LEG21-13001-37, LEG21-13001-38, LEG21-13001-38A,  
26 LEG21-13001-39, LEG21-13001-40, LEG21-13001-40A, LEG21-13001-41,  
27 LEG21-13001-41A, LEG21-13001-41B, LEG21-13001-42, LEG21-13001-43,  
1 LEG21-13001-44, LEG21-13001-45, LEG21-13001-46, LEG21-13001-47,  
2 LEG21-13001-48, and LEG21-13001-49 LEGH 1, LEGH 1A, LEGH 43002E 2,  
3 LEGH 43002E 2A, LEGH 2B, LEGH 3, LEGH 4, LEGH 5, LEGH 6, LEGH 7,  
4 LEGH 8, LEGH 9, LEGH 10, LEGH 11, LEGH 12, LEGH 13, LEGH 14,  
5 LEGH 15, LEGH 16, LEGH 17, LEGH 18, LEGH 19, LEGH 20, LEGH 21,  
6 LEGH 21A, LEGH 22, LEGH 23, LEGH 24, LEGH 25, LEGH 25A, LEGH 26,  
7 LEGH 27, LEGH 28, LEGH 29, LEGH 30, LEGH 30A, LEGH 31, LEGH 32,  
8 LEGH 32A, LEGH 33, LEGH 34, LEGH 34A, LEGH 35, LEGH 36, LEGH 37,  
9 LEGH 37A, LEGH 38, LEGH 38A, LEGH 39, LEGH 40, LEGH 41, LEGH 42,  
10 LEGH 43002E 43, LEGH 44, LEGH 45, LEGH 46, LEGH 43002E 47, LEGH 48,  
11 and LEGH 43002E 49, filed with the Clerk of the Legislature, and  
12 incorporated by reference as part of this legislative bill Laws 2011,  
13 LB703.

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

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

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

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

27 Sec. 2. Section 50-1154, Reissue Revised Statutes of Nebraska, is  
28 amended to read:

29 50-1154 The changes made to this section and section 50-1153 by this  
30 legislative bill Laws 2011, LB703, shall become operative on the  
31 effective date of this act. The May 27, 2011, except that members of the  
1 Legislature from the even-numbered odd-numbered districts shall be  
2 nominated at the primary election in 2022 ~~2012~~ and elected at the general  
3 election in November 2022 ~~2012~~ for the term commencing January 4, 2023  
4 January 9, 2013. The members of the Legislature elected or appointed  
5 prior to the effective date of this act May 27, 2011, shall represent the

6 newly established districts for the balance of their terms, with each  
7 member representing the same numbered district as prior to the effective  
8 date of this act ~~May 27, 2011~~.  
9 Sec. 3. Original sections 50-1153 and 50-1154, Reissue Revised  
10 Statutes of Nebraska, are repealed.  
11 Sec. 4. Since an emergency exists, this act takes effect when  
12 passed and approved according to law.

Senator Erdman offered the following motion:

[MO3](#)

Recommit to Redistricting Committee.

Senator Erdman withdrew his motion to recommit to committee.

Senator Kolterman offered the following amendment to the M. Hansen amendment:

[AM27](#)

(Amendments to AM26)

1 1. Strike the original sections and all amendments thereto and  
2 insert the following new sections:  
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4 insert the following new sections:  
5 Section 1. Section 50-1153, Reissue Revised Statutes of Nebraska, is  
6 amended to read:  
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8 legislative districts. Each district shall be entitled to one member in  
9 the Legislature. The Legislature adopts the official population figures  
10 and maps from the ~~2020~~ 2010 Census Redistricting (Public Law 94-171)  
11 TIGER/Line Shapefiles published by the United States Department of  
12 Commerce, Bureau of the Census.  
13 (2) The numbers and boundaries of the legislative districts are  
14 designated and established by maps identified and labeled as maps  
15 ~~LEG21-30001, LEG21-30001-1, LEG21-30001-2, LEG21-30001-3, LEG21-30001-4,~~  
16 ~~LEG21-30001-5, LEG21-30001-6, LEG21-30001-7, LEG21-30001-8,~~  
17 ~~LEG21-30001-9, LEG21-30001-10, LEG21-30001-11, LEG21-30001-12,~~  
18 ~~LEG21-30001-13, LEG21-30001-14, LEG21-30001-15, LEG21-30001-15A,~~  
19 ~~LEG21-30001-16, LEG21-30001-16A, LEG21-30001-17, LEG21-30001-17A,~~  
20 ~~LEG21-30001-18, LEG21-30001-19, LEG21-30001-19A, LEG21-30001-20,~~  
21 ~~LEG21-30001-21, LEG21-30001-22, LEG21-30001-22A, LEG21-30001-22B,~~  
22 ~~LEG21-30001-23, LEG21-30001-23A, LEG21-30001-24, LEG21-30001-24A,~~  
23 ~~LEG21-30001-25, LEG21-30001-26, LEG21-30001-27, LEG21-30001-28,~~  
24 ~~LEG21-30001-29, LEG21-30001-30, LEG21-30001-30A, LEG21-30001-31,~~  
25 ~~LEG21-30001-32, LEG21-30001-32A, LEG21-30001-33, LEG21-30001-33A,~~  
26 ~~LEG21-30001-34, LEG21-30001-34A, LEG21-30001-35, LEG21-30001-36,~~  
27 ~~LEG21-30001-36A, LEG21-30001-37, LEG21-30001-38, LEG21-30001-38A,~~  
28 ~~LEG21-30001-39, LEG21-30001-40, LEG21-30001-40A, LEG21-30001-41,~~  
29 ~~LEG21-30001-41A, LEG21-30001-41B, LEG21-30001-42, LEG21-30001-43,~~  
30 ~~LEG21-30001-44, LEG21-30001-45, LEG21-30001-46, LEG21-30001-47,~~  
31 ~~LEG21-30001-48, and LEG21-30001-49 LEG11-1, LEG11-1A, LEG11-43002E-2,~~  
32 ~~LEG11-43002E-2A, LEG11-2B, LEG11-3, LEG11-4, LEG11-5, LEG11-6, LEG11-7,~~  
33 ~~LEG11-8, LEG11-9, LEG11-10, LEG11-11, LEG11-12, LEG11-13, LEG11-14,~~  
34 ~~LEG11-15, LEG11-16, LEG11-17, LEG11-18, LEG11-19, LEG11-20, LEG11-21,~~  
35 ~~LEG11-21A, LEG11-22, LEG11-23, LEG11-24, LEG11-25, LEG11-25A, LEG11-26,~~  
36 ~~LEG11-27, LEG11-28, LEG11-29, LEG11-30, LEG11-30A, LEG11-31, LEG11-32,~~  
37 ~~LEG11-32A, LEG11-33, LEG11-34, LEG11-34A, LEG11-35, LEG11-36, LEG11-37,~~  
38 ~~LEG11-37A, LEG11-38, LEG11-38A, LEG11-39, LEG11-40, LEG11-41, LEG11-42,~~  
39 ~~LEG11-43002E-43, LEG11-44, LEG11-45, LEG11-46, LEG11-43002E-47, LEG11-48,~~  
40 ~~and LEG11-43002E-49, filed with the Clerk of the Legislature, and~~

15 incorporated by reference as part of this legislative bill ~~Laws 2011,~~  
16 ~~LB703.~~

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

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3 effective date of this act. ~~The May 27, 2011, except that~~ members of the  
4 Legislature from the ~~even-numbered odd-numbered~~ districts shall be  
5 nominated at the primary election in ~~2022~~ 2012 and elected at the general  
6 election in November ~~2022~~ 2012 for the term commencing January 4, 2023  
7 January 9, 2013. The members of the Legislature elected or appointed  
8 prior to the effective date of this act ~~May 27, 2011,~~ shall represent the  
9 newly established districts for the balance of their terms, with each  
10 member representing the same numbered district as prior to the effective  
11 date of this act ~~May 27, 2011.~~

12 Sec. 3. Original sections 50-1153 and 50-1154, Reissue Revised  
13 Statutes of Nebraska, are repealed.

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

## **SPEAKER HILGERS PRESIDING**

## **PRESIDENT FOLEY PRESIDING**

Senator Morfeld moved the previous question. The question is, "Shall the debate now close?"

Senator M. Cavanaugh moved for a call of the house. The motion prevailed with 30 ayes, 8 nays, and 11 not voting.

The motion to cease debate prevailed with 26 ayes, 16 nays, and 7 not voting.

Senator Kolterman requested a roll call vote, in reverse order, on his amendment.

Voting in the affirmative, 26:

Blood	DeBoer	Lathrop	Pahls	Williams
Bostar	Dorn	Lindstrom	Pansing Brooks	Wishart
Brandt	Hansen, M.	McCollister	Stinner	
Cavanaugh, J.	Hilkemann	McDonnell	Vargas	
Cavanaugh, M.	Hunt	McKinney	Walz	
Day	Kolterman	Morfeld	Wayne	

Voting in the negative, 21:

Aguilar	Briese	Geist	Hilgers	Sanders
Albrecht	Clements	Gragert	Linehan	
Arch	Erdman	Groene	Lowe	
Bostelman	Flood	Halloran	Moser	
Brewer	Friesen	Hansen, B.	Murman	

Present and not voting, 1:

Hughes

Excused and not voting, 1:

Slama

The Kolterman amendment was adopted with 26 ayes, 21 nays, 1 present and not voting, and 1 excused and not voting.

The Chair declared the call raised.

Senator Hughes offered the following motion:

[MO5](#)

Reconsider the vote on AM27.

Pending.

### **COMMITTEE REPORT(S)**

#### General Affairs

The General Affairs 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.

Paul Leckband - Nebraska Commission on Problem Gambling

Dan Volnek - Nebraska Commission on Problem Gambling

Todd Zohner - Nebraska Commission on Problem Gambling

Aye: 8. Arch, Brandt, Brewer, Briese, Cavanaugh, J., Groene, Lowe, Wayne.

Nay: 0. Absent: 0. Present and not voting: 0.

The General Affairs 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.

Shane Greckel - State Racing and Gaming Commission

Aye: 8. Arch, Brandt, Brewer, Briese, Cavanaugh, J., Groene, Lowe, Wayne.  
Nay: 0. Absent: 0. Present and not voting: 0.

The General Affairs 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.

Tony Fulton - State Racing and Gaming Commission

Aye: 7. Arch, Brandt, Brewer, Briese, Cavanaugh, J., Groene, Lowe. Nay: 1.  
Wayne. Absent: 0. Present and not voting: 0.

The General Affairs 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.

Kim Lowe - Nebraska Liquor Control Commission

Aye: 7. Arch, Brandt, Brewer, Briese, Cavanaugh, J., Groene, Wayne. Nay: 0.  
Absent: 0. Present and not voting: 0. Recused: 1. Lowe.

(Signed) Tom Briese, Chairperson

Business and Labor

The Business and Labor 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.

William G. Blake - Commission of Industrial Relations

Aye: 5. Blood, Gragert, Hansen, B., Hansen, M., Hunt. Nay: 0. Absent: 0.  
Present and not voting: 2. Halloran, Lathrop.

(Signed) Ben Hansen, Chairperson

### GENERAL FILE

**LEGISLATIVE BILL 3.** Senator Hughes renewed his motion, [MO5](#), found in this day's Journal, to reconsider the vote on AM27.

**SPEAKER HILGERS PRESIDING**

**PRESIDENT FOLEY PRESIDING**

Senator Linehan offered the following motion:

[MO6](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Linehan moved for a call of the house. The motion to place the house under call prevailed with 28 ayes, 3 nays, and 18 not voting.

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

Voting in the affirmative, 27:

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

Voting in the negative, 18:

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

Present and not voting, 4:

Hilkemann	Kolterman	Pahls	Stinner
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The Linehan motion to invoke cloture failed with 27 ayes, 18 nays, and 4 present and not voting.

The Chair declared the call raised.

**ADJOURNMENT**

At 8:15 p.m., on a motion by Senator Halloran, the Legislature adjourned until 9:00 a.m., Tuesday, September 21, 2021.

Patrick J. O'Donnell  
Clerk of the Legislature

