

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate January 22, 2021

**HILGERS:** Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the twelfth day of the One Hundred Seventh Legislature, First Session. Our chaplain for today is Senator Arch. Please rise.

**ARCH:** Thank you. Let's pray. Father God, every morning we ask for your guidance, and this morning we ask again. We pray as your son taught us to pray: your kingdom come, your will be done. And we ask that you would make us instruments of bringing your will to the matters before us. We pray these things in your son's holy name. Amen.

**HILGERS:** Thank you, Senator Arch. I call to order the twelfth day of the One Hundred Seventh Legislature, First Session. Senators, please record your presence. Roll call.

**WILLIAMS:** Mr. Clerk.

**CLERK:** Mr. President, I have a quorum present.

**WILLIAMS:** Thank you, Mr. Clerk. Go to the first item on the agenda.

**CLERK:** Well, Mr. President, if I may, right before that, I have some items to read in: Reference reports referring legislative bills LB487 through LB684, as well as certain other legislative resolutions. Senator Brewer has selected LB409 as his priority bill for this session. I have a series of reports received available on the legislative website, and I have the lobby report as required by state law. That's all that I have at this time, Mr. President.

**WILLIAMS:** Thank you, Mr. Clerk. Any motions?

**CLERK:** Mr. President, the first motion this morning, Senator Linehan would move to withdraw LB678.

**WILLIAMS:** Senator Linehan, you're recognized to open on your motion to withdraw.

**LINEHAN:** Thank you, Mr. President. After filing this, I realized that Senator Morfeld has pretty close to the same bill, so there's no need to have two. So I would appreciate your green vote to withdraw this. Thank you.

**WILLIAMS:** Thank you, Senator Linehan. Any members wanting to speak on the motion? Seeing none, members, this is a machine vote, a simple majority. All those in favor of the motion to withdraw, please vote yea; those opposed vote no. Have all voted? Record, Mr. Clerk.

**CLERK:** 31 ayes, 0 nays, Mr. President, to withdraw LB678.

**WILLIAMS:** The motion to withdraw is passed. Mr. Clerk.

**CLERK:** Mr. President, Senator Matt Hansen would move to withdraw LB170.

**WILLIAMS:** Senator Matt Hansen, you're recognized to open on your motion to withdraw.

**M. HANSEN:** Thank you, Mr. President. And real quickly, just like Senator Linehan, after introducing LB170, I realized there is a virtually duplicate, identical bill by Senator McDonnell. He and I talked and I agreed to withdraw mine. So I'd appreciate your courtesy in withdrawing LB170. So we'll just have one less hearing this year. Thank you, Mr. President.

**WILLIAMS:** Thank you, Senator Matt Hansen. Anyone wanting to speak on the motion? Seeing none, this is a machine vote, a simple majority. All those in favor of the motion to withdraw vote yea; those opposed vote nay. Have all voted? Record, Mr. Clerk.

**CLERK:** 30 ayes, 0 nays, Mr. President, to withdraw the bill.

**WILLIAMS:** The motion to withdraw is passed. Mr. Clerk. Speaker Hilgers, you are recognized.

**HILGERS:** Mr. President. Good morning, colleagues. I have a very brief announcement going into next week. This is probably more of a traditional announcement that should be short and kind of give you a preview for what's going to happen the, the following week. As you know, Monday, we're going to start all-day hearings and the general plan, there may be some deviations from this, but the general plan will be for us to check in at 9:00 and we will adjourn around 9:15. As you know, hearings start at 9:30. So we'll have about 15 minutes of check-in every day that we have all-day hearings. Right now, I anticipate that we'll have all-day hearings through February into the first part of March. We're not exactly sure when all-day hearings are going to end. We're going to analyze workloads with the committee Chairs. And I should have, within the next week or so, the final date for when we will conclude with hearings. Now when it comes to all--

floor debate, we will, as I promise, have some floor debate. Looking at the schedule, it's not a lot of time over the-- you know, we're only looking at four or five weeks. We have recess days. The three-day committee have a lot of-- have a high volume of bills. And so there's not a lot of windows for floor debate. However, at a minimum right now, the morning of February 16, which is a Tuesday, February 16, we will have floor debate that morning. And we also will have floor debate either March 1 or March 2. That's a Mon-- those are Monday-- it's a Monday and a Tuesday. And we're just going-- it's going to depend on the-- the workloads for those particular committees, so either March 1 or March 2, in addition to February 16. A reminder that statements of intent, as I mentioned yesterday, please make sure you get those in today for Monday; and for Tuesday through Friday hearings next week, Monday morning by 9:30. Again, that really helps our committee clerks through this process. And last, I believe last, is we will be updating the Legis-- the Nebraska Legislature's website no later than noon today with the information for the public on the new options and how to access all the electronic options and everything else. And I would just say this is the first, I think, major change in our committee hearing process that we've had probably in decades. The-- the num-- the-- the-- the number of moving parts that we've had to address through this process has been-- been pretty immense and it's been very complicated. There's a lot of logistical issues to both manage and execute, but also to keep people safe and-- and also do it in a way that we're getting input from everyone. So as I mentioned yesterday, and I will say again, please give us patience and grace through this process. This will-- we will get better. There's going to be some hiccups. You should expect some hic-- hiccups. If you have ways to improve the process, please let us know. We're always looking to try to get better. So I appreciate your patience throughout and I look forward to a successful session with committee hearings starting next week. Have a great weekend, everyone, and we'll see you on Monday. Thank you.

**WILLIAMS:** Thank you, Speaker Hilgers. Senator Hughes, you're recognized.

**HUGHES:** Thank you, Mr. President. Good morning, colleagues. Just a reminder that if you wish to serve on the Redistricting Committee, I need an email from you by 5:00 on Monday. There have been a few of you have talked to me as individuals. I have to have an email from you. So don't think just because you mentioned to me that you're on the list, so make sure you send me an email. We've got a few names so far. So I appreciate those that are willing to step up to undertake

that task. But just the deadline is 5:00 Monday. Thank you, Mr. President.

**WILLIAMS:** Thank you, Senator Hughes. Senator Machaela Cavanaugh, for what reason do you rise?

**M. CAVANAUGH:** A point of personal privilege.

**WILLIAMS:** You may go ahead.

**M. CAVANAUGH:** Thank you. Good morning, colleagues. I apologize for using a point of personal privilege this morning. I had planned to speak on the motions, but was not able to get here quickly enough. I will try to make this quick. Yesterday, I sent this body and all of the staff in this building an email regarding virtual committee hearings. As no one responded to it, and those that I've talked to today seem to have not even read it, I'm going to read it now so that those out-- outside of this Chamber know that there are those of us in this body that care deeply about their safety and know that there is a way for us to conduct our business with their safety in mind. Dear colleagues and legislative staff: Across the nation and even across Nebraska, public meetings are moving to online virtual platforms to allow for safe, accessible hearings. In some ways, the Nebraska Legislature has an advantage in providing access. The live streaming of all hearings and floor debate on NET has for decades provided Nebraskans the opportunity to view their government at work in real time. With the advent of email, we already accept written testimony in advance of a hearing. Now we can expand our reach even further while also taking into consideration the public health crisis. I recommend that the Nebraska Legislature move to a virtual committee hearing format immediately. In addition to the previously mentioned opportunities for engagement, I believe we can implement the following strategies to ensure that every Nebraskan has the opportunity to have their voice heard by their Nebraska Legislature. We can allow individuals interested in testifying in person to fill out a request-to-speak form, much like they do when they show up for a committee hearing, listing email addresses of all committee members on the hearing notice for members. Other governing bodies have already implemented these changes to great success. In fact, the YRTC Oversight Committee of this body held a virtual hearing last fall and the HHS Committee held several virtual hearings last year. Thank you for your consideration. I would like to add that NCSL has numerous resources available to us as part of our membership on how we can do this. I'm disappointed that those that we've elected to leadership positions have not taken the opportunity to utilize those positions to carry us forward in a safe manner. This could have been done

thoughtfully and the public deserves it. Many of our government across the state are already doing this: Omaha City Council, I'm sure Senator Rich Pahls can attest to that; the Douglas County Board; Lancaster County Board. Yesterday, OPPD, our former colleague Senator Sara Howard now sits on that board, and she told me it was excellent, her first hearing was excellent, yet here we are doing nothing. And I-- when I say nothing, I-- I do appreciate the efforts that Senator Hilgers has made. But there isn't a concerted effort by this body to actually move forward and go virtual to ensure the safety of everyone. We received a letter at the start of the session from I don't even know how many dozens of advocacy groups begging us to do this. People with disabilities, people who are medically fragile, people in this body who have medical-- underlying medical conditions deserve for us to consider alternative ways of doing our business. Other governments in the state have figured it out. Why can't we? Why can't we rise to the occasion? Thank you, Mr. President.

**HILGERS:** Thank you, Senator Cavanaugh. Members, we're waiting on some notices for hearings, so we'll just stand at ease for a little bit before we adjourn for the day.

[EASE]

**HILGERS:** Mr. Clerk for items.

**CLERK:** Thank you, Mr. President, I do. First of all, I have hearing notices from the Health and Human Services Committee and from the Natural Resources Committee, both signed by their respective Chairs. I have a report from the Executive Board regarding appointments to certain special committees. Senator Wayne would like to print an amendment to LB70. An announcement, Mr. President, that there will be a meeting of the Vice Chairs of the various standing committees upon adjournment in Room 1525; Vice Chairs to the standing committees in Room 1525. Mr. President, Senator Hughes would move to adjourn the body until Monday morning, January 25, at 9:00 a.m.

**HILGERS:** Thank you, Mr. Clerk. Members, you've heard the motion. All those in favor say aye. Opposed say nay. We are adjourned.