

SEVENTY-THIRD DAY - MAY 5, 2023

LEGISLATIVE JOURNAL

**ONE HUNDRED EIGHTH LEGISLATURE
FIRST SESSION**

SEVENTY-THIRD DAY

Legislative Chamber, Lincoln, Nebraska
Friday, May 5, 2023

PRAYER

The prayer was offered by Senator DeBoer.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Bosn.

ROLL CALL

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

The roll was called and all members were present except Senators Albrecht and Briese who were excused; and Senators Blood, Bostar, J. Cavanaugh, Day, Dover, Fredrickson, B. Hansen, Hunt, McKinney, Slama, Vargas, Wayne, and Wishart who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the seventy-second day was approved.

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of May 4, 2023, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Brandon Metzler
Clerk of the Legislature

Abboud, Chris - Public Affairs Group
Completely Kids
Ewer, Brett
CrossFit, LLC (Withdrawn 04/27/2023)

Full, Brianna
Spark
Gutman, Daniel
ACLU Nebraska (Withdrawn 05/02/2023)
Higgins, Shirley
Nebraska Public Power District (Withdrawn 04/28/2023)
Keener, Chris
U.S. Term Limits (Withdrawn 05/02/2023)
Loeffler, Michael T.
Northern Natural Gas (Withdrawn 05/01/2023)
Rathner, Todd
Firearms Policy Coalition (Withdrawn 05/03/2023)

REPORTS

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

GENERAL FILE

LEGISLATIVE BILL 813. Committee [AM1169](#), found on page 1318 and considered on page 1367, was renewed.

Senator M. Cavanaugh renewed [AM1627](#), found and considered on page 1368, to the committee amendment.

Senator M. Cavanaugh moved for a call of the house. The motion prevailed with 13 ayes, 3 nays, and 33 not voting.

The M. Cavanaugh amendment, to the committee amendment, lost with 1 aye, 34 nays, 4 present and not voting, and 10 excused and not voting.

The Chair declared the call raised.

Senator M. Cavanaugh offered the following amendment, to the committee amendment:

[AM1628](#)

(Amendments to Standing Committee amendments, AM1169)

- 1 1. Strike section 27.
- 2 2. Renumber the remaining sections and correct internal references
- 3 3 accordingly.

Senator M. Cavanaugh moved for a call of the house. The motion prevailed with 14 ayes, 4 nays, and 31 not voting.

The M. Cavanaugh amendment, to the committee amendment, lost with 0 ayes, 30 nays, 8 present and not voting, and 11 excused and not voting.

The Chair declared the call raised.

Pending.

COMMITTEE REPORT
Enrollment and Review

LEGISLATIVE BILL 92A. Placed on Select File.
LEGISLATIVE BILL 227A. Placed on Select File.

LEGISLATIVE BILL 138A. Placed on Final Reading.
LEGISLATIVE BILL 254A. Placed on Final Reading.
LEGISLATIVE BILL 683A. Placed on Final Reading.

LEGISLATIVE BILL 799A. Placed on Final Reading.
[ST11](#)

The following changes, required to be reported for publication in the Journal, have been made:

1. On page 1, the matter beginning with "appropriations" in line 1 through line 4 has been struck and "appropriations; to amend section 19, Legislative Bill 816, One Hundred Eighth Legislature, First Session, 2023; to appropriate funds to aid in carrying out the provisions of Legislative Bill 799, One Hundred Eighth Legislature, First Session, 2023; to provide operative dates; to repeal the original section; and to declare an emergency." inserted.

(Signed) Beau Ballard, Chairperson

GENERAL FILE

LEGISLATIVE BILL 813. Committee [AM1169](#), found on page 1318 and considered on page 1367 and in this day's Journal, was renewed.

Senator Wayne withdrew [AM1621](#), found on page 1368, to the committee amendment

Senator M. Cavanaugh offered the following amendment, to the committee amendment:

[AM1629](#)

(Amendments to Standing Committee amendments, AM1169)

1 1. On page 8, strike lines 6 through 22 and show the old matter as
2 stricken.

SENATOR DEBOER PRESIDING

Senator M. Cavanaugh moved for a call of the house. The motion failed with 8 ayes, 8 nays, and 33 not voting.

The M. Cavanaugh amendment, to the committee amendment, lost with 0 ayes, 27 nays, 13 present and not voting, and 9 excused and not voting.

Senator M. Cavanaugh offered the following amendment, to the committee amendment:

[AM1630](#)

(Amendments to Standing Committee amendments, AM1169)

1 1. Strike section 35.
2 2. Renumber the remaining sections and correct internal references
3 and the repealer accordingly.

The M. Cavanaugh amendment, to the committee amendment, lost with 2 ayes, 21 nays, 17 present and not voting, and 9 excused and not voting.

Pending.

RESOLUTIONS

LEGISLATIVE RESOLUTION 130. Introduced by Ballard, 21.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the potential construction of the proposed East Beltway administered jointly by the City of Lincoln and Lancaster County and analyze various potential policies to incentivize the completion of the East Beltway.

(1) The interim study shall include, but need not be limited to:

(a) A completed economic analysis detailing the financial impact of the East Beltway to the State of Nebraska;

(b) A review of potential policy or statutory changes that would help incentivize the creation of the East Beltway;

(c) An examination of any federal assistance that could assist in the financing of the East Beltway; and

(d) A review of any other information deemed important for purposes of the study by the committee.

(2) In order to carry out the purpose of this resolution, the committee shall seek the input of:

(a) The Nebraska Department of Transportation, preferably its director or in the alternative another designee;

(b) Elected officials representing areas that will be impacted by the creation of the East Beltway;

(c) The City of Lincoln Transportation and Utilities Department, preferably its director or in the alternative another designee;

(d) The office of the Lancaster County Engineer, preferably the County Engineer or in the alternative another designee;

(e) The Nebraska congressional delegation to provide input on financing opportunities;

(f) The Nebraska Chamber of Commerce and Industry, local chambers of commerce, and other business organizations;

(g) Statewide associations of contractors, engineers, and engineering firms; and

(h) Any other interested parties.

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

1. That the Transportation and Telecommunications Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 131. Introduced by Hughes, 24; Ballard, 21; Blood, 3; Bostelman, 23; Brandt, 32; DeBoer, 10; DeKay, 40; Dorn, 30; Dungan, 26; Erdman, 47; Fredrickson, 20; Halloran, 33; Holdcroft, 36; Ibach, 44; Jacobson, 42; Lippincott, 34; Lowe, 37; Moser, 22; Murman, 38; Vargas, 7; Walz, 15; Wishart, 27.

WHEREAS, on July 15, 2022, Jesse Rood from Seward, Nebraska, broke a world record in axe throwing during the opening ceremonies of the 2022 Cornhusker State Games at Seacrest Field in Lincoln, Nebraska; and

WHEREAS, Jesse broke the record by throwing an axe to a target from ninety feet away; and

WHEREAS, Jesse smashed the previous record throw of seventy-two feet and came close to breaking the record he just set with an attempted throw of one-hundred twenty feet.

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

1. That the Legislature congratulates Jesse Rood on breaking a world record with his ninety-foot axe throw.

2. That a copy of this resolution be sent to Jesse Rood.

Laid over.

LEGISLATIVE RESOLUTION 132. Introduced by Blood, 3.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the plausibility of the State of Nebraska becoming a participant in the Dentist and Dental Hygienist Compact. The Dentist and Dental Hygienist Compact consists of a partnership between the Council of State Governments, the Department of Defense, and the American Dental Hygienists' Association. The compact intends to support the mobility of licensed dentists and dental hygienists through the development of a new interstate compact. This compact will create reciprocity among participant states and reduce the barriers to license portability.

Currently, if a dentist or dental hygienist from a nearby state wants to practice in the State of Nebraska, the completion of an application process of licensure is required. With the Dentist and Dental Hygienist Compact, a temporary license may be issued to a dental health professional to allow faster reentry into patient care.

The study shall include, but need not be limited to:

(1) An examination of the depth of the deficit of dental health professionals in Nebraska;

(2) A review of the number of licensed dental health professionals located in compact participating states; and

(3) A recommendation relating to the extent of Nebraska's participation in the Dentist and Dental Hygienist Compact.

To carry out the purpose of this resolution, the committee shall seek the assistance of the Nebraska Department of Health and Human Services.

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

1. That the Health and Human Services Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

GENERAL FILE

LEGISLATIVE BILL 813. Committee [AM1169](#), found on page 1318 and considered on page 1367 and in this day's Journal, was renewed.

Senator M. Cavanaugh offered the following amendment, to the committee amendment:

[AM1631](#)

(Amendments to Standing Committee amendments, AM1169)

- 1 1. Strike section 39.
- 2 2. Renumber the remaining sections and correct internal references
- 3 and the repealer accordingly.

Senator M. Cavanaugh moved for a call of the house. The motion prevailed with 9 ayes, 7 nays, and 33 not voting.

The M. Cavanaugh amendment, to the committee amendment, lost with 0 ayes, 29 nays, 8 present and not voting, and 12 excused and not voting.

The Chair declared the call raised.

Senator M. Cavanaugh offered the following amendment, to the committee amendment:

[AM1632](#)

(Amendments to Standing Committee amendments, AM1169)

- 1 1. On page 18, strike lines 17 through 19 and show the old matter as
- 2 stricken.

SENATOR SLAMA PRESIDING

Senator M. Cavanaugh moved for a call of the house. The motion failed with 5 ayes, 9 nays, and 35 not voting.

Senator M. Cavanaugh requested a roll call vote on her amendment, to the committee amendment.

The M. Cavanaugh amendment lost with 0 ayes, 23 nays, 1 present and not voting, 10 absent and not voting, and 15 excused and not voting.

SENATOR DEBOER PRESIDING

Senator M. Cavanaugh requested a point of order on whether a quorum was present.

The Chair ruled that there was a quorum present

Senator M. Cavanaugh moved for a call of the house. The motion failed with 10 ayes, 10 nays, and 29 not voting.

Senator M. Cavanaugh offered the following amendment, to the committee amendment:

[FA90](#)

Strike Section 1.

The M. Cavanaugh amendment, to the committee amendment, was withdrawn.

Senator M. Cavanaugh moved for a call of the house. The motion prevailed with 12 ayes, 10 nays, and 27 not voting.

The Chair declared the call raised.

Senator M. Cavanaugh offered the following amendment, to the committee amendment:

[FA91](#)

Strike Section 34.

PRESIDENT KELLY PRESIDING

Senator Hunt moved for a call of the house. The motion prevailed with 12 ayes, 5 nays, and 32 not voting.

The M. Cavanaugh amendment, to the committee amendment, lost with 0 ayes, 37 nays, 5 present and not voting, and 7 excused and not voting.

The Chair declared the call raised.

Pending.

COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL 705. Placed on Select File with amendment.
[ER30](#) is available in the Bill Room.

(Signed) Beau Ballard, Chairperson

AMENDMENT - Print in Journal

Senator Blood filed the following amendment to [LB157](#):

[AM1556](#)

1 1. Strike the original sections and insert the following new
2 sections:
3 Section 1. Section 30-2626, Reissue Revised Statutes of Nebraska, is
4 amended to read:
5 30-2626 (a) If a person alleged to be incapacitated has no guardian
6 and an emergency exists, the court may, pending notice and hearing; ~~;~~
7 ~~(i) Exercise~~ exercise the power of a guardian or enter an ex parte
8 order appointing a temporary guardian to address the emergency. The order
9 and letters of temporary guardianship shall specify the powers and duties
10 of the temporary guardian, limiting the powers and duties to those
11 necessary to address the emergency; ~~or -~~
12 ~~(ii) Enter an ex parte order appointing a temporary guardian for the~~
13 ~~limited purpose of assisting the person in applying for private or~~
14 ~~government benefits to which such person may be entitled. The limited~~
15 ~~temporary guardian may access personal and financial records of the~~
16 ~~person as necessary to apply for such benefits. The order and letters of the~~
17 ~~limited temporary guardianship shall specify the powers and duties of the~~
18 ~~temporary guardian, limiting the powers and duties to those necessary to~~
19 ~~apply for private or government benefits to which the person may be~~
20 ~~entitled.~~
21 (b) When the court takes action to exercise the powers of a guardian
22 or to appoint a temporary guardian under subsection (a) of this section,
23 an expedited hearing shall be held if requested by the person alleged to
24 be incapacitated, or by any interested person, if the request is filed
25 more than ten business days prior to the date set for the hearing on the
26 petition for appointment of the guardian. If an expedited hearing is to
27 be held, the hearing shall be held within ten business days after the
1 request is received. At the hearing on the temporary appointment, the
2 petitioner shall have the burden of showing by a preponderance of the
3 evidence that temporary guardianship continues to be necessary to address
4 the emergency situation. Unless the person alleged to be incapacitated
5 has counsel of his or her own choice, the court may appoint an attorney
6 to represent the person alleged to be incapacitated at the hearing as
7 provided in section 30-2619.
8 (c) If an expedited hearing is requested, notice shall be served as
9 provided in section 30-2625. The notice shall specify that a temporary
10 guardian has been appointed and shall be given at least twenty-four hours
11 prior to the expedited hearing.
12 (d) At the expedited hearing, the court may render a judgment
13 authorizing the temporary guardianship to continue beyond the original
14 ten-day period. The judgment shall prescribe the specific powers and
15 duties of the temporary guardian in the letters of temporary guardianship
16 and shall be effective for a single ninety-day period. For good cause
17 shown, the court may extend the temporary guardianship for successive
18 ninety-day periods.

19 (e) The temporary guardianship shall terminate at the end of the
20 ninety-day period in which the temporary guardianship is valid or at any
21 time prior thereto if the court deems the circumstances leading to the
22 order for temporary guardianship no longer exist or if an order has been
23 entered as a result of a hearing pursuant to section 30-2619 which has
24 been held during the ninety-day period.

25 (f) If the court denies the request for the ex parte order, the
26 court may, in its discretion, enter an order for an expedited hearing
27 pursuant to subsections (b) through (e) of this section.

28 (g) If the petitioner requests the entry of an order of temporary
29 guardianship pursuant to subsection (a) of this section without
30 requesting an ex parte order, the court may hold an expedited hearing
31 pursuant to subsections (b) through (e) of this section.

1 (h) If an appointed guardian is not effectively performing his or
2 her duties and the court further finds that the welfare of the
3 incapacitated person requires immediate action, it may, pending notice
4 and hearing in accordance with section 30-2220, appoint a temporary
5 guardian for the incapacitated person for a specified period not to
6 exceed ninety days. For good cause shown, the court may extend the
7 temporary guardianship for successive ninety-day periods. A temporary
8 guardian appointed pursuant to this subsection has only the powers and
9 duties specified in the previously appointed guardian's letters of
10 guardianship, and the authority of any permanent guardian previously
11 appointed by the court is suspended so long as a temporary guardian has
12 authority.

13 (i) A temporary guardian may be removed at any time. A temporary
14 guardian shall make any report the court requires, except that a
15 temporary guardian shall not be required to provide the check or report
16 under section 30-2602.02. In other respects the provisions of the
17 Nebraska Probate Code concerning guardians apply to temporary guardians.

18 (j) The court may appoint the Public Guardian as the temporary
19 guardian pursuant to the Public Guardianship Act. If the court appoints
20 the Public Guardian as the temporary guardian for the limited purpose of
21 assisting a person in applying for private or government benefits to
22 which the person may be entitled pursuant to subdivision (a)(ii) of this
23 section, such appointment is not subject to the caseload ratio set forth
24 in subsection (2) of section 30-4115.

25 Sec. 2. Section 42-903, Revised Statutes Cumulative Supplement,
26 2022, is amended to read:

27 42-903 For purposes of the Protection from Domestic Abuse Act,
28 unless the context otherwise requires:

29 (1) Abuse means the occurrence of one or more of the following acts
30 between family or household members:

31 (a) Attempting to cause or intentionally and knowingly causing
1 bodily injury with or without a dangerous instrument;

2 (b) Placing, by means of credible threat, another person in fear of
3 bodily injury. For purposes of this subdivision, credible threat means a
4 verbal or written threat, including a threat performed through the use of
5 an electronic communication device, or a threat implied by a pattern of
6 conduct or a combination of verbal, written, or electronically
7 communicated statements and conduct that is made by a person with the

8 apparent ability to carry out the threat so as to cause the person who is
9 the target of the threat to reasonably fear for his or her safety or the
10 safety of his or her family. It is not necessary to prove that the person
11 making the threat had the intent to actually carry out the threat. The
12 present incarceration of the person making the threat shall not prevent
13 the threat from being deemed a credible threat under this section; or

14 (c) Engaging in sexual contact or sexual penetration without consent
15 as defined in section 28-318;

16 (2) Department means the Department of Health and Human Services;

17 (3) Family or household members includes spouses or former spouses,
 18 children, persons who are presently residing together or who have resided
 19 together in the past, persons who have a child in common whether or not
 20 they have been married or have lived together at any time, other persons
 21 related by consanguinity or affinity, and persons who are presently
 22 involved in a dating relationship with each other or who have been
 23 involved in a dating relationship with each other. For purposes of this
 24 subdivision, dating relationship means frequent, intimate associations
 25 primarily characterized by the expectation of affectional or sexual
 26 involvement, but does not include a casual relationship or an ordinary
 27 association between persons in a business or social context; ~~and~~
 28 (4) Household pet means any animal maintained for companionship or
 29 pleasure but does not include any animal kept primarily for commercial
 30 purposes or for consumption or any livestock animal as defined in section
 31 ~~54-902; and~~

1 ~~(5)~~ (4) Law enforcement agency means the police department or town
 2 marshal in incorporated municipalities, the office of the sheriff in
 3 unincorporated areas, and the Nebraska State Patrol.

4 Sec. 3. Section 42-924, Revised Statutes Cumulative Supplement,
 5 2022, is amended to read:

6 42-924 (1)(a) Any victim of domestic abuse may file a petition and
 7 affidavit for a protection order as provided in this section. Upon the
 8 filing of such a petition and affidavit in support thereof, the court may
 9 issue a protection order without bond granting the following relief:

10 (i) Enjoining the respondent from imposing any restraint upon the
 11 petitioner or upon the liberty of the petitioner;

12 (ii) Enjoining the respondent from threatening, assaulting,
 13 molesting, attacking, or otherwise disturbing the peace of the
 14 petitioner;

15 (iii) Enjoining the respondent from telephoning, contacting, or
 16 otherwise communicating with the petitioner;

17 (iv) Removing and excluding the respondent from the residence of the
 18 petitioner, regardless of the ownership of the residence;

19 (v) Ordering the respondent to stay away from any place specified by
 20 the court;

21 (vi) Awarding the petitioner temporary custody of any minor children
 22 not to exceed ninety days;

23 (vii) Enjoining the respondent from possessing or purchasing a
 24 firearm as defined in section 28-1201; ~~or~~

25 ~~(viii) Directing that the petitioner have sole possession of any~~
 26 ~~household pet owned, possessed, leased, kept, or held by the petitioner,~~
 27 ~~the respondent, or any family or household member residing in the~~
 28 ~~household of the petitioner or respondent;~~

29 ~~(ix) Enjoining the respondent from coming into contact with,~~
 30 ~~harming, or killing any household pet owned, possessed, leased, kept, or~~
 31 ~~held by the petitioner, the respondent, or any family or household member~~
 1 ~~of the petitioner or respondent; or~~

2 ~~(x) (viii)~~ Ordering such other relief deemed necessary to provide
 3 for the safety and welfare of the petitioner and any designated family or
 4 household member.

5 (b) If sole possession of a household pet is ordered by a court
 6 pursuant to subdivision (1)(a)(viii) of this section, such possession
 7 shall be for the duration of the protection order or until further order
 8 of the court. The grant of sole possession of a household pet under such
 9 subdivision is not intended to permanently determine ownership of such
 10 household pet. The petitioner shall not permanently transfer, sell, or
 11 dispose of a household pet placed in the petitioner's possession without
 12 prior court approval, except that court approval shall not be required in
 13 cases where humane euthanasia of a seriously ill or injured household pet
 14 is recommended by a licensed veterinarian.

15 (c) ~~(b)~~ The petition for a protection order shall state the events

16 and dates or approximate dates of acts constituting the alleged domestic
 17 abuse, including the most recent and most severe incident or incidents.
 18 (d) (e) The protection order shall specify to whom relief under this
 19 section was granted.
 20 (2) Petitions for protection orders shall be filed with the clerk of
 21 the district court, and the proceeding may be heard by the county court
 22 or the district court as provided in section 25-2740. A petition for a
 23 protection order may not be withdrawn except upon order of the court.
 24 (3)(a) A protection order shall specify that it is effective for a
 25 period of one year and, if the order grants temporary custody, the number
 26 of days of custody granted to the petitioner unless otherwise modified by
 27 the court.
 28 (b)(i) Any victim of domestic abuse may file a petition and
 29 affidavit to renew a protection order. Such petition and affidavit for
 30 renewal shall be filed any time within forty-five days before the
 31 expiration of the previous protection order, including the date the order
 1 expires.
 2 (ii) A protection order may be renewed on the basis of the
 3 petitioner's affidavit stating that there has been no material change in
 4 relevant circumstances since entry of the order and stating the reason
 5 for the requested renewal if:
 6 (A) The petitioner seeks no modification of the order; and
 7 (B)(I) The respondent has been properly served with notice of the
 8 petition for renewal and notice of hearing and fails to appear at the
 9 hearing; or
 10 (II) The respondent indicates that he or she does not contest the
 11 renewal.
 12 (iii) Such renewed order shall specify that it is effective for a
 13 period of one year to commence on the first calendar day following the
 14 expiration of the previous order or on the calendar day the court grants
 15 the renewal if such day is subsequent to the first calendar day after
 16 expiration of the previous order and, if the court grants temporary
 17 custody, the number of days of custody granted to the petitioner unless
 18 otherwise modified by the court.
 19 (4) Any person, except the petitioner, who knowingly violates a
 20 protection order issued pursuant to this section or section 42-931 after
 21 service or notice as described in subsection (2) of section 42-926 shall
 22 be guilty of a Class I misdemeanor, except that any person convicted of
 23 violating such order who has a prior conviction for violating a
 24 protection order shall be guilty of a Class IV felony.
 25 (5) If there is any conflict between sections 42-924 to 42-926 and
 26 any other provision of law, sections 42-924 to 42-926 shall govern.
 27 Sec. 4. Original section 30-2626, Reissue Revised Statutes of
 28 Nebraska, and sections 42-903 and 42-924, Revised Statutes Cumulative
 29 Supplement, 2022, are repealed.

GENERAL FILE

LEGISLATIVE BILL 813. Committee [AM1169](#), found on page 1318 and considered on page 1367 and in this day's Journal, was renewed.

Senator M. Cavanaugh offered the following amendment, to the committee amendment:

[FA92](#)

Strike Section 32.

Senator M. Cavanaugh requested a record vote on her amendment, to the committee amendment.

Voting in the affirmative, 0.

Voting in the negative, 28:

Armendariz	Clements	Dungan	Jacobson	Murman
Ballard	Conrad	Erdman	Kauth	Raybould
Blood	DeBoer	Halloran	Lippincott	Sanders
Bosn	DeKay	Hardin	Lowe	Wishart
Brandt	Dorn	Holdcroft	McDonnell	
Brewer	Dover	Hughes	Moser	

Present and not voting, 16:

Bostar	Day	Ibach	Slama
Bostelman	Fredrickson	Linehan	von Gillern
Cavanaugh, J.	Hansen	McKinney	Walz
Cavanaugh, M.	Hunt	Riepe	Wayne

Excused and not voting, 5:

Aguilar	Albrecht	Arch	Briese	Vargas
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The M. Cavanaugh amendment, to the committee amendment, lost with 0 ayes, 28 nays, 16 present and not voting, and 5 excused and not voting.

Senator M. Cavanaugh offered the following amendment, to the committee amendment:

[FA93](#)

Strike Section 33.

Speaker Arch offered the following motion:

[MO1014](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

Speaker Arch moved for a call of the house. The motion prevailed with 31 ayes, 3 nays, and 15 not voting.

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

Voting in the affirmative, 38:

Arch	Brewer	Erdman	Jacobson	Riepe
Armendariz	Clements	Fredrickson	Kauth	Sanders
Ballard	Conrad	Halloran	Linehan	Slama
Blood	DeBoer	Hansen	Lippincott	von Gillern
Bosn	DeKay	Hardin	Lowe	Walz
Bostar	Dorn	Holdcroft	McDonnell	Wishart
Bostelman	Dover	Hughes	Moser	
Brandt	Dungan	Ibach	Murman	

Voting in the negative, 1:

Cavanaugh, M.

Present and not voting, 6:

Cavanaugh, J.	Hunt	Raybould
Day	McKinney	Wayne

Excused and not voting, 4:

Aguilar	Albrecht	Briese	Vargas
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The Arch motion to invoke cloture prevailed with 38 ayes, 1 nay, 6 present and not voting, and 4 excused and not voting.

The M. Cavanaugh amendment, to the committee amendment, lost with 0 ayes, 37 nays, 8 present and not voting, and 4 excused and not voting.

The committee amendment, as amended, was adopted with 38 ayes, 0 nays, 7 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 36 ayes, 2 nays, 7 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

AMENDMENTS - Print in Journal

Senator Murman filed the following amendment to LB705:

[FA94](#)

Strike Section 1.

Senator Murman filed the following amendment to LB705:

[FA95](#)

Strike Section 2.

VISITORS

Visitors to the Chamber were students from Conestoga Elementary, Murray; students from Gibbon Public School, Gibbon; students from Dodge Elementary and Grand Island Elementary; students from Allen Consolidated Schools, Allen; students from Prairie Lane Elementary, Omaha.

MOTION - Adjournment

Senator Jacobson moved to adjourn until 9:00 a.m., Monday, May 8, 2023.

Senator M. Cavanaugh requested a roll call vote on the motion to adjourn.

The Jacobson motion to adjourn prevailed with 39 ayes, 4 nays, 2 present and not voting, and 4 excused and not voting, and at 3:22 p.m., the Legislature adjourned until 9:00 a.m., Monday, May 8, 2023.

Brandon Metzler
Clerk of the Legislature