

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate January 29, 2021

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

DeBOER: Please pray with me. Oh, Holy One, help us to become better servants. Save us from our egos. Remind us that your strength was shown not in who you could defeat, but who you saved. Bring a spirit of courage to all those who work in this place. Help all to find that their greatest strength is not how much power they can wield, but how much weakness they aren't afraid to show. In these difficult times, help us to overcome the world's push to become the mightiest, the most adored, the biggest winner. Stir within us, instead, a spirit of humility. You did not defeat the grave with shows of strength, but with sacrifice, love, and the willingness to be humbled for others. Oh, Holy One, we ask that you bring comfort to those who feel powerless, humbled, and afraid. We ask this in the name of the One who was, who is, and who always will be. Amen.

HILGERS: Thank you, Senator DeBoer. Senator Murman, you're recognized for the Pledge.

MURMAN: I pledge allegiance to the flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

HILGERS: Thank you. I call to order the seventeenth day of the One Hundred Seventh Legislature, First Session. Senators, please record your presence. Roll call. Mr. Clerk, please record.

ASSISTANT CLERK: There is a quorum present, Mr. President.

HILGERS: Thank you, Mr. Clerk. Are there any corrections for the Journal?

ASSISTANT CLERK: No corrections this morning.

HILGERS: Thank you. Are there any messages, reports, or announcements?

ASSISTANT CLERK: Mr. President, there are: an announcement that various agency reports have been filed electronically and are available through the Legislature's website. In addition, I have a report of registered lobbyists for the current week. New resolution, LR33 by Senator Arch, congratulates Bill Harrington for an 101st

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birthday. I have notice of committee hearings from the Appropriations Committee, and an amendment to be printed from Senator Brandt to LB242. That's all I have at this time.

HILGERS: Thank you, Mr. Clerk. Let's turn to the first item on the agenda.

ASSISTANT CLERK: Mr. President, Senator Lindstrom would move to suspend the rules, Rule 3, Section 14, to permit cancellation of a hearing by the Retirement Systems Committee.

HILGERS: Senator Lindstrom, you're recognized to open on your motion.

LINDSTROM: Good morning. Thank you, Mr. Speaker. Colleagues, I'm introducing a motion to suspend the rules for LB586 due to the code-- COVID protocols. We need to reschedule a Retirement Committee hearing at a later date. If you could please stick around, it requires 30 votes. So I'd appreciate your green vote to pass this motion. Thank you.

HILGERS: Thank you, Senator Lindstrom. Debate is open on the motion. Seeing no one in the queue, Senator Lindstrom, you're recognized to close. Senator Lindstrom waives closing. The question before us, colleagues, is the motion to suspend. This is a vote that takes 30 votes. We only had about 32 or 33 senators check in. So this requires 30 votes. Please vote on the motion. Those in favor of the motion vote aye; opposed vote nay. Record, Mr. Clerk.

ASSISTANT CLERK: 31 ayes, 0 nays on the motion to suspend the rules, Mr. President.

HILGERS: Thank you, Mr. Clerk. Next item.

ASSISTANT CLERK: Senator Ben Hansen would move to suspend the rules, Rule 3, Section 14, to permit a cancellation of a hearing by the Business and Labor Committee.

HILGERS: Senator Ben Hansen, you're recognized to open on your motion. I don't see Senator Hansen on the floor. Senator Blood, as Vice Chair of the committee, are you-- are you able to open on this motion?

BLOOD: I'll give it a good school try. We are asking that we suspend Rule 3, Section 14, to permit cancellation of a hearing by the Business and Labor Committee, because we have a bill that is on the agenda that is not ready for prime time.

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HILGERS: Thank you, Senator Blood. The queue is now open on the motion-- debate on the motion. Seeing no one in the queue, Senator Blood, you're recognized to close. Senator Blood waives closing. The question before the body is the adoption of the motion to suspend the rules to cancel the hearing. All those in favor vote aye; all those opposed vote nay. Have all those voted who wish to? Record, Mr. Clerk.

ASSISTANT CLERK: 32 ayes, 0 nays on the adoption of the suspension motion.

HILGERS: The motion is adopted. Next item.

ASSISTANT CLERK: Mr. President, LR1, offered by Senator Blood and others, is to express support for the United States Air Force to reestablish the United States Space Command headquarters at Offutt Air Force Base.

HILGERS: Senator Blood, you're recognized to open on your resolution.

BLOOD: Thank you, Mr. Speaker. Fellow senators, friends all, Nebraska has been in a contested race to be the home for Space Command. And you heard in Governor Ricketts' State of the State Address this month, that Nebraska says it's not over until it's over. There's still a possibility with the ushering in of new-- a new president and other key players that we could be in the running. The Nebraska Legislature stepped up to the plate and we all signed a letter showing unified support sharing it with the Greater Omaha Chamber of Commerce to utilize in one of their many presentations. We then all worked together, created and signed the formal resolution that you see in front of you. Although that we also shared the process of the public hearing-- I'm sorry, can use the gavel, please? Also, that was also shared the process of the public hearing and released to the body for a vote makes it official and allows the Clerk of the Legislature to prepare and transmit a copy of this official resolution to the President of the United States, the Vice President as presiding officer of the U.S. Senate, to the Speaker of the House-- U.S. House of Representatives, each member of Nebraska's congressional delegation, the Secretary of the Air Force, Chairman of the Joint Chiefs of Staff, and to the Secretary of Defense. And so I ask that you help me bring this full circle and vote yes to move this on to our friends in Washington, D.C., without further conversation.

HILGERS: Thank you, Senator Blood. Debate is now open on the resolution. Senator McCollister, you're recognized.

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McCOLLISTER: I waive.

HILGERS: Senator McCollister waives the opportunity. Seeing no one else in the queue, Senator Blood, you're recognized to close. Senator Blood waives closing. The question before the body is the adoption of LR1. All those in favor vote aye; all those opposed vote nay. Have all those voted who wish to? Record, Mr. Clerk.

ASSISTANT CLERK: 33 ayes, 0 nays on the adoption of the resolution.

HILGERS: The resolution is adopted. Senator McCollister, for what purpose do you rise?

McCOLLISTER: Personal privilege, Mr. Speaker.

HILGERS: Please proceed.

McCOLLISTER: Colleagues, I laid two documents on your desk today: Louisiana Continues Efforts to Protect Public Safety and Reform in the Justice System, and then 35 States Reform Criminal Justice Policies through Justice Reinvestment. We are looking at building a \$230 million prison in this state. The wisdom of that is questionable. Many states, many states throughout the country have looked at their policies with regard to their corrections systems and made adjustments and reduced prison population; and that is a wise decision for us, as well. In fact, we can't even staff the prisons we have, so it is sheer folly to be considering another prison. I leave those two documents for your edification. Thank you, Mr. Speaker.

HUGHES: Thank you, Senator McCollister. Speaker Hilgers.

HILGERS: Thank you, Mr. President. Good morning, colleagues. A very brief Friday announcement, there's not a lot to announce for next week. I just wanted to say first, I appreciate everyone's effort this-- this week. I know this is the first time we've changed the committee hearing process in 40 years. I know there's been a lot of pressure on staff, on members, on the public testifying, especially in light of the snowstorm. I know there's been hiccups. We anticipated hiccups. We're working through those hiccups. But I got to say, the energy and commitment and teamwork, both from staff members and the public, has been really tremendous. And I'm very grateful for all of that this last week. Next week, it's more of the same. It is our last five-day week of the session. Yeah, that's-- that's worth cheering. I know the five-day weeks are very hard. We only have one more to go. And then after that, we'll get back into our recess-day rhythm. Next week, the only thing to tell you is on

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Wednesday, I do have a meeting with the standing committee Chairs. If you have any changes or modifications to the hearing process that you'd like to recommend, any hiccup that we can resolve, please let them know. You're more than welcome, of course, to let me know, as well. And we're just working through this process and getting better as we go. So thank you, everyone. Have a wonderful weekend, and we'll see you on Monday. Thank you, Mr. President.

HUGHES: Thank you, Speaker Hilgers. Senator Blood would like to recognize Dr. Anderson of the Charles Drew Health Center, who is serving us today as the physician of the day. Please stand, Dr. Anderson, and be recognized by your Nebraska Legislature. Senator Hunt, for which purpose do you rise?

HUNT: A point of personal privilege.

HUGHES: You may proceed.

HUNT: Thank you, Mr. President. I don't want the rest of the morning to go by without having something said, without, you know, leaving something unsaid. We just took two votes to suspend the rules to reschedule a hearing for some bills that weren't quite ready. But earlier this week, on Wednesday, when we had the Executive Committee selecting the Redistricting Committee, and Senator Vargas, the Vice Chair of the Executive Board, had to quarantine because he was exposed in Appropriations Committee-- which there's still some back-and-forth about whether all members of Appropriations should be quarantining-- we had to go forward with that vote for redistricting, even though Senator Vargas had to quarantine. And there was so much back-and-forth behind the scenes about how is he going to make that vote. This is one of the most-- this is the most consequential thing that this body does every ten years, is that redistricting process. And we know that we're not even going to have the census data here in Nebraska until this fall, probably not until July or August. But no, we had to have that vote on Wednesday when Senator Vargas wasn't here. And we were trying overnight into the next morning to quickly amass 30 votes so we could suspend the rules, because, Nebraskans, to-- to-- it says in our rules that we must select our Redistricting Committee by the end of January. And so we would have had to have a vote to suspend the rules in order to delay that vote so that Senator Vargas could have been present for that very, very consequential vote. We were not able to get 30 people to agree that the most consequential thing that we do, redistricting, selecting the committee that's going to do that, that we would have all members of that Executive Committee present for that vote. We should have waited until all members of that Executive Committee were-- were able to be

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present. Senator Vargas did come, and the vote was held in here, and it all went OK. But the integrity of this process is already in question. We know this is a super-partisan thing, and I think that Nebraskans need to be aware and be very vigilant about the integrity of our redistricting process when partisan stuff is already going on. I'm very bummed that we weren't able to get 30 votes to suspend the rules in order to have all of the members of the Executive Committee present for Redistricting Committee to select those people. But we were able to get more than 30 votes for these-- these last two motions to suspend the rules. And for that reason, I did not vote to suspend the rules because if there is anything we should be suspending the rules for, it's the integrity of our process. And we were not able to do that on Wednesday. Thank you, Mr. President.

HILGERS: Thank you, Senator Hunt. Members, we're going to stand at ease just for a moment or two, what-- we're waiting on a-- some hearing notices.

[EASE]

HILGERS: Mr. Clerk for items.

ASSISTANT CLERK: Thank you, Mr. President. I have notice of committee hearing from the Transportation Telecommunications Committee, have a cancellation of hearing from the Retirement Systems Committee, as well as the Business and Labor Committee, and an announcement-- notice of committee hearing from the Executive Board. In addition to that, a motion by Senator Lathrop to withdraw LB55; that will be laid over. Name adds, Mr. President: Senator McCollister to LB4; Senator Matt Hansen to LB4; Senator McCollister to LB213 and LB263. And finally, a priority motion, Senator John Cavanaugh would move to adjourn until Monday, February 1, 2021, at 9:00 a.m.

HILGERS: Colleagues, you've heard the motion. All those in favor say aye. Opposed say nay. We are adjourned.