

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate May 27, 2021
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FOLEY: Good morning, ladies and gentlemen, and welcome to George W. Norris Legislative Chamber for the eighty-fourth day of the One Hundred Seventh Legislature, First Session. Our chaplain for today is Senator Erdman. Please rise.

ERDMAN: Thank you, Lieutenant Governor. Father, we thank you for this opportunity to gather here this morning to bring request to you. We thank you for your grace, God's riches at Christ's expense. And we thank you, Jesus, that you came to pay a debt for our sin that we could not pay and offered us eternal life if we believe and trust in you. And we thank you for that. We also thank you today that you have protected us this session. We started with 49 senators, Lord, and we finish with the same 49, and we thank you for that. We also thank you for the work that we've accomplished here. We just pray that what we've done will benefit those who live in this state, as well as those who have been struggling, trying to make ends meet. We pray that this pandemic and the fear that it caused would go away and that courage and confidence would be restored. And we know, Lord, that fear does not come from you. So we pray that you would help remove the fear from people's lives and we get back to normal. We pray that you would bless this day, that we would honor you in our closing. And we thank you that we have this opportunity to serve the people of Nebraska in this body. We ask these things in Jesus' name. Amen.

FOLEY: Thank you, Senator Erdman. Senator Brewer, could you lead us, please, in the Pledge of Allegiance.

BREWER: Please join me in the pledge. 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.

FOLEY: Thank you, Senator Brewer. I call the order the eighty-fourth day of the One Hundred Seventh Legislature, First Session. Senators, please record your presence. Roll call. Mr. Clerk, please record.

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

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

CLERK: I have no corrections.

FOLEY: Any items for the record?

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CLERK: Mr. President, your Committee on Education reports LB3, LB62, LB87, LB327, LB538 and LB558 as indefinitely postponed. I also have acknowledgment of bills being presented to the Secretary of State regarding those bills overridden yesterday and the agency report acknowledgment indicating those reports are on file on the legislative website (LB108, LB108A, LB147, LB147A, LB306, LB306A). That's all that I have, Mr. President.

FOLEY: Thank you, Mr. Clerk. Members, we will now move to the agenda. First item, motions to withdraw. Mr. Clerk.

CLERK: Mr. President, Senator Hunt would move to withdraw LR135.

FOLEY: Senator Hunt, you're recognized on your motion.

HUNT: Thank you, Mr. Lieutenant Governor. Good morning, colleagues. Good morning, Nebraskans. Maybe my last time on the mike this session. So it's been a pleasure to work with all of you. I accomplished what I wanted to accomplish with my LRs, so they are no longer needed. So I'd like to withdraw LR135 and I'd ask for the support from the rest of the body. Thank you, Mr. President.

FOLEY: Thank you, Senator Hunt. Any discussion on the motion to withdraw LR135? I see none, Senator Hunt. She waives closing. The question before the body is the withdraw motion on LR135. Those in favor vote aye; those opposed vote nay. Have you all voted who care to? Record, please.

CLERK: 41 [SIC] ayes, 0 nays to withdraw LR135.

FOLEY: The motion to withdraw is adopted. Next motion, please.

CLERK: Mr. President, Senator Albrecht would move to withdraw LR228.

FOLEY: Members, please come to order. Senator Albrecht, you're recognized.

ALBRECHT: Yes, I just rise to ask the body to give me a green vote on deleting the LR228 from the agenda.

FOLEY: Thank you, Senator Albrecht. Any discussion of the motion? Senator Pahls, you're recognized.

PAHLS: Thank you, Mr. Lieutenant Governor. I did not-- is this going to be withdrawn? I did not hear, there's so much conversation out here.

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FOLEY: Yeah, the motion is to withdraw.

PAHLS: OK, well, I want to speak to it a little bit.

FOLEY: Please proceed.

PAHLS: Thank you. As I read it this morning, because I was going over today's agenda, I noticed 18 individuals that-- little quietness over here, please?

FOLEY: [GAVEL] Members. We cannot hear the senator speaking. Senator Pahls, you're recognized.

PAHLS: Thank you. I was told to speak into the microphone, so I apologize for asking my compadres over here to be quiet. I want to speak to this just for a minute or so because I read this over, and what surprised me, there were 18 cosigners to this resolution. So that tells me there was some angst in this body on this particular topic. So I started reading it. And it says the purposes of this intern, intern-- interim study is to examine the educational environment in Nebraska. Don't deny that we do need to do that, because I've been hearing lately on the floor that the public schools are really in bad shape. I've heard that yesterday. I'm sitting here listening, and I understand we do have some issues. But then I go on and I read that we need to examine certain things like the health education standards. And I know there's a lot of angst on that, in the state because of that, but they haven't been-- I don't think that issue has been settled. Then we want to talk about, another thing we want to talk about technology and education. That in itself, people, could be a study. This thing was just full of angst, as I see it. And the content, content that is taught and available to students. Another topic that we could probably have had a separate study on. And then are also about obscenity. And we were going to assign this to the Education Committee, they would have been working all summer on this particular topic. Now I know it has been withdrawn, but something tells me that there is something rotten, not in the state of Denmark, but in the state of the education system in the state of Nebraska. Eighteen people signed on to this. That means that is serious, that is, that, that's bulletproof. If this had been discussed today, it's bulletproof. They had enough people that it couldn't cloture, couldn't happen. Somebody is spending a lot of time trying to cause something, and I don't know what that something is. And I hate to do this on the last day, I've been trying, for the most part, to be quiet this session, speak occasionally. But, Senator Flood, don't give me that look. But I just read this and like I say, there's an angst there. We

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have to cure that by this time next year. And I've been in agreement, many of these topics we do need to discuss. In my background, background, being in education, I get it. We're not perfect. But the thing that just struck me is when it had 18 cosigners to this. And I'm just-- that's just something, we have to get our act together somewhere. And educators in the state of Nebraska, I'm going to ask you to step up also because people are being critical of what's happening in the classroom, apparently. So start thinking, start talking to your state senators, start inviting them to your schools. I was invited to a private school this past summer or past spring, and I was impressed with what went on.

FOLEY: One minute.

PAHLS: Thank you. A lot of good things are happening in the state in the public schools. Was that my one minute or was that my time? I'm sorry.

FOLEY: That was one minute.

PAHLS: OK.

FOLEY: Forty-five seconds.

PAHLS: OK, thank you. So I'm asking educators out there, invite your state senators into your schools, because if we're going to be making decisions that's going to be affecting you, you've got to get involved. I'm not talking about the NSEA, they are not my friend. Teachers are my friends, administrators are my friends. We've got to get our act together. This is a call. When stuff like this is being proposed, that means people in this body, 18 of them at least, have a question, want to know what's going on. And I'm not saying they're illegitimate questions. But it's up to you on the outside to help us on the inside to get some things for the betterment of the students of all schools. Thank you.

FOLEY: Thank you, Senator Pahls. Senator Erdman.

ERDMAN: Thank you, Lieutenant Governor. I appreciate that. Senator Pahls, I appreciate what you had to say. The Department of Education is completely out of control. We had in my district a school that filed complaints with the superintendent in June of '20. It took the department till January 7 of '21 to do anything about it, after numerous prompts from me and others to do something. They are completely out of control. And so to review what they do and to bring them back into control, I think is very important. And for them to

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even consider the sex education, health education issues that have been brought up by the State Board of Education is a black mark on the state of Nebraska. And so to say that we have problems in the Education Department and the public schools in Nebraska is an understatement. They need to be reviewed, it needs to be analyzed, and we need to have somebody look at it besides the department themselves. Because when you leave them to do their own analysis, you get squat. And that's what we've gotten. So I hope they're listening, because I can tell you right now, our education in the state of Nebraska is subpar. And when Art Laffer did an analysis of our economic situation, the analysis on our public schools is poor. And so we say we have a great education system. I beg to differ. And so I think that this was something that should have moved on forward and we should find out what exactly is happening. And I appreciate Senator Pahls' remarks, and I'll leave you with his last comment. I've been wanting to say this for about four months now. Mr. Speaker, tear down these walls. Thank you.

FOLEY: Thank you, Senator Erdman. Senator Hunt.

HUNT: Thank you, Mr. Lieutenant Governor, I have to respond to some things that Senator Pahls said. This whole legislative resolution, LR228, was about the health education standards and the human growth and development curriculum in Nebraska public schools. There's probably nothing our schools on the state level are going to discuss that's going to be scrutinized more, that's going to have more eyes on it. I was a part of the conversation in Omaha Public Schools when we implemented, you know, a new sex education curriculum and our human growth and development program in OPS. And that program had not been updated since 1971. So in many cases, there were OPS students who are getting the same sex education that their grandparents had gotten. And since then, of course, we've had an increasingly out and increasingly depressed and suicidal LGBTQ-plus population. We've had the AIDS epidemic. We, of course, have computers and Internet pornography and cyberbullying and everything that goes along with that. And so making sure that we have a human growth and development curriculum that reflects the realities of today's young people is honestly a public health issue. Because Douglas County had some of the highest STD and STI rates in the entire country. And after we implemented that human growth and development curriculum, those rates went down. And I don't know if I can say there's causation there because I don't know if that's been studied, but there's definitely correlation. And we know that this is what's best for kids. What we also know is that nobody in the Legislature is going to drive that conversation about what is best for kids in terms of public health and their growth and development.

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None of us are experts in that area. But the schools, the board of education, they know that they are under the most intense scrutiny on this. They know that they have activated a lot of strong opinions around this area. So this was a political thing that happened. It's not because there were 18 people who signed on to it who thought that this was such an important issue that's so urgent. And so Senator Pahls, when you see the number of people who've signed onto a resolution, whether that's 18 on LR228 or 31 on something like LR107, which said that we need to stand up for the traditional religious belief and sexual mores of our country, which what does that even mean? This is a body of political people. And a lot of us, myself certainly included, are not super educated on a lot of specific issues. I'm super ignorant about a lot of things, and all of us are super ignorant about a lot of things, including sexual health and including, you know, what's best for kids when it comes to curriculum around public health. So don't look at something that has 18 co-sponsors on it and think this must be something really important, this must be something really urgent. No, it just means that 18 people are super political. That's all that means in this body, that's all it's ever going to mean. I trust our public school system. I trust our board of education to do what's right for these kids. As a member of the Legislature, I'm happy to provide procedural guidance and, you know, whatever it is that we can do from this Chamber. But colleagues, what we need to do is trust our public school administrators. We need to trust the experts and the people who have made this their livelihood, because none of us have. We're all in here being political, those are the people actually helping our kids. Thank you, Mr. President.

FOLEY: Thank you, Senator Hunt. Senator Pahls.

PAHLS: Thank you, Mr. Lieutenant Governor. I promise you, this will be the last time. I did speak to Senator Erdman, and he brought up some issues that we need to be thinking about. That's, that's OK. And be honest with you, last Monday, I was speaking to a group of people from the State Department of Education, because some of us are actually trying to make sure that the formula when working on TEEOSA that we can help some of the rural schools. Our intent is good, and I think they're going to help us. So even though they may have their faults, of course, many of us do not, especially me, you know, we're fault free. So but I do, I do see the potential of us getting this out in the air and trying to find a solution, not by attacking each other. If I'm doing that today, that's not my intent. My intent is just to say there's, there's an issue here that we need to have resolved. And of course, my heart is dear to education, but and that involves kids,

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which, you know, some of us are guppies when it comes to working with the young ones. I thank you and I appreciate whatever the sponsor would like to do. Thank you.

FOLEY: Thank you, Senator Pahls. Senator Albrecht, you're recognized to close. She waives closing. The question before the body is the adoption of the motion to withdraw LR228. Those in favor vote aye; those opposed vote nay. Have you all voted who care to? Record, please.

CLERK: 38 ayes, 6 nays to withdraw the resolution.

FOLEY: The motion to withdraw is successful. Proceeding on to legislative resolutions. Mr. Clerk.

CLERK: Mr. President, the first resolution is LR168, it's offered by Senator Brandt. It asks the Legislature to recognize Friend, Nebraska as the hometown of Ray H. Page and celebrate his accomplishments in aviation.

FOLEY: Thank you, Mr. Clerk. Members, this is the first in a series of six different resolutions which ordinarily would just be placed on the agenda without discussion. Because we're on the last day, will take-- we'll ask each of the senators to just say a very, very few words about the resolution. And then when we're done with hearing about the six, we'll take one vote on all six en masse. Senator Brandt, you're recognized on LR168. A few words, please.

BRANDT: Yes. Thank you, Mr. Lieutenant Governor. What this resolution would recognize is Ray H. Page. He is a native son of Friend, Nebraska. He and his wife established an aircraft manufacturing plant here in Lincoln in the 20s, and they are responsible for teaching Charles Lindbergh how to fly. So that's what this resolution recognizes for the 150th anniversary of Friend. Thank you.

FOLEY: Thank you very much, Senator Brandt. Senator Briese, you've got the next one--

BRIESE: Thank you, Mr. President. It is--

FOLEY: --LR247.

BRIESE: my honor to have introduced resolution LR247 to honor a very accomplished individual from my hometown. Doug Donscheski, our Sergeant at Arms, attended and graduated from Albion High School in the 1960s. In high school, he was an accomplished athlete, among other

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things, captain of the football and basketball teams, all-conference in football and basketball, state qualifier in track. Went on to play football and track collegiately at Fairbury Junior College. As a result of his exploits, he is going to be inducted into the Albion Downtown Athletic Club Hall of Fame next month. And I'd like to, simply like to congratulate Doug for this well-deserved honor. Thank you, Mr President.

FOLEY: Thank you, Senator Briese. Senator Hilkemann, you're recognized on LR250.

HILKEMANN: Thank you, Mr. President. This LR250 simply honors Dr. Adi Pour, who is the director of Douglas County Health Department. Dr. Pour is going to be, be retiring soon. I bring this, during my term on the Legislature, she has always been open to visit on issues of health care and on, on-- she has done consistently during the COVID. Those Douglas County senators that are here, she has done an update each time for us, and I've appreciated that. This has been an extremely challenging time for anybody in public health. And certainly Dr. Adi Pour has stepped to the front and needs to be honored. And I congratulate her on her retirement and wish her the very best. Thank you.

FOLEY: Thank you, Senator Hilkemann. Senator Ben Hansen on LR251.

B. HANSEN: Thank you, Mr. Lieutenant Governor. This LR is pretty simple. It's just to congratulate Josh Miller on winning the 170-pound division of the 2021 Class C state wrestling championship. And Josh Miller is from Arlington, Nebraska.

FOLEY: Thank you, Senator Hansen. And you may continue on LR252.

B. HANSEN: Thank you. This one has to do with recognizing John G. Neihardt Day as June 18th, 2021. Many of you might know that he is the author of Black Elk Speaks and Cycle of the West and is a poet laureate from Bancroft, Nebraska. Thank you.

FOLEY: Thank you, Senator Hansen. Senator Vargas, LR255.

VARGAS: Thank you very much. This is an LR in honor of Children of Smithfield. They received the National Education Association Human and Civil Rights Award this year. We had in contact with the NSEA and the NEA. They nominated them and they won this national award for making sure that they are advocating on behalf of engaging in activities, dignify workers, their jobs and to make their life a better place. These are children, families and loved ones. And we wanted to honor

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them for the award that they were received from the National Education Association. Thank you.

FOLEY: Thank you, Senator Vargas. Members, you heard the presentation on LR168, LR247, LR250, LR252 and LR255. Those in favor of adopting those resolutions vote aye; those opposed vote nay. Have you all voted who care to? Record, please.

CLERK: 44 ayes, 0 nays on adoption of the resolutions.

FOLEY: The resolutions are adopted. While the Legislature is in session and capable of transacting business, I propose to sign and do hereby sign the following legislative resolutions: LR216, LR217, LR219, LR220, LR222, LR224, LR229, LR238, LR240, LR241, LR243, LR244 and LR245. As well as number LR5, LR134, LR168, LR247, LR250, LR252, LR251 and LR255. Next item, please, Mr. Clerk. Senator Hilkemann, you're recognized for a motion.

HILKEMANN: Thank you, Mr. President. I move that a committee of five be appointed to notify the Governor that the One Hundred Seventh Legislature, First Session of the Nebraska Legislature is about to complete its work and to return with any message the Governor may have for the Legislature. Thank you, Mr. President.

FOLEY: Thank you, Senator Hilkemann. The motion is to appoint a committee. Those in favor of appointing the committee, which shall consist of the following five senators selected by the Speaker: Senator Erdman, Senator Linehan, Senator McDonnell, Senator Moser and Senator Wishart. Those in favor of appointing that committee vote aye; those opposed vote nay. We can do this by voice vote, members. Those in favor say aye. Those opposed say nay. The committee is appointed. Will the following five senators please proceed to the Governor's Office: Senators Erdman, Linehan, McDonnell, Moser and Wishart. The Chair recognizes the Sergeant at Arms.

SERGEANT AT ARMS: Mr. President, your committee is now escorting the Governor of the great state of Nebraska, Governor Pete Ricketts.

FOLEY: Members of the One Hundred Seventh Legislature and distinguished guests, I present to you the Governor of the great state of Nebraska, the honorable Pete Ricketts.

GOVERNOR RICKETTS: Good morning. President Foley, Speaker Hilgers, members of the One Hundred Seventh Nebraska Legislature, friends, fellow Nebraskans, it is a pleasure to be here with you as you bring to a close the First Session of the One Hundred Seventh Nebraska

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Legislature. In January, we were all in this Chamber together, and I laid out the priorities for the state. And I'm pleased to say that you all have made tremendous progress on those priorities. The foundation of all of our work together begins with the budget. And I want to thank Senator Stinner and the Appropriations Committee for their great work. They took my budget recommendations and crafted a budget that provides for the important services we do at the state of Nebraska, while continuing to control spending to 2.4 percent average annual growth. Can we give the Appropriations Committee and Senator Stinner a round of applause? That is great work. And indeed, if you look at the four budgets that we have passed together, these biennium budgets, the average annual growth across those four budgets is less than 2.5 percent. And because we have continued to control spending, we have been able to work together to deliver tax relief. Last year, then Speaker Scheer brought forward LB1107. And in this year's budget, LB1107 will provide over \$430 million in property tax relief in each year through that refundable income tax credit. It's going to get better, though, because when you combine that with the increases you all provided in the property tax credit relief fund and the Homestead Exemption, that means in this biennial budget this body will provide to Nebraskans nearly \$1.7 billion in property tax relief over the course of the next two years. In addition to that tax relief, I want to thank Senator Brewer. He has been working to provide tax relief to our veterans. As many of you know, five of the six surrounding states which do not tax military retirement benefits. Senator Brewer starting last year getting half of it, this year coming back and getting the other half, has been able to make it so Nebraska can now be competitive by not taxing those military retirement benefits. That will allow us to be able to hold on to those veterans, who we know contributes so much to our state, and be able to help us continue to grow. But again, that's not all. Senator Linehan and her Revenue Committee have worked on and passed out bills to provide tax relief for Social Security, for business tax rates, for agriculture, for ethanol and for our residents here in the state. And when you combine all of this together, this body will provide over \$1.8 billion in tax relief over the course of the next two years. Folks, that's historic, this is the most, the biggest, the great amount, the greatest amount of tax relief any Legislature has done in a quarter century and potentially in the history of the state of Nebraska. If you look at our budget, 18.5 percent of our budget will be going to tax relief over the course of this next biennium on an average annual basis. That is fantastic work. Congratulations on what you are doing for the citizens of Nebraska. Give yourselves a round of applause, that's a good one. And in addition to that historic tax relief, you have

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continued to invest in our state and our people. I want to thank Senator Friesen and Speaker Hilgers for bringing forward the Nebraska rural Broadband Bridge Act. That will invest \$20 million in each of the next two years in helping connect households here in Nebraska with that broadband access. Now, last year we used nearly \$30 million of the CARES Act money to start connecting 17,600 households. We have about 80,000 households in our state who do not have that FCC minimum of 25 megabit download speed and 3 megabit upload speed. The rural Broadband Bridge Act will help connect another 30,000 households at 100 megabit download, 100 megabit upload, thus planning for the future. To allow these households to be able to work from home, have telehealth, do homework, e-commerce and entertainment. Now, there is more work to do. While this will help us get about half of those households, we still have to get to the other half. To allow them to have that broadband access so we can grow our entire state. But again, thank you to Sarah Friesen and Speaker Hilgers for your great work. In addition, Senator Sanders brought forward and passed a bill that will allow the spouses of active duty military who have a teaching license in another state to come to our state, get that license and help immediately contribute to our state and to their families by becoming teachers. Thank you, Senator Sanders. Senator Murman brought forward a bill that will allow most health care professionals who have that license in another state to come to Nebraska and get that reciprocity so they can start keeping Nebraskans healthy and contribute to their families. Thank you, Senator Murman. And of course, I would be remiss if I didn't mention carryout alcohol. This was something that we did as an emergency measure last year to allow restaurants and bars to be able to do that, carryout alcohol, to help them get through the pandemic. And this year, Senator Geist and Senator Lowe brought forward a package that will make that permanent, and by the way, that was probably the most popular thing I've ever done as Governor, make that permanent for our restaurants and bars to help them continue to recover as we go through this pandemic, as well as other great reforms to the Liquor Commission. Thank you, senators, for your great work. This has been indeed a historic session of the Legislature. But there is still more work to do. Property tax bills in the state continue to go up. Over the last 10 years, average annual increases in property tax bills have gone up 4.3 percent. Now, that may not sound like much, but when you compound that over 10 years, that means a person's property tax bill went up nearly 52 percent. This is why Nebraskans are mad. This mod-- this body must take up in the future the-- some bill to slow the growth of those local jurisdiction property tax bills. And, of course, we will all be back here in the fall to take the census data and work on redistricting for the next decade of

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elections here in the state. I also would again take this opportunity to thank this body for their work, your work over the course of this pandemic. Last year, your quick and decisive action provided assistance to the Department of Health and Human Services, the National Guard, Department of Labor, Department of Administrative Services to be able to help us respond back to the pandemic. And because of your actions, we were able to take the steps to preserve our hospital capacity. Throughout the pandemic, we were always able to provide that hospital bed, that ICU bed or that ventilator to anybody who needed it when they needed it. And that has allowed us, according to the Kaiser, Kaiser Family Foundation, to have one of the lowest fatality rates from coronavirus of any state in the nation. Because of the great work of our educators, we have one of the highest rates of kids in classrooms, classrooms throughout the course of this last school year. And we had the lowest unemployment rate on average of any state in the nation throughout 2020. And we've got the lowest unemployment rate in the country today. Nebraskans stepped up. Nebraskans do what they always do, they take care of their neighbors. They found ways to adapt their business practices. They changed what they were doing in their lives to slow down the spread of the virus. And Nebraskans just demonstrated once again why Nebraska is what America is supposed to be. This weekend we will be celebrating Memorial Day. As we reflect upon the men and women who have worn our nation's cloth and who have sacrificed, and indeed even given the ultimate sacrifice, to ensure the freedoms we have here today, I want to ask all Nebraskans to remember two of our fallen heroes. Recently, we had Peace Officers Memorial Day and we remembered State Trooper Jerry Smith, who in 2019 died in the line of duty while patrolling our state's highways. And last year we lost Investigator Mario Herrera of the Lincoln Police Department, who died in the line of duty of a gunshot wound while serving an arrest warrant. These two men represent the highest ideals, of our values here in the state of Nebraska: bravery, service, sacrifice. Please remember them this Memorial Day weekend as well and keep their families in your prayers. Once again, I want to thank you for the historic work that you all did in this legislative session. Thank you for working on behalf of the people of our great state. We all know that you sacrifice as well. You take time away from your careers and your families to be able to do the people's work here. On behalf of all Nebraskans, thank you for what you do. God bless you all and God bless the great state of Nebraska.

FOLEY: Would the escort committee, please assist the Governors as he departs the Chamber. Thank you. Items for the record, please.

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CLERK: Mr. President, just one item, the Government, Military and Veterans Affairs Committee reports LR14 to General File, signed by Senator Brewer as Chair. That's all that I have, Mr. President, thank you.

FOLEY: Thank you, Mr. Clerk. Members, the next agenda item as a motion in preparation of sine die. Speaker Hilgers, you're recognized.

HILGERS: Thank you, Mr. President. Good morning, colleagues. I move to suspend Rule 6, Sections 3 and 5, and Rule 7, Sections 3 and 7, and to indefinitely postpone the following bills whose provisions have been included in other enacted legislation or whose companion bill has been indefinitely postponed: LB99, LB161, LB162, LB189, LB218, LB254, LB288, LB295, LB316, LB354, LB365, LB415, LB549, LB556, LB570 and LB647.

FOLEY: Thank you, Mr. Speaker. Members, you've heard the motion. Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

CLERK: 47 ayes, 1 nay on the motion to indefinitely postpone the bills.

FOLEY: The motion has been adopted. Speaker Hilgers, you're recognized.

HILGERS: Thank you, Mr. President. Good morning, colleagues. I just want to take a minute or two to reflect on our time here over the last session. I was told just a second ago that all I needed to do was say goodbye, which is very tempting, actually, Senator Blood. But I do think it's appropriate here to just take a minute before we rush off into the interim to both thank the people who made all this possible and also reflect on the accomplishments of the One Hundred Seventh Legislature, First Session. I think the Governor used the term "historic." And I think as you look through what we have done this year, I think that is a term that is actually very appropriate. But if you think about the theme of this session, I think the first theme that I think of is that there was actually a session at all, or at least a session that was, was not interrupted. If you go back in time to December and January of this year, there was a real concern that we wouldn't be able to-- we might gavel in at the beginning of January and then suspend immediately, or that we at various times might have to stop our work and not complete it. And we were able to continue uninterrupted for the entirety of the session. And I think that is an incredible testament to the work that we've done here. But in

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particular, I got-- I have to say and thank again the committee staff, the committee clerks in particular, as well as you all for doing the all-day committee hearings. Those, the things that we put in place with all the committee hearings, written submitted testimony, everything else that made life so difficult for so many were really the keys to be allow us to get our work done. And so I know we don't have any staff on the floor now. We will when we reconvene next year. But if we could, I know they hear us now, so if we could give them a round of applause for all their work, I would appreciate it. And while I am doing thank yous, I think it would be appropriate to start with some additional thank yous of people whose work makes our work possible, and I'll start with the people who we see or interact with, I think, every day. So first, the Clerk of the Legislature, Patrick, and his entire team back there have done an incredible job this year. Also, an incredible page class under Jenni Svehla. Let's give them a round of applause. The Sergeant at Arms under Mr. Doug Donscheski, and also the State Patrol for keeping us safe. And I'd also like to recognize two of our divisions that we see a lot, especially in this year, the Revisor's, of course, with Marcia McClurg and her team, as well as the Fiscal Office who did yeoman's work this year under Tom Bergquist. Let's give them a round of applause. And I would be remiss, if we're talking about the people who have helped us do our work here in within the four corners, four walls of this Chamber, I'd be remiss if I didn't also thank our Lieutenant Governor who has presided over a number of days here. A couple more thank yous, and I appreciate, I appreciate everyone's enthusiasm for the rounds of applause here as we get to the end. I do want to thank all the other divisions who maybe we don't see here every day, but just do incredible, incredible and very important work. And I'm going to list them here briefly and then we could give them one round, if that's OK. Legislative Accounting under Diane Nickolite; Legislative Research under their new director, Ben Thompson, who we will be seeing a lot of in September; as well as Performance Audit under Martha Carter; and of course, our public council under Julie Rogers. If we could give all of them a round of applause as well. I also need to think, I guess they're not NET anymore, NPM, I think is their name. It takes a little getting used to. They provided gavel-to-gavel coverage of what we do here. And I know a lot of times we think about the conversations we're having here amongst the senators of the body, but I know so many people around the, all of, all corners of the state watch the work that we do here, and that provides such an incredible valuable service to Nebraskans. So I really am grateful for the work that they've done. And the last thank you, I think, unless someone-- no one's on the floor to remind me that I miss somebody, that's the hard work with thank yous, you

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don't want to miss anyone. I want to give a personal thank you to all of the-- Adam says to thank-- Senator Morfeld-- I want to thank all the personal staff, the committee staff, I know in each of your offices they've done incredible work. I want to personally thank the staff in my office, Laurie Weber, Patti Way, Bo Ballard, who really have done an incredible job. This has been an incredibly difficult session with COVID, with all the hearings, with a tremendous number of late nights. And we could not have been successful or have anything remotely approaching a historic session without the work of all of our teams. And so let's give them one last round too. Colleagues, I took some time to think about and look at kind of what we've accomplished. I think we, we-- oftentimes, at least I do, you think of the agenda each day, you sort of look at what's in front of you. And I think it's worthwhile to take a step back. And I would encourage all of you actually to get a list of all the Final Reading bills that were passed this year. And it's a really an incredible corpus of bills and legislation that this body has produced, most of which I think were passed without any dissenting votes, something that we should all be very proud of. But as I went through it, there are several things that I just want to identify, some categories, some themes that struck to me, that struck out to me as I look through those bills, and I think are worth highlighting that maybe I don't want to get lost in sort of the what we're doing here. And I think whenever you come up with a list like this, it's hard, because we've had a lot of bills passed. If you don't list one, it doesn't mean it's not important. And it also doesn't mean that some of the conversations that we've had that, that didn't necessarily turn into successful legislation weren't in itself important. You could think about Senator Erdman's consumption tax as an example of something that really sparked a big picture conversation. Senator Wayne on numerous occasions has, I think, has made us think outside of the context of the bills in front of us about how we should be thinking differently about how to approach solving the problems for Nebraskans across the state. So in giving you this list, or at least these are just my reflections on what I saw and the successes that we should all be proud of, but they're certainly not comprehensive. First, I do want to acknowledge, and I know we got, we gave him a round of applause before, and he took a moment last week to be able to talk about the work of the Appropriations Committee, but I think this is one of the best budgets that we've produced in recent times here in Nebraska. It's maybe one of the best budgets you could point to across the state. To have a balanced budget with 2 percent growth while also funding a lot of priorities here, fully funding TEEOSA, giving provider rate increases. You know, we took care of the foster care parents there at the end, as well as all of the property

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tax relief, amongst many other priorities that this state funded from the, from the Appropriations Committee led by Chairman Stinner did an incredible job. And I think they, their work should not go unnoticed. And I know we've clapped for them a few times, but I think this is worth another round of applause for their work. The other side of the fiscal ledger on tax cuts, Senator Linehan and the Revenue Committee, did-- you look at what we've done, I think it's the most consequential series of tax cuts bills that this, that this Legislature has passed maybe in decades. We talk about military retirement, we talk about Social Security with Senator Lindstrom, cutting taxes on inputs, cutting taxes on water, Senator Wayne's bill. All of these things, I think, help make Nebraska more competitive and more affordable. And it would not have happened without the great work of Senator Linehan, but her entire committee working together to make sure good legislation got to the floor and got passed. And so I think that is worthy of recognition as well. A few other categories I just want to highlight. As you go through, I think one thing that struck me was that this, this body was a leader this year in emerging technologies across the country. Senator Bostelman, LB84, had a bill on the modular nuclear technology, something that I have never heard of but is incredibly fascinating. I think it could be a game-changer over the next 10 years. Senator Flood had two bills. He had the carbon sequestration bill and the cryptocurrency depository, Senator Williams, is that right? The depository, not a bank, depository that we passed as LB649 and 650. Those are first-in-the-nation type of bills, and I think it shows that this body can lead on those emerging technologies. And I'm excited to see what those bills produce over the coming years. In addition, and I think this is really important for me, and I think for, probably for all of us. You know, one of the challenges here sometimes is to make sure we're always thinking statewide. You know, we represent individual districts and it's important to make sure that we are always thinking about everyone in the state of Nebraska. And there's a series of bills, I think the twin bills, LB40 from Senator Groene and then LB544 from Senator Wayne that made sure that this body was fulfilling its commitment to make sure that communities outside of maybe just metropolitan Omaha or Lincoln were, were con-- helped and considered in the work that we do here. And both of those bills that will invest in the economies of north Omaha and greater Nebraska, I think are very important and consequential. And I would also say LB388, Senator Friesen's bill on the Broadband, Broadband Bridge Act, I think is going to make a tremendous difference for families and businesses across the state of Nebraska. And I think we should all be very proud of, of those efforts. In addition, what I saw was that this body also thought about the next generation of students and what we

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should be teaching them. And I think very smart and important ways. Senator McKinney, his financial literacy bill, I think will impact the lives of hundreds, if not thousands, if not more for the next generation of students. Senator Brandt, with his farm to school bill, a bill that I just, I thought was incredibly innovative, incredibly smart, very proud to see that get across the finish line, and I think is going to help form that next generation of ag leaders. It's such an important thing to be able to bridge our ag community with, with our school system. And so I thought those were outstanding bills as well. It was also great to see coming out of the pandemic we had this series of innovations, I think, out of necessity with regulations, some of which you heard the Governor mention, that this body made permanent. So we had a bill allowing for a virtual open meetings for certain public political subdivisions, LB83. Senator Arch's LB400 on telemedicine, something that we now kind of take for granted now. But a year or two ago, that wasn't something that was permanent in the state of Nebraska. That's going to impact lives. We've heard about Senator Geist's to-go alcohol bill. Something that was done in the pandemic, proved to be incredibly popular. This body made that permanent. And Senator Briese's work working with Senator Lathrop and the Judiciary Committee getting some protections on COVID liability, which is a lot of concern to businesses and organizations around the state. In addition, I think the, the focus of this body on military families, we know how important military families, military missions are to the state of Nebraska. But if you look at the whole body of work from so many different senators, we should all be very proud about the work we've done here. You heard about Senator Brewer and Senator Gragert's military retirement. We all know about that. But in addition, Senator Vargas had a bill to help military service members get into higher education, qualified service members be admitted into the higher education here in Nebraska. That, I think, is going to make a real difference for military families. Senator Blood had her Purple Heart schools act, which is going to support not just the family members, but their children, and provide military liaisons within schools to help make sure that those kids are well-served. Senator Sanders had a really critical piece of legislation to, to help the spouses of military members and be able to practice their licenses here in Nebraska. I think the commitment of this state to our military families, I think is second to none. And those bills are just a small reflection of that. I think probably last on my list, certainly not least, and maybe there are more on your list. I think it's, it is, I think it's important to highlight the work that Senator Briese and the General Affairs Committee, as well as other advocates on the floor, like Senator John Cavanaugh, Senator Lathrop and others, Senator

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Bostelman, Senator Pansing Brooks, getting LB561 to the finish line. The will of-- the people in Nebraska spoke in November. They told us what, what they wanted and this body came through with, I think, a very sound and sensible set of regulations to make sure that got implemented. No matter what we felt about the underlying policy, we got really good legislation across the finish line. And that is absolutely to the credit of the General Affairs Committee and Senator Briese. And I think that is also worth highlighting. There's a lot more to talk about the session, but we all want to get out of here. And I think it's kind of, now it's time to turn our eyes to the interim. It's our only interim of this biennium, and I think it's an important, very important one. If this Legislature wants to be as transformative, transformative as I believe that it can be, we have to start with an historic first session, but we have to end with the transformative second session. And we were robbed because of the pandemic of, of an interim last year, it was taken away from us. This is our only opportunity, colleagues, to work together to think about the issues and plan and prepare and strategize for next year to make a big difference for Nebraskans, which I know we can do. As we look to that interim, I want to make a point about the schedule. I've had a lot of question-- we're going to see each other again, probably sooner than we all want to, want to, at least here. I think we all want to go home and not come back till January. Unfortunately, that won't be the case. We will be in special session later this year. For those of you who asked, it is likely, but not certain, because it's not within my control entirely, that we will be in special session in mid-September, in mid-September. And the reason is we have to complete our work in order for the Secretary of State and the local political subdivisions to do their work really by October 1. On the other hand, we're not getting the data from the U.S. Census Bureau in order to do redistricting until what we project currently is mid-August. It doesn't leave a very big window. So within the window, as we currently understand it, we will be here in mid-September. That absolutely can change. So I'm asking you to hold that open, but I'm also asking for your flexibility if we need to change either way. It's not within our control. It depends on what the U.S. Census Bureau does. So we will be coming back after hopefully a long and enjoyable summer thinking about bills, relaxing with our families, getting to work in our communities. But we will be coming back. And I will just say this, as we go to next year, I think-- I hope everyone here feels urgency. We should feel urgency on the issues. We know we're living in a time right now where the tectonic plates of society are shifting and moving in ways that they haven't in years and decades, or in some cases, not ever. They've created challenges, but I think also opportunities for the people in

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our districts and our communities in the state of Nebraska. I think there's opportunities to seize those. We should feel urgency going into next year because of the issues. We should also feel urgency, in my opinion, for next year because this body is going to change in two years. This is a family of 49 people, but it's a family that after a couple of years, people leave and new people come in. We know within this current set of 49, and we've shown it, that when we work together, we can do transformative things. We've done it this year. But in two years, after 2022, we're going to lose a lot of experience and a lot of really talented colleagues who are going to be out the door after 2022 because of term limits. We should feel urgency within this group to make the most out of what we have next year. As we go towards 2022, my, what I, my role over the summer and the fall is to do everything I can to help challenge you, help unlock obstacles that are in front of you, help you in any way that I can as we look to the horizon and really try to have a visionary approach to the session next year. So you're going to hear from me a lot over the summer. I'm going to give everyone a few days. Some people said they only need the weekend. Some people said, Senator Linehan, all of June. Don't call me for a month. More than fair. But you're going to hear, you're going to hear a lot from me, because I expect that Nebraskans are going to hear from us next year and we're going to come to play in 2022, the second half of this session, and truly make the One Hundred Seventh Legislature transformative. Thank you for the amazing work this year. Have a wonderful summer, a wonderful interim. And we will see each other all again very soon. Thank you, Mr. President.

FOLEY: Thank you, Mr. Speaker. Members, we have two additional motions for sine die, the first of which will come from Senator McKinney.

McKINNEY: Mr. President, I move that the Legislature approve the preparation and printing of the permanent Legislative Journal, Session Laws, and Indexes by Patrick J. O'Donnell, and that he be directed to send each member of the Legislature a copy of the permanent Legislative Journal and Session Laws.

FOLEY: Thank you, Senator McKinney. Members, you have heard the motion. Those in favor say aye. Those opposed say nay. The motion is approved. And the final motion, Senator Erdman.

ERDMAN: Thank you, Lieutenant Governor. I move the Journal of the Eighty-Fourth Day as prepared by the Clerk of the Legislature be approved and that 100-- the One Hundred Seventh Legislature, First Session of the Nebraska Legislature, having finished all his business before now, at 10:14 [SIC] a.m., adjourn sine die.

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FOLEY: Thank you, Senator Erdman. Members, you've heard the motion. Those in favor say aye. Those opposed say nay. We are adjourned sine die.