

Transcript Prepared by Clerk of the Legislature Transcribers Office

Floor Debate January 20, 2022

Rough Draft

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

**ERDMAN:** Let us pray. Lord, we thank you for this day and we thank you for seasons, even though the one that we don't enjoy the most, we do appreciate the fact of the change and we pray you'd be with those who work in the cold, those who take care of their animals, those who are required to keep our electricity on, those who protect our freedoms. We pray for all those who are out doing the necessary things to keep us safe. We thank you for this opportunity to make laws here that are good for the citizens of the state of Nebraska. We pray you give us the wisdom to do that, that when we are done this year, they would say it has been a good season and they did things to help us. Lord, we also thank you for our founding fathers who had the wisdom, the strength, and the courage to set up this republic. And remember, the words of Benjamin Franklin said, it is a great republic if we can keep it. And so we pray that you would give us today the wisdom, the strength, and the courage to keep it. We ask these things in Jesus' name. Amen.

**HUGHES:** Thank you, Senator Erdman. I recognize Senator Clements for the Pledge of Allegiance.

**CLEMENTS:** Thank you, Mr. President. 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.

**HUGHES:** Thank you. I call to order the tenth day of the One Hundred Seventh Legislature, Second Session. Senators, please record your presence. Roll call.

**ASSISTANT CLERK:** This is a test.

**HUGHES:** Test one, two, three. Mr. Clerk, please record.

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

**HUGHES:** Thank you, Mr. Clerk. Any-- are there any corrections for the Journal?

**ASSISTANT CLERK:** No corrections this morning.

**HUGHES:** Thank you. Are there any message, reports or announcements?

**ASSISTANT CLERK:** Two items, Mr. President. I have a Reference report for day eight, as filed by the Executive Board, and a cancelation of public hearing by the Transportation and Telecommunications Committee. That's all I have at this time.

**HUGHES:** Thank you, Mr. Clerk. Colleagues, Senator Vargas would like to recognize Dr. Theresa Hatcher of Omaha, who is serving as the family physician of the day on behalf of the Nebraska Academy of Family Physicians. Dr. Hatcher, if you would please rise to be recognized by your Nebraska Legislature? Mr. Clerk, introduction of new bills.

**ASSISTANT CLERK:** Thank you, Mr. President. New bills: LB1187 by Senator Flood. It's a bill for an act relating to banking and finance; to change provisions relating to controllable electronic records; repeal the original sections; declare an emergency. LB1188 by Senator Flood. It's a bill for an act relating to personal data; to adopt the Uniform Personal Data Protection Act; to provide an operative date; to provide severability. LB1189, Senator Flood, a bill for an act relating to sanitary drainage districts; to provide for the distribution of funds and property and provide liability for debts and obligations upon this continues through certain disasters as prescribed. LB1190 by Senator Lathrop. It's a bill for an act relating to Medicare Supplement Insurance Minimum Standards Act; change provisions relating to the requirements for issues of medicare supplement insurance policies, certificates of coverage of individuals under sixty-five years of age who are eligible for medicare by reason of disability; harmonize provisions; repeal the original sections. LB1181, Senator Brewer. It's a bill for an act relating to appropriations; to appropriate federal funds to the Commission on Indian Affairs; and declare an emergency. LB1192, Senator McDonnell. It's a bill for an act relating to children and families; provide for a temporary injunction upon filing for dissolution of marriage or legal separation; provide for presumption of joint legal custody and equal parenting time; to require the filing of reports; provide duties for the State Court Administrator; and repeal the original sections. LB1193, Senator MacDonald, a bill for an act relating to appropriations; to provide limitations on appropriation of federal funds; declare an emergency. LB1194, Senator McDonnell, a bill for an act relating to appropriations; to appropriate federal funds to the Public Service Commission; declare an emergency. LB1195, Senator McDonnell, a bill for an act of relating to appropriations; to appropriate federal funds to the Department of Economic Development; declare an emergency.

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LB1196, Senator McDonnell, a bill for an act relating to appropriations; to appropriate federal funds to the Department of Economic Development; declare an emergency. LB1197 by Senator McDonnell. It's a bill for an act relating to appropriations; to appropriate funds to the Department of Correctional Services. LB1198, Senator McDonnell. It's a bill for an act relating to appropriations; to appropriate federal funds to the State Department of Education; and declare an emergency. LB1199 by Senator McDonnell. It's a bill for an act relating to appropriations; to appropriate federal funds to the Department of Administrative Services; and to declare an emergency. That's all I have at this time, Mr. President.

**HUGHES:** Thank you, Mr. Clerk. We'll now proceed to General File, LB496A.

**ASSISTANT CLERK:** LB496A, offered by Senator Hilkemann. It's a bill for an act relating to appropriations; to appropriate funds to carry out the provisions of LB496. One Hundred Seventh Legislature, First Session, 2021. The bill was read for the first time on April 29, 2021. It is on General File.

**HUGHES:** Senator Hilkemann, you're recognized open on LB496A.

**HILKEMANN:** Thank you, Mr. President. LB496A appropriates General Funds to the State Patrol in the amount of \$423,846 for the first fiscal year and \$829,692 for the next fiscal year. Since the bill has an operative date of January 1, the first amount reflects for the physical impact for half of that year. Now the A bill also-- this is important-- transfers these same dollar amounts from the State Settlement Cash Fund to the General Fund so that there is no General Fund impact with this bill. You might see that the dates in the A bill cover fiscal years 2001 [SIC] and '22 and '22 and '23. Since a year has passed since the introduction of this bill, I have offered AM1580, which simply moves these dates one year into the future. You know, I appreciate the support of everyone who supported cloture on LB496 yesterday. I also greatly appreciate the kind words about me from some of those who opposed the bill yesterday. We disagreed on things yesterday, but I felt that the mood in the Chamber was collegial, a good reminder of how we are when we are at our best. I ask for your support of LB496A and I do fully intend to work with anyone who is willing to-- on ways to improve LB496 if they think that's-- that we need to do that between Select and Final Reading and I'd be most happy to work with you on that. I thank you, Mr. Chairman-- Mr. President.

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**HUGHES:** Thank you, Senator Hilkemann. Mr. Clerk for amendments.

**ASSISTANT CLERK:** Mr. President, Senator Hunt would move to amend with AM1397.

**HUGHES:** Senator Hunt, you're welcome to open on AM1397.

**HUNT:** Thank you, Mr. President. I'm still in opposition to LB496 and I don't think that we should take it to Final Reading. I think it's not going to be a good use of time, but I'd like to withdraw that amendment at this time.

**HUGHES:** LB-- I'm sorry. The amendment is withdrawn. Amendments, Mr. Clerk.

**ASSISTANT CLERK:** Mr. President, the next amendment from Senator Hunt is AM1398.

**HUGHES:** Senator Hunt, you're recognized to open on AM1398.

**HUNT:** Thank you, Mr. President. Let me see how many amendments I put on this. A lot, they say. I'll, I'll withdraw this amendment as well. Thank you.

**HUGHES:** The amendment is withdrawn. Mr. Clerk.

**ASSISTANT CLERK:** In that case, Mr. President, Senator Hunt would offer AM1399.

**HUGHES:** Senator Hunt, you're welcome to open on your amendment, AM1399.

**HUNT:** Thank you, Mr. President. I'll withdraw this amendment as well. Thank you.

**HUGHES:** LB1399 [SIC] is withdrawn. Mr. Clerk.

**ASSISTANT CLERK:** Mr. President, next amendment, offered by Senator Hilkemann, AM1580.

**HUGHES:** Senator Hilkemann, you're welcome to open on AM1580.

**HILKEMANN:** I already addressed this in my opening. This simply changes the date one year into the future and I ask your affirmative vote on AM1580. Thank you.

**HUGHES:** Thank you, Senator Hilkemann. Senator McKinney, you're recognized.

**McKINNEY:** Thank you. I rise in opposition to AM1580 and I'm still opposed to LB496, but I rise because it was brought to my attention-- and I thought everybody knew it. I walked-- we walked out of here yesterday and somebody from the media walked up to me and was like, hey, I didn't know the CJI report was released. I was like, oh, I thought you knew. But apparently a lot of people didn't know the CJI report was, was released so I'll just read the executive summary and what those recommendations were since most people-- I guess the public probably isn't aware either so I'll read the executive summary. So against national trends, Nebraska's incarceration, incarceration rate has been increasing over the last decade. Nebraska's prison-- imprisonment rate increased 17 percent since 2011, while the national imprisonment rate steadily decreased over this period. While the state increased Corrections spending to account for the growing prison population. Arrest rates decreased and crime rates remain relatively steady. Despite these trends and increased spending, recidivism rates increased. In 2020, Nebraska was just one of four states that, that saw its incarcerate-- incarceration rate increase. In order to prioritize public safety and effectively reduce recidivism, in April 2021, leaders from all three branches of the government came together to request technical assistance through the Justice Reinvestment Initiative, a public-private partnership between the Bureau of Justice Assistance and Pew Charitable Trusts. Together, Governor Pete Ricketts, Chief Justice Mike Heavican, Speaker Mike Hilgers, and Judiciary Chairman Steve Lathrop established the Nebraska Criminal Justice Reinvestment Working Group and charged the working group to use Nebraska's criminal justice data and criminological research to develop comprehensive recidivism reduction strategies and shift resources towards more cost-effective public safety strategies. Over six-- over a six-month period, the working group met multiple times to analyze data from Nebraska's criminal justice agencies, review the most current research on sentencing, corrections, and supervision practices, and develop policy options. The working group's analysis concluded that while admissions to prisons have decreased 21 percent since 2011, pre-COVID admissions have been steadily increasing by 11 percent from 2015 to 2019. More than half of initial prison admissions were for non-prison, non-sex offenses-- non-person, non-sex offenses in 2020. The length of stay for incarceration-- incarcerated individuals at NDCS had increased 38 percent in the last decade, driven largely by increasing sentencing lengths and decreasing parole

rates. Parole grant rates have decreased in just three years from 78 percent in 2018 to 58 percent in 2020. Nebraska increasingly using probate-- is increasingly using probation as a prison alternative, with 75 percent of all probation cases not revoked and a declining share of technical violations sent, sent to NDCS. In spite of these successes, technical revocations represent about 40 percent of the revocation reasons in 2020, highlighting the importance of sustained investment in community-based alternatives and treatment resources to address the behavioral health needs within the probation population. Similarly, of those supervised on parole--

**HUGHES:** One minute.

**McKINNEY:** --more than 40 percent of revocations were for technical violations in 2020. These trends, these trends come at a great cost to the state, with corrections expenditures growing over 50 percent since 2011 to more than \$270 million in 2020. In spite of this investment, recidivism rates have, recidivism rates have increased over time, with 30 percent of those released in 2018 returning to NDCS custody of up 4, 4 percentage points from 2008. And I'll get back on the mike later or now. I don't know if I'm the only one, but--

**HUGHES:** You have 16 seconds left.

**McKINNEY:** All right. Well, I'll come back.

**HUGHES:** Thank you, Senator McKinney. Senator Groene, you're recognized.

**GROENE:** Thank you, Mr. President. I've sat quietly on this debate, but I've held the same position I have since last year. And what keeps coming to my mind is my friends-- and my friends in law enforcement didn't understand why I wouldn't support this. What keeps coming back to my mind are these words in Fourth Amendment of the Constitution, the right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures shall not be violated and no warrants shall issue upon probable cause supported by oath or, or affirmation any-- and particularly describing the place to be searched and the persons or things to be seized. I have no idea how the Supreme Court of the United States ever ruled with what is happening is constitutional. To my righteous friends who wants to find that one rapist, people have rights. People have rights. I see a foot in the door here. Technology is moving so fast. I see a national registry of DNA. We will no longer need a census anymore. We can

eliminate "heretical" diseases-- hereditary diseases. Imagine if the Nazis would have had this. They could attract the Jews really easy. And I'm sure some people were gassed and killed by the Nazis who weren't really Jews, but we could have saved some innocent ones back then, couldn't they, by making sure they had the right people. This is going down the wrong path, to take a DNA from somebody and then to search illegally-- a crime that they are not accused of at present is not the America I believe in. So I will not support this. I will never support this type of behavior. You anti-vaxxers, those vaccines now are gene related. Be quite easy to check a person's DNA and say, have you-- if you've been vaccinated or not. How far do you want to go to find one criminal? How much freedom do you want to give up? I see collegiality-- I define it differently. I see nonpartisan differently. You look, there are four or five senators on there that are hard-core conservatives did not support this thing. That's nonpartisan, but I seen on the other side with vote trades and I can track them. If this is your definition of collegiality, I don't want nothing to do with it. Thank you.

**HUGHES:** Thank you, Senator Groene. Senator McKinney, you're recognized.

**McKINNEY:** Thank you again. I'm still opposed to AM1580 in LB496. I just disagree with anybody being able to take anyone's DNA. So the CJI working group came up with some policy options and I'll go through them hopefully-- yeah. Well, not hopefully, but I will. So option one: establish a streamlined parole process for certain eligible individuals. This was a consensus option, option. So for clarity, there were 17 consensus options and there were four nonconsensus options from the CJI task force. Option number two: increase investment in assistant probation officer positions who can provide direct support to probation officers supervising high-risk case loads. Option three: establish supportive housing programs for individuals on supervision in the community. Option four: create statewide standards for the use of early probation discharge. Option five: narrow broad sentencing ranges, ranges by tailoring punishment to specific levels of seriousness. Consensus reached on burglary and low-level theft charges, but not on drug possessions. Option six: reduce jamming out releases. Option seven: increase education for stakeholders about young adults involved in the criminal justice system. Option eight: expand problem-solving courts. Option nine: improve reentry practice, practices for those being released from prison. Option ten: remove the barrier of criminal conviction for individuals who are successful on supervision. Option 11: invest in tangible incentives to motivate

compliance while on community supervision. Option 12: prioritize restitution of victims of crime. Option 13: increase state incentives for students in Nebraska pursuing careers in behavioral health to provide care in designated shortages-- shortage areas across the state. Option 14: utilize county and district courts as physical access centers for virtual behavioral health treatment for individuals on community supervision. Option 15: expand the use of sentencing alternatives. Option 16: create statewide standards for diversion programs and reinvest in funding into judicial, judicial districts to administer such programs. Now onto the nonconsensus items. Option 17: appoint a working group to reach-- no, this is not-- no, this is still the consensus items, sorry. Option 17: appoint the working group to reconvene to review the implementation and fidelity of the reforms resulting from this effort. Now the nonconsensus items: create geriatric patrol mechanism. Option 19: modify drug possession penalties. Option 20: discourage the use of mandatory minimum sentences for nonviolent felonies and allow credit to be earned during a mandatory term towards the nonmandatory portion of a sentence. Option 21: ensure consecutive sentences are used consistently and appropriately across the state. Before I finish, I just really hope that before this session ends, we get all these passed because I think it's very important, especially since other senators are supportive of a bill that would disproportionately affect a large population of our state, one in which I represent. So I'm hopeful that we could get these reforms passed and across the table also because there's potential for another prison to be built in the state--

**HUGHES:** One minute.

**McKINNEY:** --in which I strongly oppose as well. So I hope you all support the reforms since you all support LB496. Thank you.

**HUGHES:** Thank you, Senator McKinney. Senator Wayne, you're recognized.

**WAYNE:** Senator McKinney-- thank you, Mr. President-- do you want more time? I was just going to yield you time. Oh. Have a good day.

**HUGHES:** Seeing no one else in the queue, Senator Hilkemann, you're welcome to close on LB496A or AM-- excuse me, AM1580. Senator Hilkemann waives closing. Colleagues, the question before us is the adoption of AM1580 to LB496A. All those in favor vote aye; all those opposed vote nay. Senator Hilkemann.

**HILKEMAN:** Yes, I'd like to have a call of the house, please.

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**HUGHES:** There's been a request to place to the house under call. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

**ASSISTANT CLERK:** 23 ayes, 1 nay to go under call.

**HUGHES:** The house is under call. Senators, please record your presence. Those unexcused senators outside the Chamber, please return to the Chamber and record your presence. All unauthorized personnel, please leave the floor. The house is under call. Senator Groene, would you please check in? Senator Erdman, please check in. Senator Hilkemann, will you accept call-in votes?

**HILKEMANN:** Yeah, we can accept call in.

**ASSISTANT CLERK:** Senator Kolterman voting yes. Senator Brewer voting yes.

**HUGHES:** Record, Mr. Clerk.

**ASSISTANT CLERK:** 25 ayes, 2 nays on the adoption of the amendment.

**HUGHES:** AM1580 is adopted. Colleagues, the next vote is the advancement of LB496A as amended. All those in favor of vote aye; all those opposed to vote nay. Have you all voted? Record, Mr. Clerk.

**ASSISTANT CLERK:** 28 ayes, 7 nays on the motion to advance the bill.

**HUGHES:** LB496A is advanced. I raise the call. The next item, Mr. Clerk. Yes, new bills, please.

**ASSISTANT CLERK:** Mr. President, new bills. LB1200 by Senator Halloran. It's a bill for an act related civil actions; to adopt the State and Political Subdivision Child Sexual Abuse Liability Act; change provisions relating to the statute of limitations for action by child sexual abuse victims; to exempt actions for political subdivisions in State Tort Claims Ac; to harmonize provisions; repeal the original sections. LB1201 by Senator DeBoer. It's a bill for an relating to appropriations; to appropriate funds to the Department of Health and Human Services; declare an emergency. LB1202, Senator Day. It's a bill for an act relating to appropriations; to appropriate federal funds to the Department of Economic Development. LB1203 by Senator Briese. It's a bill for an act relating appropriations; to appropriate funds for child care. LB1204 by Senator Briese. It's a bill for an act relating to the Nebraska Liquor Control Act; change provisions relating to

application forms, delivery methods licensed warning signs; to harmonize provisions; repeal the original sections. LB1205 by Senator McKinney. It's a bill for an act relating to Nebraska Historical Society; to create a fund; to provide duties for the Nebraska State Historical Society; provide for the development of the Ernie Chambers History Arts-Humanities Museum. LB1206 by Senator Kolterman. It's a bill for an act relating to appropriations; to appropriate federal funds to the Board of Trustees of the Nebraska State Colleges. LB1207 by Senator Groene. It's a bill for an act relating to school funding; change provisions relating to property tax valuation, levies, and the base limitation; change provisions relating to Tax Equity and Educational Opportunity Support Act; provide powers and duties to the Tax Commissioner relating to foundation aid calculations to be paid to local school systems; change provisions relating to certain school taxes, school funds; harmonized provisions; repeal the original sections; declare an emergency. LB1208 by Senator Friesen, a bill for an act relating to telecommunications; to adopt the Broadband Pole Replacement Fund Act; to create a fund; state intent for appropriation of federal funds; declare an emergency. LB1209 by Senator Linehan. It's a bill for an act relating to sales and use taxes; change provisions relating to purchase agents; to harmonize provisions; repeal the original sections. LB1210 by Senator Slama. It's a bill for an act relating to appropriations; to appropriate federal funds to the Department of Economic Development. LB1211 by Senator Linehan. It's a bill for an act relating to education; change provisions relating to option enrollment; harmonize provisions; repeal the original sections. LB1212 by Senator Linehan, a bill for an act relating to education; to amend section 79-1110; relating to the Special Education Act and individualized education plans; repeal the original sections. LB1213 by Senator Albrecht. It's a bill for an act relating to obscenity; to-- related to digital online research provided to students kindergarten through grade twelve and access to materials obscene to minors or harmful to minors; to require the Nebraska Library Commission, the State Department of Education to submit a report; provide a civil cause of action; provide an irrebuttable presumption that a vendor, person, or entity providing resources under this act has knowledge of the content. LB1214, Senator Geist, a bill for an act relating to Nebraska Broadband Bridge Act; to change provisions relating to grant application scoring and grant recipient conditions and obligations; provide applicability; harmonize provisions; repeal the original sections. LB1215 by Senator Geist. It's a bill for an act relating to economic development; to adopt the Small Business Assistance Act. LB1216 by Senator Cav-- Machaela Cavanaugh. It's a

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Floor Debate January 20, 2022

Rough Draft

bill for an act relating to the Nebraska Probate Code; change provisions relating to eligibility to be appointed as a guardian or conservator of an estate; repeal the original sections. LB1217 by Senator Walz, a bill for an act relating to appropriations; to appropriate funds to the Department of Administrative Services for incentive payments to eligible school employees; declare an emergency. LB1218 by the Education Committee. It's a bill for an act relating to education; change intent provisions relating to the requirements to teach, provide special services, administer in Nebraska schools; redefine terms; changes certificates and permits; change provisions relating to loan forgiveness under the Attracting Excellence to Teaching Program; repeal the original sections. LB1219 by Senator Sanders. It's a bill for an act relating to education; to adopt the Extended Learning Opportunities Act; provide an operative date. And that's all I have at this time, Mr. President.

**HUGHES:** Thank you, Mr. Clerk. Proceeding to the agenda. Next item.

**ASSISTANT CLERK:** Mr. President, LR14 is on Select File. There are no E&R amendments. The first amendment to the bill I have is from Senator McCollister, AM1555.

**HUGHES:** Senator McCollister, you're welcome to open on AM1555.

**McCOLLISTER:** Thank you, Mr. President. Good morning, colleagues. This morning I'm introducing AM1555 and that simply does-- makes this, this bill conditional rather than continuing. When we do these approvals, amendments for the Constitution, they last forever, but by adopting this amendment, our approval will be extinguished after four years if the other states haven't adopted this, the, the constitutional amendment. And I think that's, that's a good idea. Too often, we adopt these resolutions and they languish on the bill books forever and never-- we never deal with them in any kind of correct way. But I think that this addresses the fact that overall, we need to be more active in addressing these old constitutional amendments that we proposed. Thank you, Mr. President.

**HUGHES:** Thank you, Senator McCollister. Debate is now open on AM1555. Senator Morfeld, you're recognized. Senator Morfeld, you're recognized.

**MORFELD:** Thank you, Mr. President. Colleagues, I rise in opposition to LR14 and in support of the McCollister amendment. I want to talk just a little bit about what we're, what we're doing here and remind folks

what's going on. So the bottom line is, is that once we start down this path, we will not be able to control the size and the scope of the issues that are dealt with, with the constitutional convention. There is no precedent in the Supreme Court. There's no other legal precedent when it comes to an Article V convention. That's the bottom line. The only precedent that we have is the constitutional convention that scrapped the previous constitution, otherwise known as the Articles of Confederation, but that was prior to the adoption of our current Constitution, which has Article V in it. So colleagues, we can talk about theoretical and hypothetical scenarios, but there is absolutely no precedent at all that would be able to ensure that the scope of this convention, regardless of the resolution we have before us, would be limited. And quite frankly, I don't know how many other founding fathers-- I wish there were women at the table at that point in time in history, but I don't know how many other Thomas Jeffersons or George Washingtons we have right now at this moment in our history. And that is something that should concern all of us who care about the Constitution and the Bill of Rights, that what we are doing is we are opening a door that once triggered, cannot be shut. And the only precedent that we have on the federal level for this is what happened several hundred years ago when a bunch of delegates were supposed to come and talk about minor changes to the Articles of Confederation. And what did they do? They threw out the Articles of Confederation at a very similar convention like this. That's the only precedent that we have on the federal level. Now, we can point to a bunch of things on the state level because yes, there are state conventions and they've happened throughout the history. Some states require those conventions to happen every ten years or something like that, but that's not an appropriate analogy. That is not-- that does not hold any precedent on the federal level. And this is an Article V federal convention. That is an important distinction. So when you start talking about, well, other states and Nebraska had a bunch of these and all of that, that is completely in opposite. It holds no bearing. It holds no precedent on what an Article V convention and the scope of it could be. That is why this is so dangerous. We can put as many limitations as possible and that we want in this legislation-- it's not even legislation. It's a resolution-- but the mere fact that we need to have a follow-up legislation to control the electors, not the electors, but the people that are sent as delegates to this convention is an indication enough that it could be a runaway convention. So the mere fact that the sponsor of this legislative resolution states that there must be some follow-up legislation to control the delegates is an admission to the

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fact that this could be uncontrolled. And perhaps Nebraska passes the most brilliant follow-up legislation that has all the--

**HUGHES:** One minute.

**MORFELD:** --safeguards and would send, you know, a rogue delegate to prison for life, but that doesn't mean that Montana will do the same thing and their delegates will go rogue. That doesn't mean New York will do the same thing and their delegates can't go rogue. And not only that, these are delegates to a federal convention. Would the state even have the authority to punish those delegates? Would they have some type of immunity? We don't know. Why don't we know? Because we've never done this before and the only time that we've come close to doing it was the last time that we had the Articles of Confederation and we ended up with this Constitution because those delegates went rogue. Colleagues, this is a dangerous proposal and many people will say that, hey, listen, there's only-- I don't even remember how many states-- only 15 or so states that have adopted an identical one like this. But the bottom line is we're one more state--

**HUGHES:** Time, Senator.

**MORFELD:** --to that goal. Thank you, Mr. President.

**HUGHES:** Thank you, Senator Morfeld. Senator Matt Hansen, you're recognized.

**M. HANSEN:** Thank you, Mr. President and good morning, colleagues. I rise in continued opposition to LR14 and I want to talk a little bit since we are restarting and reframing the debate. Often, the debate and the support for LR14 seems to focus around two different provisions or two different proposals contained within it: (1) kind of the balanced budget or restrictions on federal debt, reductions on federal spending. It's not always just proposed as a balanced budget, but a budget amendment, reining in the national debt. The other thing that's often talked about is term limits, term limits in Congress, potentially term limits on the Supreme Court. I'll remind you that this amendment-- this proposed-- sorry, this legislative resolution calls for any amendment that could limit the power or jurisdiction of the federal government. And I've spoken before on General File how that could be most anything. I'll note Senator McCollister passed out an editorial from, I believe, the World-Herald that had the same concern, that while it is limited in the sense that it only works in one direction, it is not limited in the sense that it is a narrow

scope. Limiting the power of the federal government can mean wholesale changes to Congress, wholesale changes to the executive, elimination of executive departments, changes to election law. All sorts of different things could fit within that phrase. This isn't simply a single topic. This isn't simply a term limits proposal. This isn't simply a balanced budget proposal. It is a proposal to change anything about the federal government as long as it's doing so in a restrictive and limiting manner. And that is the discussion I'm worried about in the sense that what that is, you know, isn't clear. We've been told that LR14 has to pass clean, has to pass without restrictions on the subject matter, at least. And that's my concern is when we're saying it can't protect any provision, we can't say, hey, our delegates are not going to take place in eroding voting rights. Hey, our delegates aren't going to take place in, you know, eroding anti-discrimination protections, what have you. It's been told that that would be a hostile amendment. We can't consider it. And that's-- my concern is, you know, we could bring up kind of an infinite number of areas that we would like to or at least one of us would like to keep off and keep out of this supposed convention. For me, voting rights. There's others I would like to include too if we had a, you know, a time to go down a laundry list and pick terms, you know? It would be one thing to be asking us to consider simply a balanced budget convention. It'd be one thing to ask us simply a term limits convention. But instead, we're being asked to consider a convention of anything limiting the federal government without knowing what that in turn is going to entail. You know, we've talked about a runaway convention. I stand from the perspective that most things this convention could do wouldn't be run away because their charter is so broad and has so many opportunities that as long as it's not expanding the powers, as long as it's limiting, that's it. That's-- it's fair, it's germane, it's within the call. And see, that's my fundamental concern is that we are opening up our Constitution in a way that we are not even clear on how we're doing it. Yes, I know a lot of the focus has been on budget and term limits, but we've seen nationally so many of these things are focused on voting, so many of these things are focused on, say, rolling back anti-discrimination laws. All of these things exist out there in a political climate and I can't just see what the bills are being proposed here, in Congress, and in other states--

**HUGHES:** One minute.

**M. HANSEN:** --and assume-- thank you-- and assume that those aren't going to be topics that the same interested parties and their allies aren't going to get introduced as proposed constitutional amendments

at this convention. I have to kind of operate under the assumption that this is going to be a microcosm of politics right now and it seems that most things are on the table. And I would like to know kind of clearly and concisely what potentially is on the table before to get me to a point where I could support yes. And that's kind of one of my fundamental struggles with LR14 and why I've opposed it for so long. I'll turn on my light again. Thank you, Mr. President.

**HUGHES:** Thank you, Senator Hansen. Senator Erdman, you're recognized.

**ERDMAN:** Thank you, Mr. President. I'll try not to yell into the microphone. I think you can hear me. So Senator Morfeld has an opinion. That's exactly what it is, his opinion. So yesterday we witnessed on the floor when Senator Wayne, an attorney, was asking a farmer, Senator Friesen, for his legal opinion. So from that, I conclude that I should be able to have a legal opinion as well and mine is totally different than Senator Morfeld's and I'm opposed to AM1555, Senator McCollister's bill [SIC]. We had discussed this bill pretty thoroughly the last time it was up. I visited with Senator Lindstrom, had been to a mock convention of states. He reassured me that what went on there was very controlled and very organized. I'm not at all concerned about those things that Senator Morfeld said will happen. That's basically his opinion. He has no proof of that. So we stand up here when we are in opposition to something and we strongly disagree and so we yell and scream into the mike like it really means something. It doesn't mean anything more than you're upset or you're trying to get your point across or maybe you think you're losing and so you're trying to convince others to vote the way you want them to instead of just sharing your opinions. We can hear. The amplification is pretty good in here since they took down the plastic. And so I am in support of LR14. I am in support of the way it is written and I'm opposed to AM1555. Thank you.

**HUGHES:** Thank you, Senator Erdman. Senator McCollister, you're recognized.

**McCOLLISTER:** Thank you, Mr. President. Would Senator Briese yield to a question?

**HUGHES:** Senator Briese, will you yield?

**BRIESE:** Yes.

**McCOLLISTER:** Thank you, Senator Briese. Not long ago, perhaps a year or two ago, you came before the Government, Military and Veterans Affairs Committee and we talked about Daylight Savings Time. And in that bill, if I remember correctly, you put a conditional clause in that bill to talk about daylight savings time. Can you enlighten us what that clause was all about?

**BRIESE:** Well, I would say there's at least a couple of clauses that you might be referring to there. First of all, we're going to need federal approval to implement year-round daylight savings time. Secondly, the bill would not become effective-- our venture into year round daylight savings time would not become effective until three adjoining states also adopt legislation to go to year-round daylight savings time.

**McCOLLISTER:** So that was a conditional provision that you put into the bill, something-- A has to happen before the bill would go into effect, is that correct?

**BRIESE:** Yes, I would say that is correct.

**McCOLLISTER:** Yeah. Thank you, Senator Briese. Well, my provision, AM1555, would essentially do the same thing. That would make it possible for the states-- when the required number of states comes close to achieving the number of states to move this, this proposition forward, that Legislature then would have to reaffirm their affirmative position on this bill. I think that's, that's just darn good policy. I think it's something that this Legislature should do and we need all those other provisions that have been passed years and years ago need to be reaffirmed before they take effect. Thank you, Mr. President.

**HUGHES:** Thank you, Senator McCollister. Senator Wayne, you're recognized.

**WAYNE:** Thank you, Mr. President. So what's interesting about this debate is there is social media and all this stuff, you know, picking on certain people, why they voted certain ways. But yesterday, during the DNA-- there was no social media. There was no, no callout of people and I feel like this bill has less impact than what yesterday did. So let me just be clear to the people who are out there watching and like to do social media of why I am supporting this bill. One, the fear of the unknown does not scare me. And in fact, I find it ironic that the people who are saying the first time this was ever done or

the first time that we call the convention, it was a runaway convention and they came up with the Constitution that we have today. That's like saying if, if, if they come in and-- OK, the only example you're using is an example of which they came out with something better. That that's not logical to say, hey, we're against something because the first time they did it, they came out with something better and now I'm scared the second time we might do it, it could be worse. But let me give you an equity lens. Let me give you a racial lens to this dynamic of why I'm supporting this. In 1787, when the first convention of this Constitution that we have was created, I couldn't be in the room. Senator Brewer couldn't be in the room. Senator McKinney could not be in the room and every female on this floor could not be in the room. I just believe that with a diverse group of people, we might have a better conversation, even if it is a runaway convention, which I don't believe can happen, but nevertheless. So from a racial equity lens, I don't have the fear that some of you all have because I wasn't in the room or people who look like me in a room the first time or any time a decision was made about constitutional rights, our constitutional rights. Even the 13th, 14th Amendment, even when those were passed, our constitutional rights still weren't expressed to us or given to us until a court decided years later. So when you say why is Justin supporting this when there is a potential for runaway? Historically, I am not scared because I wasn't in the room the first time. So at least I feel like I might have a better shot. Oh, Senator Aguilar and Senator Vargas, I did not mention you two. You guys wouldn't be in the room either back then. At least I have a fair shot of having something that we could talk about where there is a racial or equitable conversation happening that never happened before in our Constitution. That's why I'm not fearful. Now you may not agree with my reasoning. You may not like my reasoning, but you cannot factually dispute what I just said. Black and brown folks weren't allowed in the room. Women weren't allowed in the room. So I don't have the perception of fear that you all have about this situation. I just don't. And so minus that fear and knowing that-- how long this process and how many other states have to occur--

**HUGHES:** One minute.

**WAYNE:** --to do this, I think it's OK to send a message to Congress that we need to do something about some things. I look at this as no different than Senator Slama bill or resolution, Senator Blood's resolution about sending a message because the likelihood-- not to hurt Senator Halloran's feelings, the likelihood that all these states are going to be able to pass this and, and actually call it, I think

are very slim. But the message that I think this sends is impactful and I just don't, from my historical background, have the same fear that others have when I wasn't in the room or people who look like me wasn't allowed in the room before. Thank you, Mr. President.

**HUGHES:** Thank you, Senator Wayne. Senator Friesen, you're recognized.

**FRIESEN:** Thank you, Mr. President. So it's, it's nice to know that the Omaha World-Herald feels that we are wasting our time. Huh. We've never done that before. So it's a waste of time discussing one of the probably most important things that could probably come out of the Legislature in my view, is an issue at the federal level that just can't get fixed? So I, I find it really strange that the Omaha World-Herald is suddenly going to decide for us that we're wasting our time. I won't put much stock in that and I normally don't. What I want to say is I echo Senator Wayne's-- he made a really good point. And if we were going to choose somebody to send from this body, I might choose Senator Wayne to send there. The thing is, when we're going to-- each state is going to send people to this convention of states and it's a very limited thing. And me personally, I don't agree with all three things that we're sending there. I don't have to. If I agree with even one of them, I feel it's worth sending-- that we get somebody's attention to talk about the issues we have today. Our federal system is spending money it doesn't have. It's a broken system and I think it needs a bump. It needs a boost. And as states, the citizens finally need to rise up and tell it to get its house in order and start getting back to work. And by sending a diverse group back there-- the odds of us reaching a conclusion on any one of the three items maybe is slim, don't know, but at least they're going to hold a conversation to discuss it and they're going to come from all the states. We're all going to have equal footing and there's going to be a discussion. And if the newspapers don't feel it's a waste of time, maybe they'll actually print something that's worth reading. Because I think it's a discussion everybody wants to have, but nobody's had the chance to have it. When we talk about the different things, the three different pillars that we're going to look at, I mean, yeah, there's-- we're going to have different opinions from everyone, whether you sport all three items or one of the three, but when you get there and you get these minds together that can discuss it and come up with solutions, it's surprising what they might come up with. So when I attended the mock convention of states, I was a portion of the group that wanted to talk about federal overreach. And I thought our group of 20, 25 people, we spent a lot of time and before we-- you know, people keep throwing out ideas and suddenly something grabs traction

and, and in the end, I thought we came up with a very simple solution to what everybody says is federal overreach. It's when government agencies, through their rules and regs, reinterpret statutes. And I'll give an example of the Clean Water Act that was passed clear back in '76. They're still interpreting what that means today. And when we don't agree with it, and the waters of the US is one of those issues, you go to your congressman and say, well, you know, the EPA and they, they, they did it to rules and regs. We didn't do that. We didn't intend for that to happen. Nothing we can do about it. So our solution was that if enough congressmen would sign onto a rule and reg and say, look, we think you overstepped your bounds-- and I forget the number we had, but we had a number of them would have to sign on--

**HUGHES:** One minute.

**FRIESEN:** --to a rule or reg. And if enough of them signed on, that rule or regulation would come back to Congress for an up-or-down vote. No amendments. They can debate it and vote it up or down. If they voted it down, that agency would have to go back and rewrite those rules. If it was voted up, it was passed into law and they took ownership of it. They couldn't go back to the citizens and say, look, it was bureaucracy that did it. No, it was me that did it. So I think there's solutions out there that we just haven't explored by not having this conversation. Thank you, Mr. President.

**HUGHES:** Thank you, Senator Friesen. Senator Morfeld, you're recognized.

**MORFELD:** Thank you, Mr. President. Colleagues, I, I continue to rise in opposition to LR14 for the reasons that I've discussed before. I do think talking about what happened with the constitutional convention in the 1700s and what happened to the Articles of Confederation is analogous and I do believe that it is relevant. That being said, Senator DeBoer has an amendment that will come up after Senator McCollister's amendment that I will support and that amendment adds a five-year rescission date. I believe it's 2027 if my math is correct. So if the requisite number of states is not achieved by 2027, the resolution will then not be in effect. I'm going to continue to oppose this, this legislation or this legislative resolution, but I do support there being an end date and it not being in perpetuity. Colleagues, if we pass this, I think this is going to be one of those things where we may have to reap what we sow. And while there is a high threshold for all the states to approve any proposed constitutional amendments, that is not an insurmountable threshold.

And as we all know, and as Senator Friesen brought up, he doesn't like everything in this resolution, but there's probably one or two things that he might like in there. There's maybe one thing that I do like in there. I'm not quite sure. I haven't thought about it too much. The bottom line is that this will then come back to the states and people will have to make the decision of saying, hey, I really don't like those two things, but I love this thing and maybe I'll just bite the bullet. I can live with those two things because I like that one thing. That's how we make these decisions every single day and that's the danger is that there will be horse-trading when it comes to our Constitution because that's how politics work. Rarely do I vote for a bill that I'm 100 percent in support of all of the bill. So this will come back to us, not me, because I'll be term limited, but this will come back to us and you will have to make the decision. Do I vote against this one thing I really like in this proposed constitutional amendment or amendments? Do I vote yes, even though I don't like those two other things, and I think it's dangerous to our democracy? And there will be a lot of pressure for you to vote yes on that one thing. Everyone will ask you to glance over those two other bad things that you don't like to vote for that one thing and that one thing will be a litmus test for some on whether or not you're in support of that issue. And they won't care about the other two things being bad. So colleagues, I'm going to vote for the DeBoer amendment, but I'm telling you that this is not a process and this is not a solution that should be taken lightly and that I fear one day, we will reap what we sow. Thank you, Mr. President.

**HUGHES:** Thank you, Senator Morfeld. Senator Pahls, you're recognized.

**PAHLS:** Thank you, Mr. President. I was going to ask Senator Wayne a question, but I see that he stepped outside the Chamber. He's probably out there working the crowd outside. So I just want to say I was a little disappointed in what he had to say. He said people of color, women were not involved in this process many years ago. Well, I-- as I-- this is the reason why I wanted to ask it because I do not know the answer. I think most of the men who are involved were men of wealth, at least you had to have property. So I'm not very happy because he left me out. Because I was one of those kids who was born on the wrong side of the tracks. My parents, neither one of them went to high school. So we would not have been included in that also. So, Senator Wayne, you must be more inclusive when you say that that is an exclusive club because I would not have been there or my generations of-- in my past would not have been there. The only thing that I-- because this allows me to brag about what my parents did. Neither one

of them went to high school, but of all our family-- I like to brag about this because I do give them credit-- all their children, there are a total of 17 more degrees than what they had. So that makes us better taxpayers, if nothing else. Again, Senator Wayne, think about all of us. Thank you.

**HUGHES:** Thank you, Senator Pahls. Senator Halloran, you're recognized.

**HALLORAN:** Thank you, Mr. President. Good morning, colleagues. I'm fully supportive of Senator DeBoer's amendment, basically, which would sunset this resolution for in five years. I'm OK with that. But let's back up and if you'll give me the liberty of adding a little color commentary to the history of the United States, what would a football game be without the commentator given some blow by-- blow-by-blow, play-by-play commentary on a, on, on the game? 1776: hard-fought Revolutionary War against the nomination of, of England over the colonies. Hard-fought Declaration of Independence was filed after that, with a very long list of grievances against the King of England, against the monopoly or monarchy that was dominating the colonies, right? The government at that time was run under the Articles of Confederation, a very, very loosely written document, but it was the draft for-- it was the means of governing those 13 colonies after declaring liberation from England. Well, after ten years of experience with the Articles of Confederation, all the weaknesses of that document became very evident to all the players, all of the 13 colonies. They could not do treaties. They could not tax. They did not have a central government, centralized government. They didn't, they did not have a executive branch, judiciary branch. They had a very nominal judiciary branch. Congress was one person from each state representing each state. They had no means of taxing. Commerce was very loosely defined in the Articles of Confederation. So when they met in Philadelphia in 1787, the general consensus was that the Articles of Confederation might need to be amended, but almost unanimously, they all agreed that it was amending a bad document, an unworkable document, the Articles of Confederation. So they agreed to look at framing a new constitution and contrary to what Senator Morfeld said, and if-- you know, look, look at what happened there, they went beyond the scope of their call, he claims, and what a disaster that was, right? They ended up writing the Constitution we all know and love and respect. Boy, that was a bad deal. If that was an example of a runaway convention, then I'm not worried about it like Senator Wayne's not worried about it. I don't-- I'm not driven by fear. Most of us in this room are-- should not be driven by fear. So

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Floor Debate January 20, 2022  
Rough Draft

clearly it goes without saying I'm, I'm supportive of LR14. How much time do I have Mr.--

**HUGHES:** 1:45.

**HALLORAN:** A little more color commentary. So in Philadelphia, hot, long summer, no air conditioning. The windows were closed. They, they were struggling through this process of, of drafting a constitution. They all knew that's what they were doing. This was not a mystery to them. They knew they needed to do it. So James Madison, a prolific note taker, made note when they came to the part about Article V, they came to the subject matter of What do we do in the future if, if the Constitution needs to be amended? So they were drafting Article V and George Mason came up with the first draft. And what was in the first draft, first reading? The Constitution was to be amended by two-thirds of a convention of states--

**HUGHES:** One minute.

**HALLORAN:** --calling for it, right? That was the first draft. Second reading, second reading went by. Hamilton got his hands on it. He was a, he was a anti-federalist. He was a large central government fan and he scratched that out and he put two-thirds of Congress would be responsible for proposing amendments. Final reading, like we do here, final reading came up and they read it. Mason saw that, that they had taken our convention to the states and he said, look, you cannot put in the hands of Congress, the authority, the authority, the singular authority to keep in check Congress and so they added back in convention of states; two opportunities to propose amendments. Article V was clearly written and we need to, we need to live up to it. Thank you, Mr. President.

**HUGHES:** Thank you, Senator Halloran. Seeing no one else in the queue, Senator McCollister, you're welcome to close on AM1555.

**McCOLLISTER:** Thank you, Mr. President, and thank you, colleagues. I think some kind of limitation on this resolution is entirely proper. So in deference to the DeBoer amendment that is coming up soon, I withdraw AM1555.

**HUGHES:** AM1555 is withdrawn. Mr. Clerk, for new bills.

**ASSISTANT CLERK:** Mr. President, thank you. LB1220 by Senator Morfeld. It's a bill for an act relating to appropriations; to appropriate federal funds to the State Department of Education; declare an

emergency. LB1221 by Senator Morfeld. It's a bill for an act relating to appropriations; to appropriate federal funds to the Department of Health and Human Services; declare an emergency. LB1222 by Senator Matt Hansen. It's a bill for an act relating to mobile homes; to change provisions relating to the Mobile Home Tenant-- Landlord and Tenant Act relating to rules and regulations, prohibited acts, termination of tenancy; provide for in-park sales; create liens for landlords as prescribed; provide for certificate of titles; define terms; harmonize provisions; repeal the original sections. LB1223 by Senator Matt Hansen, a bill for an act relating to the Department of Health and Human Services; to require the Department of Health and Human Services to reimburse county for lodging certain defendants; and provide duties for the department. LB1224, Senator Wayne. It's a bill for an act relating to appropriations; to appropriate federal funds to the Department of Economic Development; declare an emergency. LB1225 by Senator Wayne, a bill for an act relating to revenue and taxation; to eliminate the franchise tax on financial institutions; to make financial institutions subject to the corporate income tax; provide an operative date; repeal the original sections. LB1226, Senator Wayne, a bill for an act relating real estate sold for delinquent property; changes provisions relating to land banks, service of note-- notice, time periods for applying for a tax deed, for bringing certain foreclosure actions; and repeal the original sections. LB1227 by Senator Wayne, a bill for an act relating to the Nebraska Municipal Land Bank Act; to allow land banks to receive federal funds as prescribed. LB1228, Senator Wayne, a bill for an act relating to appropriations; to appropriate federal funds to the Nebraska Tourism Commission for purposes of a museum. LB1229, Senator Hilkemann. It's a bill for an act relating to appropriations; to appropriate federal funds to the Department of Economic Development; declare an emergency. LB1230 by Senator Hilkemann, a bill for an act relating to the Nebraska Health Care Cash Fund; to provide for statewide education program regarding cancer; state intent regarding funding; and repeal the original sections. LB1231, Senator Briese, a bill for an act relating to the Nebraska Liquor Control Act; to require a licensed manufacturer, licensed wholesaler, holder of a shipping license to report applicable fees to the Nebraska Liquor Control Commission prior to shipment of any alcoholic liquor into the state; and repeal the original sections. LB1232, Senator McDonnell, a bill for an act relating to appropriations; the appropriate funds from the Cash Reserve Fund to the Department of Economic Development; repeal the original sections; declare an emergency. LB1233 by Senator Sanders, a bill for an act relating to appropriations; to rename and change

provisions relating to the United States Space Command Headquarters Assistance Fund; change the transfer from the Cash Reserve Fund; state intent to appropriate funds for the Commission on Military and Veterans Affairs; repeal the original sections; declare an emergency. LB1234 by Senator Friesen. It's bill for an act relating to telecommunications; provide an expedited wire-crossing permit related to railroad right-of-way as prescribed; harmonize provisions; repeal the original sections. LB1235 by Senator Lowe, a bill for an act relating to the Nebraska Liquor Control Act; change provisions relating to craft breweries; to allow for self-distribution in beer under certain circumstances; repeal the original sections. LB1236, Senator Lowe, a bill for an act relating to the Nebraska Liquor Control Act; change provisions relating to the rights of craft brewery licensee; repeal the original sections. LB1237, Senator Brewer, a bill for an act relating to revenue and taxation; to adopt the Opportunity Scholarships Act, Nebraska Child Care Contribution Tax Credit Act; to harmonize provisions; provide severability; and repeal the original sections. LB1238, Senator Vargas. It's a bill for an act relating to appropriations; to appropriate federal funds to the Department of Economic Development; declare an emergency. LB1239 by Senator Vargas, a bill for an act relating to liquor; to redefine terms; change provisions relating to agreements between manufacturers, wholesalers, beer suppliers, beer wholesalers; harmonize provisions; eliminate a provision prohibiting a wholesaler from waiving certain rights; to repeal the original sections. LB1240 by Senator Albrecht, a bill for an act relating to appropriations; to appropriate federal funds to the Department of Education; declare an emergency. LB1241, Senator Lathrop. It's a bill for an act relating to law enforcement training; change provisions relating to law enforcement officer training and certification; provide duties for the Nebraska Police Standards Advisory Council; define terms; harmonize provisions; and to decline an emergency. LB1242 by Senator Murman. It's a bill for an act relating to property taxes; change the valuation of certain real property for purposes of taxes levied by school districts; harmonize provisions; repeal the original sections. LB1243, Senator Murman, a bill for an act relating to Developmental Disabilities Service Act; change a funding priority; harmonize provisions; repeal the original sections. LB1244, Senator Cavanaugh. It's a bill for an act relating to criminal procedures; change provisions relating to limitation for postconviction relief; and repeal the original sections. LB1245 by Senator John Cavanaugh. It's a bill for act relating to children and families; change provisions and terminology relating to termination of paternity and parentage, birth certificates, related manners; define

Transcript Prepared by Clerk of the Legislature Transcribers Office

Floor Debate January 20, 2022

Rough Draft

and redefined terms; harmonize provisions; repeal the original sections. LB1246 by Senator Pansing Brooks, a bill for an act relating to criminal procedures; provide for confidentiality of victims of sexual assault and sex trafficking prior to criminal charges; define terms; change provisions relating to public records; to harmonize provisions; and repeal the original sections. LB1247 by Senator Pansing Brooks, a bill for an act relating to civil commitment; provide for recognition of tribal mental health and dangerous sex offender commitment orders as prescribed; provide for tribal law enforcement officers to take a subject into emergency protective custody; provide for transportation, commitment of persons under tribal law and for payment of related costs; defined and redefine terms; harmonize provisions; and repeal the original sections. LB1248, Senator Ben Hansen, a bill for an act relating appropriations; to appropriate federal funds to the Department of Environment and Energy; and declare an emergency. LB1249, Senator Ben Hansen, a bill for an act relating to Medical Nutrition Therapy Practice Act; to provide, change, and eliminate definitions; restate intent; change membership on a board; providing and change licensure requirements; change provisions regarding scope of practice; to harmonize provisions; repeal the original section; to outright repeal section 38-1804. LB1250, Senator Ben Hansen, a bill for an act relating to the Property Tax Request Act; change provisions relating to joint public hearings, postcards, the effects of certain failures to comply with the act; repeal the original sections. LB1251, Senator Ben Hansen, a bill for an act relating to education; to adopt the Equal Opportunity Scholarship for Students with Special Needs Program Act; change provisions relating to distribution of lottery funds; provide an operative date; repeal the original sections. LB1252, Senator Vargas, a bill for an act relating to appropriations; to appropriate funds to the Department of Economic Development; declare an emergency. Mr. President, that's all the new bills I have at this time.

**HUGHES:** Thank you, Mr. Clerk. We'll proceed with the next item on the agenda.

**ASSISTANT CLERK:** Mr. President, we're back to LR14. The next amendment I have is from Senator Matt Hansen, AM1538. I do have a note to withdraw. In that case, next amendment. Senator Morfeld would offer AM1615.

**HUGHES:** Motion withdrawn.

**ASSISTANT CLERK:** Mr. President, Senator DeBoer would move to amend with FA63.

**HUGHES:** Senator DeBoer, you're recognized to open on FA63.

**DeBOER:** Thank you, Mr. President. I'm about to give one of those give-peace-a-chance speeches that seems to be so catchy over in this area of the Chamber. Senator Halloran said the first day that he introduced this bill this year don't be afraid. He said it again. I heard it earlier. Senator Halloran, every time in the Bible an angel comes down and says, fear not, the next line is and they were so afraid. And I, too, am a little fearful here. I understand and listen to the constitutional scholars who say there's a possibility that this leads to a runaway convention and I, I think about that. It exists. It's an unclear area of the law. It could happen so there is a risk to this proposition, but I also believe that Americans love their Constitution. I have faith in us as a people. It's served us well and no one wants to undo it wholeheartedly. Still, it's a risk. This vote that I'm taking today, this amendment, this deal is a risk. But I came down here to Lincoln because I'm worried about the division in our country and it's a fair critique of me to say that this risk may not be borne as squarely on my shoulders as others. And that fact weighs on me, but colleagues, I'm afraid that historians looking back at this time will say that we are living in a time of Cold Civil War. I grew up in the Cold War. I remember when Reagan was meeting with Gorbachev. The thing all the adults were saying around me was, I don't know. We just can't trust them. The hallmark of a Cold War is distrust. We've divided into camps and now, based on whose idea it is, too often we decide if it's a good or a bad idea. And I'm guilty of that too. We don't trust each other like we used to. And we need not to get back to a place where we're united or trust each other-- that's not quite it because we all just posted quotations on Monday about Martin Luther King Jr. Day and we know that there are deep-seeded historical divisions in this country. So not get back to trust, not get back to unity, but we need to find a way in the future to trust each other. For me, America's golden age is always in the future, not in the past. So I'm reaching out this olive branch to Senator Halloran and he's reaching back with one too. So we're amending this petition or this LR with this FA63, which would, in five years, rescind the call and then this issue could come before this body again to consider again whether it would like to issue a new call. This is a leap of trust, a first step to tell Senator Halloran with an issue he cares about and that many Nebraskans in and out of my district have told me that they care about. And what we're really voting on here is about whether or not to

have a conversation, not doing anything but to get together and talk about three issues. And I know because of the constitutional scholars that there are risks, but for me, a risk of trust, a risk of hope. There has to be a first step. And so, Senator Halloran, I reach out to you and I ask you, colleagues, to accept this floor amendment. Vote for the floor amendment. Then I'll be voting for LR14 to try to support this effort and see if we can move forward. Thank you, Mr. President.

**HUGHES:** Thank you, Senator DeBoer. Debate is now open on FA63. Senator McCollister, you're recognized.

**McCOLLISTER:** Thank you, Mr. President. This will be my last time at the mike. And in this time at the mike, I need to salute Senator Halloran. He's been tenacious on this issue for the last couple of years-- and this is an issue that I've been experiencing with or have seen for probably the last five or six years. And it has-- comes up, seems to come up in all the emails I receive and I know all of you receive the same kinds of emails. Senator Halloran, to justify this legislation, gave three reasons. He's talking about term limits for our congresspeople, he's talking about the runaway budget deficit-- I understand that as well-- and the overreach of our federal government. Legitimate concerns and I share those concerns and I think we need to deal with that, perhaps in other ways. I studied this issue for that length of time, five or six years, and I've studied the issues. I talked to supporters, met with supporters, and finally reached a conclusion. There are a few reasons we need to be concerned about the convention of states. What are the nine reasons that I came up with and I'm concerned about convention of states? First, states can't limit the scope of the convention. Dysfunctional Congress decides the convention rules. Third, convention could change ratification rules or suspend the rules. Nebraska proposed three amendments, which I just named, the freedom group proposed ten, Governor Abbott of Texas proposed nine. The call by the states does not appear to be uniform. Once delegates are selected, states apparently have no control over the delegates or the process of the convention. No set method for delegate selection is established. Dysfunctional congress will determine those delegates. Delegate selection proportional to state population are equal to each state, like the U.S. Senate, one-person-one vote kinds of representation. Finally, Congress can overturn the convention's proposed amendments. Those are my concerns. I think this, this proposition is likely to pass so I just voiced these concerns and put them on the record. I favor FA63 from Senator

DeBoer and will not be voting for the proposition itself. Thank you, Mr. President.

**HUGHES:** Thank you, Senator McCollister. Seeing no one else in the queue, Senator DeBoer, you're welcome to close on FA63. Senator DeBoer waives closing. Colleagues, the question before us is the adoption of AF63 [SIC, FA63] to LR14. All those in favor vote aye; all those opposed vote nay. Have you all voted? Record, Mr. Clerk.

**ASSISTANT CLERK:** 32 ayes, 0 nays on the adoption of Senator DeBoer's amendment.

**HUGHES:** FA63 is adopted. Senator Hans-- Matt Hansen, you're recognized.

**M. HANSEN:** Thank you, Mr. President, and good morning, colleagues. For those watching at home and for everybody involved and at stake in this debate, I believe that adoption of that last amendment has kind of sealed LR14 passing this year and passing in this body. I have a standard and I have a tradition of myself. I don't like to engage in filibusters when I know I can't win. I don't mind coming up short if it's worthy, but when I think there's the 33, there's the 33 and I choose to not move forward. That's part of the reason I didn't take this to cloture on General File because I knew there had been conditional promises then that probably got them to 33 and I think we're at 33 kind of all the way through right now. I do want to push back on the notion that-- of this kind of, of this notion of why we're voting this forward. In my mind, there are very few people who like the premise of LR14. Maybe more than 25, OK, but there's going to be a number of people voting for this bill to move it forward kind of because we're done talking about it, not because we think it's good policy, not because we understand it and like it, not because we're going to like the outcome, but simply just we're done and it's no longer an issue we want to take up space on this floor. And that's something that is frustrating to me personally and I think frustrating to a lot of people who have legitimate concerns about LR14 and legitimate concerns about the state of, frankly, our democracy and our country right now. Putting things up on the block to be discussed and potentially eliminated is not something I'm going to get behind and stand behind in any way, shape, or form. I've opposed this bill since I believe my second year down here in the Legislature. I worked hard to try and keep it in committee that year and failed, spoke against it on the floor, and have done so a number of times. I have stood up and against a lot of people pushing, a lot of offers, a lot of promises,

some proposed trades, and stood steadfast because I think that at the end of the day, this is at best, at best, you know, going to do some small things and at worst, going to drastically harm our democracy and our country. I-- short of protecting some of the subject matter, short of protecting some of the things like voting rights, I simply can't support this. And while I appreciate the notion that some people want to call for compromise and, and collaboration, voting for a bill because you want to give the opportunity-- introducer a chance, but you don't think it's good policy, voting for a bill because you're just kind of done talking about it isn't the type of policy we should be doing on this floor. And with that, I just want to say I-- if we are truly extending this olive branch and we are truly saying, hey, we're going to give everybody's priority bills a shot if they really, really care about them, I just have to say I hope that goes both ways. I hope that issues that I care about and I champion will get that benefit, but I remain skeptical that that's to be seen. With that said, I initially thought about proposing a motion or taking some more time, but I think I could take a loss when I know a loss and I will be done speaking on LR14. Thank you, Mr. President.

**HUGHES:** Thank you, Senator Hansen. Senator Machaela Cavanaugh, you're recognized.

**M. CAVANAUGH:** Thank you, Mr. President. Good morning, colleagues. I rise in opposition to LR14. I have, I believe, only spoken on this once when it was on General File. I don't, I don't share Senator Halloran's confidence that this will work out the way that he wants it to work out. I also think it's possible that the federal government could make changes that I'm thrilled with, but I'm not holding out hope for any of that. I think that this is reckless and this is our state putting the future of our state and our country in the hands of people in the future. I mean, clearly, we have a five-year sunset so we don't even know if it's going to happen any time soon. And I just-- the conversations over the last couple of days have continually been about coming across the aisle and working towards compromise. And to Senator Matt Hansen's point, that doesn't, that doesn't seem to happen on the other side. I remember people keep talking about when I first was here, when I first was here. When I first was here, I prioritized, prioritized Senator Crawford's bill and it was filibustered on General File immediately and it was a coordinated effort and there was no discussion with Senator Crawford about any changes that could be made to that bill. It was the eighth time she had brought the paid family leave bill. It was her last year. It was the eighth time she had brought that bill. She had compromised so much that you could barely

recognize the bill as paid leave because she wanted it to happen so badly and it was filibustered on the floor and no one compromised with her. No one. I'm very tired of being told to compromise on things when nobody seems willing to compromise with me. And I'm not going to throw a tantrum if you're not going to compromise with me. That's, that's your business. Just stop lecturing me about it. I don't, I don't have to compromise my values and you don't have to compromise your values, but please stop lecturing me about compromise. You don't have to lecture about it if you're doing it. Thank you.

**HUGHES:** Thank you, Senator Cavanaugh. Speaker Hilgers, for an announcement.

**HILGERS:** Thank you, Mr. President. Good morning, colleagues. Just a reminder: today is day ten. It's our last day of bill introduction. I understand that the Revisors have sent all the bills down to you so if you are waiting on a bill and you don't have it, contact them right away. If you do have a bill and you plan on introducing it, get in-- get it in to the Clerk desk right away, please. This is the last day. We'll hold it open no later than noon. And hopefully we can get done earlier than that, no matter what we do with our business here today, but please get your bills in. If you don't have them, contact Revisors. This is the last call. Thank you, Mr. President.

**HUGHES:** Thank you, Speaker Hilgers. Seeing no one else in the queue, Senator McKinney for a motion.

**McKINNEY:** Mr. Speaker, I move to, I move to advance LR14 to E&R for engrossing.

**HUGHES:** Colleagues, you've heard the motion. All those in favor say aye. There's been a request for a roll call vote in reverse order. Mr. Clerk. There's been a request to place the house under call. Colleagues, the question before us is shall the house go under call? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

**ASSISTANT CLERK:** 31 ayes, 4 nays to go under call, Mr. President.

**HUGHES:** Colleagues, the house is under call. Senators, please record your presence. Those unexcused senators outside the Chamber, please return to the Chamber and record your presence. All unauthorized personnel, please leave the floor. The house is under call. Senator Day, the house is under call. Colleagues, there's been a call for a

roll call vote in reverse order on the advancement of LR14. Mr. Clerk, please call the roll.

**ASSISTANT CLERK:** Senator Wishart. Senator Williams voting yes. Senator Wayne voting yes. Senator Walz not voting. Senator Vargas voting yes. Senator Stinner voting yes. Senator Slama voting yes. Senator Sanders voting yes. Senator Pansing Brooks not voting. Senator Pahls voting yes. Senator Murman voting yes. Senator Moser voting yes. Senator Morfeld voting no. Senator McKinney not voting. Senator McDonnell voting yes. Senator McCollister voting no. Senator Lowe voting yes. Senator Linehan voting yes. Senator Lindstrom voting yes. Senator Lathrop voting no. Senator Kolterman voting yes. Senator Hunt voting no. Senator Hughes voting yes. Senator Hilkemann voting yes. Senator Hilgers voting yes. Senator Matt Hansen voting no. Senator Ben Hansen voting yes. Senator Halloran voting yes. Senator Groene. Senator Gragert voting yes. Senator Geist voting yes. Senator Friesen voting yes. Senator Flood voting yes. Senator Erdman voting yes. Senator Dorn. Senator DeBoer voting yes. Senator Day not voting. Senator Clements voting yes. Senator Machaela Cavanaugh voting no. Senator John Cavanaugh not voting. Senator Briese voting yes. Senator Brewer voting yes. Senator Brandt voting yes. Senator Bostelman voting yes. Senator Bostar voting yes. Senator Blood. Senator Arch voting yes. Senator Albrecht voting no. Senator Aguilar not voting. Senator Pansing Brooks voting no. Vote is 32 ayes, 8 nays, Mr. President.

**HUGHES:** LR14 is advanced. Items, Mr. Clerk. I raise the call.

**ASSISTANT CLERK:** Mr. President, some more new bills. LB1253 by Senator Wayne. It's a bill for an act relating to Department of Economic Development; provide duties related to federal Coronavirus Capital Projects Fund; declare an emergency. LB1254 by Senator Ben Hansen. It's a bill for an act related appropriations; to appropriate federal funds to the Department of Health and Human Services; declare an emergency. LB1255 by Senator Bostar. It's a bill for an act relating to appropriations; to appropriate federal funds to the University of Nebraska. LB1256, Senator McKinney, a bill for an act relating to libraries; change provisions relating to public libraries; to require the election of library board members in a city of the metropolitan class; harmonize provisions; repeal the original sections. LB1257 by Senator Bostar, a bill for an act relating to appropriations; to appropriate federal funds to the Department of Transportation; declare an emergency. LB1258 by Senator Bostar. It's a bill for an act relating to motor vehicles; to adopt the Peer-to-Peer Vehicle Sharing Program Act; provide an operative date. LB1259, Senator Geist. It's a

bill for an act relating to license plates; to change provisions relating to license plates; to eliminate an obsolete provision; harmonize provisions; and to repeal the original sections. LB1260, Senator DeBoer, a bill for an act relating to guardianship and conservators; change membership of the Advisory Council on Public Guardianship; provide duties to the Public Guardian; provide for an application process; change provisions relating to the appointment of Public Guardian and duties of guardian ad litem. In addition, Mr. President, I have a notice of committee hearing from the Revenue Committee as well as the Natural Resources Committee. Designation by Senator Murman of LB723 as priority bill. Amendment to be printed to LB1129 from Senator Morfeld and a motion to suspend the Rules regarding the cancelation of a hearing for LB911. Your Committee on Enrollment and Review reports LB685 to Select File and that's all I have at this time.

**HILGERS:** Thank you, Mr. Clerk. Next, next item on the agenda.

**ASSISTANT CLERK:** Mr. President, the next bill is LB310. There are E&R amendments.

**HILGERS:** Senator McKinney for a motion. Senator Slama for a motion.

**SLAMA:** Mr. President, I move that the E&R amendments to LB310 be adopted.

**HILGERS:** Colleagues, you've heard the motion. All those in favor say aye. Opposed say nay. The E&R amendments are adopted. Mr. Clerk for an amendment.

**ASSISTANT CLERK:** Senator Clements would move to amend with AM1623.

**HILGERS:** Senator Clements, you're recognized to open on AM1623.

**CLEMENTS:** Thank you, Mr. President. Just a reminder: this is LB310, which is a reduction in the rate of inheritance taxes and increases the exemptions. It's been 13 years since there was any change to inheritance tax and this is because of inflation in valuations of assets. This is a slight decrease of-- to the rates. The amendment is to move the date-- the bill was introduced a year ago. It was going to be effective January of 2022. So this amendment moves the effective date to January 1, 2023. And then I worked with NACO. The-- we're also-- in the bill, it has some reporting requirements so we can get more information about inheritance taxes by class of person: by close relative, distant relative, or nonrelative. And NACO wanted the

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate January 20, 2022  
Rough Draft

personal representative to do the reporting. We had asked that-- we had put the treasurer doing the reporting, but the person or representative has the information. And so this amendment will have the personal representative of the estate report to the county treasurer and then the county treasurer submits on to the Department of Revenue. Thank you, Mr. President. I ask for your green vote on AM1623.

**HILGERS:** Thank you for opening, Senator Clements. Debate is now open on AM1623. Seeing no one in the queue, Senator Clements, you're recognized to close. Senator Clements waives closing. the question before the body as the adoption of AM1623. All those in favor vote aye; all those opposed vote nay. Have all those voted to care to? Please record, Mr. Clerk.

**ASSISTANT CLERK:** 38 ayes, 0 nays on the adoption of the amendment.

**HILGERS:** The amendment is adopted. Mr. Clerk for an amendment.

**ASSISTANT CLERK:** Senator DeBoer would offer AM1624.

**HILGERS:** Senator DeBoer, you are recognized to open on AM1624.

**DeBOER:** Thank you, Mr. President. Busy morning. Members of the Legislature, AM1624 incorporates the provisions of my bill, LB377. I want to say thank you to Senator Clements, who is open to me attaching my bill to his. LB377 is on currently on General File, having been advanced unanimously by the Revenue Committee. LB377 amends the definition of "relatives" for the purpose of the inheritance tax to include step-relatives. With this amendment, stepparents, grandparents, children, siblings, uncles, aunts, nieces, and nephews will be treated the same as blood relatives. This change reflects that the modern family comes in different types and the frequency of these situations is becoming more common. By passing this amendment, it will prevent situations where attorneys have to explain to a beneficiary why the law makes a distinction between them and their step-relative during a time of grief, after the passing of a family member. There is no good policy reason for the law to make such a distinction. LB377 was supported by the Nebraska Bar Association and the Platte Institute, Institute and had no opposition in the hearing. Again, I want to say thank you to Senator Clements and colleagues, I urge your adoption of AM1624.

**HILGERS:** Thank you Senator DeBoer. Debate is now open on AM1624. Senator Clements, you're organized.

**CLEMENTS:** Thank you, Mr. President. This is a friendly amendment and I had a personal acquaintance, a situation that this happened to, a classmate of mine from years ago. Her natural father died when she was five years old, mother remarried, and the, the new husband, her stepfather, was her dad for 50 years and he died, but he had not adopted her. And when he died and, and left her money, instead of a 1 percent inheritance tax that the natural-- or step-brothers and sisters got, she had an 18 percent rate as a nonrelative. And that was just sad to see and I didn't think to bring this amendment, but I really appreciate this as a friendly amendment. And we have a lot more blended families these days and so if they're not adopted as children by the stepparent, they're still going to be treated as children under the law for inheritance. Thank you, Mr. President.

**HILGERS:** Thank you, Senator Clements. Senator Erdman, you're recognized.

**ERDMAN:** Thank you, Mr. Speaker. I didn't want to miss an opportunity to talk about inheritance tax. We have, I believe, determined or have researched the problem and the problem is inheritance tax. That's the problem. And so we're going to do today what we did last week. We're going to put a Band-Aid on an amputation. We now figured out what the problem is. It's inheritance tax. So once you figure out the problem, then you come to a solution. LB310 is not a solution. LB310 is a continuation with all the misguided tax relief we pass in this body. So why should we change? We've got to continue with the same broken system we have and let's continue with the same broken inheritance taxes that we have when we know the real solution is to go to zero. That solves all of the problems. Senator DeBoer does not have to amend Senator Clements' bill. We go to zero. It is the most regressive tax ever thought of and you would agree and anybody that doesn't agree, please get up and explain to me when you have paid for everything you have with after-tax dollars and then you die and it creates a tax event. Tell me how that makes sense. I would yield you time if you think you can do that. Do I have anybody volunteering? I don't see any hands so I would assume that what I've said is correct. So today we're going to put this Band-Aid on this amputation. And so let me tell you what's going to happen. You have a five-year increase in value over the next three years, you're right back to where you were before, changed nothing. Changed nothing, but we're real comfortable here in this body doing nothing. And so Senator Machaela Cavanaugh was talking

about compromise. That's what this is; compromise. Does nothing. Four people voted against LB310 the last time it moved from General to Select. Probably there won't be any more than that this time, but that doesn't mean that I'm wrong. That doesn't mean that I have the wrong opinion about inheritance tax. What it means is we don't have the intestinal fortitude in this body to stand up and make decisions that really count for the people who pay taxes. And we've heard them whine, from every county commissioner whines about we've got to raise taxes if you eliminate inheritance tax. Well, that's exactly what inheritance tax is. It's raising taxes. Oh, but it only raise taxes on a few people and most generally, those people that we raise that taxes on can't vote for us. So let's do that. It is not the county's money. It belongs to the individual. This whole tax system we have is broken. We continually focus on those who collect and spend the tax dollars instead of focusing on those who pay the tax dollars. It's private money. It doesn't belong to the county. It belongs to the people. But I'm quite sure Senator Clements will get enough votes for this to advance and we'll move on with trying to make a fix that really doesn't count. That's what we do here. So we can go home and say, hey,--

**HILGERS:** One minute.

**ERDMAN:** --we fixed the inheritance tax problem. We lowered at 15 percent. Wow. What happens if we go home and say, hey, guess what? We eliminated inheritance tax. What do you think of that? That's making a difference. So generally speaking, the safest play people-- place people in Nebraska can be is when we're not meeting because we make decisions like this. People have their hopes up that we're actually going to do something that means something to them and then we throw them this bone and say, here you go. You should be happy. We lowered it 15 percent. Oh, that's not 15 percent every year. That's 15 percent going forward until the next time we put another Band-Aid on your other amputation. I'm voting no on LB310 and I encourage you to do the same. Thank you.

**HILGERS:** Thank you, Senator Erdman. Seeing no one else in the queue, Senator DeBoer, you're recognized to close. Senator DeBoer waives closing. The question before the body is the adoption of AM62-- AM1624. All those in favor of vote aye; all those opposed vote nay. Have all those voted who wish to? Please record, Mr. Clerk.

**ASSISTANT CLERK:** 38 ayes, 1 nay on the adoption of the amendment, Mr. President.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate January 20, 2022  
Rough Draft

**HILGERS:** The amendment is adopted.

**ASSISTANT CLERK:** Mr. President, nothing further on the bill.

**HILGERS:** Senator McKinney, for a motion.

**McKINNEY:** Mr. Speaker, I move to advance LB310 to E&R for engrossing.

**HILGERS:** Colleagues, you've heard the motion. All those in favor say aye. A record vote has been requested. All those in favor vote aye; all those opposed vote nay. Have all those voted who wish to? Please record, Mr. Clerk.

**ASSISTANT CLERK:** Voting aye: Senator Aguilar, Albrecht, Arch, Bostar, Bostelman, Brandt, Briese, Clements, Flood, Friesen, Gragert, Halloran, Matt Hansen, Hilgers, Hilkemann, Hughes, Kolterman, Lindstrom, Linehan, Lowe, McCollister, McDonnell, Moser, Murman, Pahls, Pansing Brooks, Sanders, Stinner, Vargas, Walz, Wayne, Williams, and Wishart. Voting no: Senator Machaela Cavanaugh, Erdman, Ben Hansen and Hunt. Vote is 33 ayes, 4 nays, Mr. Pres-- Senator Ben Hansen voting yes. Vote is 34 ayes, 3 nays, Mr. President.

**HILGERS:** LB310 advances. Colleagues, we've reached the end of the agenda, but since it's the last day of bill introduction, we're going to stand at ease for a little bit. Please get your bills in right away. If you're expecting a bill to be introduced today, please let us know so we can time our adjournment accordingly. Thank you. Senator Stinner, you're recognized for an announcement.

**STINNER:** Yeah, thank you, Mr. Speaker. Several people have come up to me, both from the lobby as well as senators, saying this ARPA situation is a lot different than we've been accustomed to, what are the procedures? So what I've tried to do is to pass out the procedures that list verbally what we're going to try to do and then an attachment that really refers you back to what's in the Governor's budget, budget book. And actually, we're going to try to follow the format that we always have tried to follow And that is having Lee Will, who's the Budget Director for the Governor, will make the presentation first. And he may have two or three other people from the different agencies also come up and speak and then we'll, we'll open it up for people who want to talk about the various items and we will take those in order. In other words, in the category of public health emergency, our number one item will be healthcare facility capacity expansion. I will ask for proponents. I will ask for folks that are

negative and also neutral and so on and so forth till I get to the bottom of that category. At the bottom of that category, then we'll open it up for anybody that wants to make recommendations for ARPA funds that maybe doesn't have a bill, but that has a good idea that wants to come to the committee. Now if you come to the committee and you have-- support a recommendation by the government, but there are elements of that that you, you would like to add, either restrictions or an addition, some, some parameters or anything of that sort, we're asking you to have those in writing because you'll have three minutes to make testimony. So you put those in writing so the committee has all of those things in writing. We'll accumulate all of that and then start to make our decisions as to how we put together this ARPA request and then obviously bring it to the, to the floor for all the senators to have a say in what, what happens with the ARPA funds. But I thought I'd lay those, those out. Again, limited testimony. We expect quite a few folks to show up, either as proponents or opponents, and, and comment on what the Governor's recommendations are. So I thought I'd just lay those procedures out. I'll make a copy for the lobby as well. So hopefully, hopefully we'll get through it within-- by, by 8 or 9, 10 o'clock at night, I suppose. Thank you.

**HILGERS:** Thank you, Senator Stinner.

[EASE]

**CLEMENTS:** Mr. Clerk, for new bills.

**ASSISTANT CLERK:** Mr. President, LB1261, offered by Senator Murman. It's a bill for an act relating to the Nebraska Advantage Rural Development Act; change provisions relating to limitations on tax credits; to harmonize provisions; repeal the original sections. LB1262 by Senator Murman. It's a bill for an act relating to recreation areas; to adopt the Recreation Area Assistance Act. LB1263 by Senator Clements. It's a bill for an act relating to the Election Act; to provide for secure ballot drop boxes as prescribed. LB1264 by Senator McDonnell. It's a bill for an act relating to revenue and taxation; to eliminate inheritance taxes; to impose sales and use taxes on certain services; to eliminate certain sales and use tax exemptions; change provisions related to income tax brackets and rates, standard deductions, and itemized deductions; legislative intent regarding tax incentive programs and student loan relief; and to repeal the original sections. LB1265 by Senator Halloran. It's a bill for an act of relating to income taxes; to provide an income tax deduction for certain law enforcement officers. LB1266 by Senator Halloran. It's a

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Floor Debate January 20, 2022

Rough Draft

bill for an act related to the Public Service Commission; to provide an unjust discrimination exception for common carriers as prescribed. LB1267 by Senator Vargas. It's a bill for an act relating to appropriations; to appropriate funds for certain health equity liaisons; and declare an emergency. LB1268 by Senator Bostar. It's a bill for an act relating to the State Lottery Act; to remove a prohibition that a lottery ticket cannot be sold through a vending or dispensing device. LB1269 by Senator Murman. It's a bill for an act relating to appropriations; to appropriate federal funds to the Department of Health and Human Services; and declare an emergency. LB1270 by Senator Clements. It's a bill for an act relating to law enforcement officers; to adopt the Law Enforcement Attraction and Retention Act. LB1271, Senator Lindstrom. It's a bill for an act relating to law enforcement; to adopt the Law Enforcement Marketing Act. LB1272, Senator Halloran. It's a bill for an act relating to law enforcement officers; to provide income tax credit based on years of service; change provisions relating to waiver of tuition; repeal the original sections; declare an emergency. LB1273 by Senator Bostar. It's a bill for an act relating to income taxes; provide an income tax deduction for retired law enforcement officers for health insurance. LB1274 by Senator Flood. It's a bill for an act relating to roads; to require the Department of Transportation to plan, design, and purchase right-of-way for Highway 81 and Nebraska Highway 20; declare legislative intent to appropriate funds. LB1275 by Senator Groene. It is a bill for an act relating to cannabis; to provide for civil and criminal penalties; to create a fund; change provisions relating to controlled substances, open containers, taxation; harmonize provisions; provide an operative date; repeal the original sections; declare an emergency. LB1276 by Senator McKinney. It's a bill for an act relating to civil actions; to provide for civil actions against law enforcement officers who commit misconduct and exempts such taxes from the Political Subdivision Tort Claims Act and the State Tort Claims Act; and to repeal the original sections. LB1277 by Senator Clements. It's a bill for an act relating to appropriations; to appropriate federal funds to the Department of Economic Development. New resolutions: LR279, offered by Senator Pahls, is a interim study resolution, which will be referred to the Exec Board. LR280 by Senator Pansing Brooks declares February 20th as a day of remembrance. That will be laid up-- laid over. LR281CA by Senator Murman is a proposed constitutional amendment to treat commercial real property as a separate and distinct class for purposes of taxation. LR282CA by Senator Slama would eliminate the requirement that members of the Legislature be nominated and elected in a nonpartisan manner. LR283 by

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Floor Debate January 20, 2022

Rough Draft

Senator Bostar is a proposed constitutional amendment to allow city, counties, and other political subdivisions to expend revenues to develop and encourage new or expanded air service. In addition to that, Committee on Revenue reports LB273 [SIC, LB723] and LB825 both to General File. Priority bill designations: LB825 by Senator Lindstrom. Name adds: Senator Albrecht to LB825, Senator Arch to LB853 Senator, Wishart to LB920, Senator Gragert to LB1093, Senator Bostelman to LB1143, Senator Kolterman to LB1199. An announcement that the Reference Committee will meet upon adjournment in Room 1525. And finally, Mr. President, a priority motion. Senator Hughes would move to adjourn until Friday, January 21, 2022, at 9:30 a.m.

**CLEMENTS:** Colleagues, you've heard the motion. The question is shall the Legislature adjourn? All in favor say aye. All those opposed say nay. We are adjourned.