

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate September 20, 2021

FOLEY: Good afternoon, ladies and gentlemen. Welcome to George W. Norris Legislative Chamber for the sixth day of the One Hundred Seventh Legislature, First Special Session. Our chaplain for today is Senator Blood. Please rise.

BLOOD: Friends, let us reflect on the mercy and love exhibited by St. Therese of Lisieux, who once said, how can I fear God, who is nothing but mercy and love. As we listen to her written words as prayer, please join me in reflection. True charity consists in bearing with all the defects of our neighbor and not being surprised at his failings and in being edified by his least virtues. Charity must not remain shut up in the depths of the heart for no man lighteth a candle and put it under a bushel, but upon a candlestick that it may shine to all that are in the house. It seems to me that this candle represents the charity which ought to enlighten and make joyful not only those who are dearest to me, but all who are in the house. A word, a kindly smile, will often suffice to gladden a wounded and sorrowful soul. If heavenly grace and true charity come in there shall-- there shall be no envy or narrowness of heart, nor shall self-love keep its hold, for divine charity, overcomes all and dilates all the powers of the soul. And with these words we end our prayer, beginning a new week, keeping the betterment of Nebraskans in our minds and in our hearts as we move forward to redistricting for the greater good of all. Amen.

FOLEY: Thanks, Senator Blood. I now recognize Senator Ben Hansen for the Pledge of Allegiance.

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

FOLEY: Thank you, Senator Hansen. I call to order the sixth day of the One Hundred Seventh Legislature, First Special Session. Senators, please record your presence. Roll call. Mr. Clerk, please record.

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

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

CLERK: I have no corrections.

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

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CLERK: I have one item. The Redistricting Committee reports LB3 to General File. That's all that I have, Mr. President.

FOLEY: Thank you, Mr. Clerk. We will now proceed to the first item on the agenda, General File. Mr. Clerk.

CLERK: Mr. President, LB3 reported to the floor by the Redistricting Committee. It's a bill that was introduced by the committee, it's a bill for an act relating to redistricting. It sets the district boundaries of the legislative districts by the adoption of maps by reference; and provides for applicability of sections; repeals the original sections. Introduced on January-- excuse me, introduced on September 13, reported to the floor. I have no amendments at this time pending, Mr. President.

FOLEY: Thank you, Mr. Clerk. Senator Linehan, you're recognized to open on LB3.

LINEHAN: Thank you, Mr. President, and good afternoon, colleagues. I'm in a little bit of a disadvantage here, I don't know if anybody else noticed if your phones are working because mine is not. Oh, OK, now I'm getting-- now I'm getting nervous. So if my office is watching, it'd be very helpful if I had some maps to introduce this bill with, [LAUGHTER] because I've been in meetings all morning and I get up here and I don't have a map of LB103 and it would also be helpful to have a map how all the districts change, so the first maps we worked with. So hopefully somebody down there is listening. Oh, thank you. I at least have one. Plus, I think LRO is still working on maps because I don't see any of the staff on the floor, but this does not mean that nobody has been working for the last 24 hours. Everybody has been working quite diligently. We just-- like clock is running faster than we are. In all seriousness, I understand much, much better today than I did a month ago how difficult this process is. I mean, I knew it would be difficult. I didn't think it would be like fun, but I guess I didn't stop maybe as much as I should have to realize how very personal this is. Like, incredibly personal. Our districts, and I'm going to refer to them as our districts because I know they're not really ours, they belong to the people and they belong to the state and they're not ours, but we feel like they're ours. They represent our home, our schools, our churches, our roots where we grew up, who we are. But unfortunately, as much as I would love to leave everything just the way it is, my district has 20,000 too many people. So I have to negotiate, which is much better than where a lot of you are, I understand that, but I have to negotiate. OK, do I say goodbye, Valley? Goodbye, Waterloo. Goodbye, the Ridges. I got to say goodbye to somebody. Senator Day is in a very similar circumstance. It's hard

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to believe, Senator Day, but we're the lucky ones. She has to give up, I think, around 10,000 people. Senator DeBoer, too, is one of the lucky ones. She only has to negotiate which neighborhoods she doesn't want to serve anymore. But those jobs are a lot, lot easier than the people who represent the state west of Grand Island or actually west of Lincoln, could just say west of Lincoln or west of Omaha, because for the most part, every one of those districts has to change and some have to change dramatically. And we have had legislators, senators working all weekend to see if there's a way we don't have to change dramatically, they're still working on that, maybe there is a miracle there that somebody's not found yet, we're looking for miracles. But when we put the map together that's LB3, what we thought is the 20,000 people in 39, the 10 in 49 and the 10 in 10 represent a district that has to go somewhere in Sarpy or Douglas County. So we looked at the rest of the map and it was not anybody's intent on the committee or anybody that I ever talked to, we never talk personalities. We did not. We didn't talk about who voted for what when. We looked how do we keep as much of rural Nebraska represented as we possibly can. So we took two districts and we all know who they are now, Senator Kolterman's district, Senator Bostelman's district, and we pushed them together and I called it merging. I realize now that Senator Kolterman thinks I picked his up and moved it. I didn't-- we didn't, I think, on the committee, see that's what we were doing. We thought we were like, OK, if we-- we make everybody bigger and then we put these two together, then we'll have a district for Douglas-- Douglas or Sarpy County, and we put it in Sarpy County, which meant that Senator Day loses Gretna. We bring Senator Walz into Douglas County because if you're from Fremont and you live in Waterloo and Valley, a lot of people go up and down that road. They're kind of naturally connected already. 275 comes in from Fremont and goes into Douglas County. We don't bring it very far in, I think Valley is-- we bring her in to Valley. We-- we've also got districts in Douglas County, which I've talked about this. They don't-- they have not shrunk so much, but they did not keep up with the growth of the state. So there are districts in Douglas County, their boundaries have to change so they can get to the 40,000-plus to be a district. So I don't know really, except for the three of us that have to shave off, everybody else in this body unless I'm forgetting someone, has to make changes. Big changes. Senator Groene has had Lincoln County, North Platte, that's been his whole district. Not going to be that way anymore. Has to get bigger. Chairman Stinner has Scotts Bluff, one county, it's been that way, I suppose, I don't know, for a very, very long, long time. Not anymore. He's got to pick up at least two counties, if not two and a half, maybe three counties, depending on which way you go. Senator Walz already talked about Dodge County's been a legislative district. I

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don't know. I'm not going to-- I assume since the beginning of time, I'm-- beginning of statehood. It's not there anymore and it's not-- here's the good news. And we don't talk about that. At least I haven't had a lot of good news lately. We grew last year. As a state, we grew as much as the whole country. That is a big deal. It's a big deal. Now, if you happen to live in a part of the state that didn't grow at all, then you start out seven and a half behind and then you have to figure out if you lost population, how much worse it gets. So that-- that is our focus here, trying to figure out the jigsaw puzzle. But overall, the fact that we managed to grow over the last ten years is very good news. It's good for our future. It's good for our children. It's good for our revenues. All of that's good. So we're not probably going to get to an agreement today, but I am willing to meet. If I have not talked to people as much as I should, I am here. I'll be here all day, be here until the evening and here all week. So if you have ideas, miracles, something where we don't have to make significant changes, I would love to see that. But by law, we all know we have-- we have to move forward on this and we have to figure out a way that these districts, while be-- trying to be fair to everybody in this body, understand that it's not personal, it's not about any one member who somebody's mad at, it's just a math problem. It's what it is, folks. It's a math problem. Thank you, Mr. President.

FOLEY: Thanks, Senator Linehan. Mr. Clerk.

CLERK: Mr. President, Senator Matt Hansen would move to amend the bill with AM26, AM26.

FOLEY: Senator Matt Hansen, you're recognized to introduce your amendment.

M. HANSEN: Thank you, Mr. President, and good morning, colleagues. Let me start by saying I agree with so much of what Senator Linehan has just said, and I'm very appreciative of all of the work that the Redistricting Committee has done so far. I have not been attempting to draw maps. I instead have been working and like many of you, like Senator Linehan mentioned, talking to a number of senators all weekend to try and get an update of, you know, what is happening, where is the current state of negotiations? What's Nebraska going to look like? What's Lincoln, what's Lancaster County going to look like? And I'm appreciative that we know that we do not probably have maps as of this moment that we're going to move forward with. So as part of the reason to facilitate and discuss negotiations today, my AM26 would gut LB3 and replace it with LB4. For those of you following at home, that would essentially be taking the Senator Linehan's proposal in LB3 and replacing it with Senator Wayne's proposal in LB4. And part of the

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reason I'm the one introducing this amendment is, I'm not necessarily the lead negotiator and we know negotiations are going to be going on today. I'm not the one drawing maps so I can introduce an amendment and talk about it on the floor to free up members of the Redistricting Committee to then have those discussions and negotiations that I think we all recognize and know is going to happen. I think both LB3 and LB4 drew up strong opinions. I've certainly heard that from a number of senators. I know we all have elements of our district we like or dislike or have elements that we feel are core that might feel core to us. It might not seem obvious to an outside observer. I certainly know that. I certainly feel that, for example, Legislative District 26 is really based on Meadowlane, Bethany and University Place neighborhoods in Lincoln, but you wouldn't necessarily know that from the outset. I've heard similar from Omaha colleagues, from other Lincoln colleagues, and certainly we've already heard, as we've discussed on the microphone last week, you know, some different perspectives, including how primarily agriculture or rural counties feel, granted in the context of redistricting for congressional level, as well as how we feel in Sarpy County. There are things that we as a body are going to have to simply learn and learn about each other's districts. So for the moment, we know we are going to have to do some ongoing negotiations between LB3. When Senator Linehan talked about all the effort she put on the weekend, I absolutely believe that, and I'm aware of that. I did not necessarily meet with her, but I was aware of the various negotiations from various members of the Redistricting Committee happening all day yesterday and into yesterday evening as well. And I think we're going to have to keep working forward and I think we're going to have to keep negotiating as well. So for the moment, AM26 is serving as a vehicle to discuss LB4. If there's a particular map you think was better than the other, you now have an opportunity to get up and say why. If we did something to District 1, District 17, District 41, better in one map or worse in another map, you now have a vehicle to stand up and compare and say which one happened better or which one happened worse. You know, I think there's some areas in which we are approaching agreement. I think there's some areas in some legislative districts in which both maps are identical or near identical and I think that's a function of the math. Both Senator Linehan and Senator Wayne especially have been talking about the math over the course of multiple days, that functionally we have certain population centers that are the basis, either if they're the entirety of a legislative district or close to the entirety of a legislative district and there's only so many ways you can do it. Like Senator Linehan just mentioned, Dodge County. Dodge County is not big enough anymore to be its own district, but no matter how you slice it, it is going to be most of a legislative district. There are other

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counties that fit into that category as well. Similarly, Lincoln, obviously, Lincoln is going to continue to be either seven or eight legislative districts. We currently have seven senators with-- who live in the City of Lincoln and at the end of redistricting, we're going to have seven or eight districts that are kind of the base core neighborhoods of Lincoln. We're going to see this kind of continue and go on from there. As I said, AM26 is the contents of LB4. It's giving the Redistricting Committee-- which was heard by the Redistricting Committee as well alongside LB3. We have these opportunities to discuss and debate these two maps. And with that, Mr. President, I will finish my comments and let the body get on with debate. Thank you, Mr. President.

FOLEY: Thanks, Senator Hansen. Debate is now open on the amendment and the bill. Senator Morfeld.

MORFELD: Thank you, Mr. President, and colleagues. I rise in opposition to LB3 and in support of AM26, the Senator Hansen amendment. And I know that there's going to be a lot of discussion here today about these maps in particular. But I want to start out and lay the framework and the basis for my opposition. And that's, quite frankly, the framework and the basis of this committee and the formation of it. So if you look at LR134 and you skip down to line-- excuse me, page 2, first paragraph, paragraph 4, it states, insofar as possible and within the context of the principles set forth by the United States Supreme Court, district boundaries shall define districts that are easily identifiable and understandable to voters, preserve communities of interests and allow for the preservation of the core of prior district-- districts. When feasible, district boundary line shall coincide with the boundaries of cities and villages. If a county, city or village must be divided, the division shall be along clearly recognizable boundaries as described by census geography. So I want to start with that because that is the foundation and that should be our guiding principles at every step of the way. Unfortunately, I think that LB3 fails to do that in many different instances, much more so than LB4. And I'll start detailing why. So first off, there is no doubt that we have had significant population shifts and changes in the state of Nebraska. You can just look at the maps from LR-- LRO that look at the population declines in each of our legislative districts. And for the past, as far as I can tell, 40 to 50, if not more years, there's been significant population decline in the western part of the state, which is why we have moved districts from the western part of the state to the eastern part of the state where there are significant population increases. So it's a bit odd when we look at trying to adhere to these principles that a district

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is a-- that particularly has steady population, if not a little bit of an increase and I'm-- I'm referencing Senator Kolterman's district, which was moved, is the one that is moved. I think that when we're looking at whether or not we move a district, we should be looking at where it makes the most sense based off population decline while existing the preservation-- while-- while respecting the existing core of other districts and while trying to preserve the community of interests in those districts. Now, there's a bunch of examples in LB3 where this could have been violating those principles, could have been avoided, but we're not. And so I'll talk about the area I know best, which is Lancaster County in the Lincoln area, and in talking about that, I want to start with District 27. So if you look at District 27, you look at the original District 27, which you have to pull up online and look at that, one of the things that was a concern was that there was an area in 2011 that was created that was kind of an appendage of what looked like to be the core of that district. And there were a bunch of people that were concerned about that, for lack of a better term, appendage. And there are some people that were concerned about it being gerrymandered. So I will admit that both maps alleviate that concern. They do. The Linehan map, LB3, is much more compact and in my opinion, contiguous than the current district, as is. If you look at the Wayne map, LB4-- if you look at the Wayne map, LB4, not only is it compact and contiguous, it also follows lines that are much more easily recognizable and identifiable in that district and in this case, 9th and 10th Street and going down the downtown area. Whereas, in the other map, there's a jut that goes out, takes part of downtown, keeps part of north downtown, otherwise known as the Haymarket area, and then wraps around that senator's district because the original map excluded that senator unnecessarily, completely unnecessary.

FOLEY: Half-- half minute.

MORFELD: It also cut into the core of that district and it currently cuts through the core of that district and neighborhoods within that district, all completely unnecessary. Why do we know it's unnecessary? Because we were able to draw an alternative map, LB4, that maintains the core of all of the districts in Lincoln and is able to follow easily recognizable lines within the city. These are all things that are principles of LR134 and, yes--

FOLEY: That's time, Senator.

MORFELD: Thank you, Mr. President.

FOLEY: Thanks, Senator Morfeld. Senator Blood.

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BLOOD: Thank you, Mr. President. I stand opposed to LB3 and in favor of AM26, and the words I'm going to say right now are not a surprise to, to Senator Linehan, as I've already discussed this with her before. I'm really surprised that so many senators from Sarpy County were really concerned about keeping it whole when it came to congressional districts, but have nothing to say when it comes to the legislative districts. I'm going to tell you why I stand opposed because I see serious issues-- I cannot hear, whoever's talking over here. I stand opposed because I see serious issues in LB3. In Sarpy County, you'll note that there are legislative borders that cut right through SIDs, Sewer Improvement Districts. SIDs are political subdivisions, in case you weren't aware of that. Says so in state statute. So when I look at those parts of the Sarpy legislative districts that cut right through the SIDs, there's no clear and recognizable path, as you just heard Senator Morfeld discuss. So imagine if you're one of those members of a five-member board of trustees, which every SID has, and these neighborhoods are cut right in half, not by main streets, not by main areas that people utilize to be transported through those areas, but right in the middle of a SID and you're those board members and you have a legislative issue, you'll have to deal with multiple senators because they've cut you in half. And so there is a math problem. And I understand why LB3 did some of what it did, but that math problem doesn't exist in LB4 at least not for Sarpy County. So I also noted that Nebraska was listed in the top 10 states to watch for possible new prodemocracy litigation. So knowing this, I actually read Laboratories of Democracy, which is a report on the impact litigation can have in state courts instead of federal courts and thought I'd share this with all of you as we chat today about our maps. So what I don't cover with this time on my mike, I will cover later. So impact litigation has the goal of improving democracy and elections and is brought forward to state courts under state law. Now, although many high-profile cases improving democracy have come at the federal level, there are textual, structural and historical reasons why a diverse court strategy for electoral impact litigation can provide opportunities for reform where the federal courts have not acted. And so what we're seeing in the buzz of different organizations that are worried about maps not being fair, is that Nebraska is being targeted right now as perhaps bringing forward maps that they feel are not fair. So current federal jurisprudence does not protect the right to vote with the same level of scrutiny as other constitutional rights, including the right to spend money to influence elections as you learned when I brought my dark money bill forward this year, that is still, by the way, stuck in committee. The result is a serious gap in available federal judicial-- judicial protections for our most precious right, the right that is

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preservative of all rights, which is what we're doing when we draw good maps. Ultimately, federal voting rights jurisprudence has proven to be insufficient to meet the rising tide of voting restrictions and growing dysfunctions in our electoral systems. Now, this particular report outlines that there are textural, structural and historical reasons why a diverse state court strategy for electoral impact litigation should provide opportunities for reform where the federal courts have not acted. So first, in contrast to the U.S. Constitution, 49 state constitutions have explicit provisions providing an affirmative-- affirmative right to vote to their citizens. 25 states also have a constitutional provision guaranteeing free and equal elections. For example, in the past, as we all know, the Pennsylvania Supreme Court struck down its congressional map as a partisan gerrymander and it shows the vitality of these provisions. Our federal constitutional structure also supports the view that access to the right to vote and the structure and administration of elections could be sensibly afforded broader protection at the state level. And as is highlighted in this report, the federal constitution--

FOLEY: Thirty seconds.

BLOOD: --specifically delegates much of electoral administration to the states. Friends, I'm going to finish more of this later on, but I just want you to know that there are definite problems with the maps that we have now. We are being watched by the nation. We can do better. It's more than a math problem when it comes to LB3. It's really some bad mapping and I don't mean that negatively to Senator Linehan, I know they've-- the best that they could do. But for Sarpy County and our SIDs, it's not going to work. And because of that, I do support AM26.

FOLEY: That's time, Senator. Thanks, Senator Blood. Senator Machaela Cavanaugh.

M. CAVANAUGH: Thank you, Mr. Lieutenant Governor. Good afternoon, colleagues. I stand in opposition to LB3 and support of AM26, and I will have quite a bit to say about that today. But first, I wanted to acknowledge and extend my thanks to Governor Ricketts. This morning, he announced that he is bringing back the COVID-19 dashboard. Some of you, if you were listening to me talk on Friday, heard me talking about the need for this. It's something that myself and ten of our colleagues came together and asked the Governor to do on August 11th. It's something that the hospital association and doctors across the state have been asking for. I appreciate that he has decided to do so now and I hope that this will help give Nebraskans a clearer view of where we stand with the virus. We've been flying blind, really flying

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blind, and we got comfortable because we didn't know what the situation was. But for those of us that have maintained contact with medical professionals and county public health departments, we know that we have not been in a good position and that our hospitals are stretched thin and that businesses and communities haven't been able to make appropriate decisions when it comes to safety and protocols because they didn't know how bad it was. And so I really appreciate that information no longer being withheld. We were the only state in the nation that did not have a public reporting. So I think it's really important that this change has come about finally. And I know that our medical professionals are grateful to have this information made available to the general public as well, because they want to make sure that people are taking this virus very seriously. We are not out of it yet. We still have a ways to go. We had great news this morning that, I believe it's Pfizer that is seeking an emergency declaration to extend the vaccination to children under the age of 12 and over the age of five, which is going to be huge for our school age children that are able to get access to that vaccine and for our educators who are going to have just another layer of support and prevention between them and the virus. I know I send my children to school and my son to daycare, and it is a concern every single day. And even my 3-year-old can wear a mask and he does. He's very good about it. But I don't want that to be his reality forever. And so I-- I just hope we all can continue to work together to get vaccinated, get masked. Even if you're vaccinated, the Delta variant is strong and we don't want to see variant after variant after variant that we can't ever get back to normal fully. There was a report this morning on the radio that more people have died in the United States from COVID-19 than all wars from the 20th and 21st century combined. That's a lot of people. So I again, appreciate the Governor for making this move and this choice. I think it's the right choice for Nebraska. I think it's the best choice for everyone to have access to information. I believe that being transparent and having access to information is always what we should be striving for. As elected officials, we have a responsibility to the people of the state to not only care for them, but to keep them abreast of what is going on in our state. So with that, I-- how much time do I have left?

FOLEY: One minute.

M. CAVANAUGH: OK. I do have quite a bit to say about why I oppose LB3 and support AM26, but since I am almost out of time, I will do that on another time on the microphone. Again, thank you, Governor Ricketts, for reopening the dash-- the COVID-19 dashboard. I look forward to

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being able to see the snapshot of where the state is on a daily basis. I yield the remainder of my time.

FOLEY: Thanks, Senator Cavanaugh. Senator Briese.

BRIESE: Thank you, Mr. President. Good afternoon, colleagues. I rise in support of LB3 and in opposition to AM26, but I'll speak about that a little later. We had our hearings last week. We heard from countless Nebraskans and even a few of our colleagues, and we heard a lot of concerns. And as I mentioned last week, though, we're all going to have to give a little bit. No matter where we land, nobody is going to be completely happy with this. And we need to remember, we don't own our legislative districts. Nebraskans do. And by necessity, the borders to essentially all districts are going to have to change to some extent. So we need to put behind us the idea that that's my district and don't touch it. Nebraskans own those districts, we don't. So not everyone is going to get all they want out of this deal and we need to be reasonable about what we're doing here. And I do think LB3 is a reasonable place to land. Beyond that, we as a body in LR134 acknowledge the importance of preserving the core of existing districts. And that's an extremely important goal and that's a legitimate goal of legislative redistricting. The Supreme Court has told us that several times: preserving the core of existing districts enhances continuity in representation and consistency in representation. And I think it's extremely important to do that. And LR134 reflects our recognition of the importance of preserving the core. And for the most part, this map reflects the importance of preserving the core. Obviously, some will suggest, well, we lost part of the core there, we lost part of the core there. But overall, in the aggregate, it does a pretty darn good job of preserving the core of those existing districts. With one exception, every proposed district contains a significant portion of the previous district. In some cases, the new districts contains almost all the old. In many cases, most cases, it contains a significant portion or a majority of the old district. And I think by necessity in LB3, one and only one proposed district does not contain a portion of the old. For the most part, LB3 does a nice job of preserving the core of existing districts, and that's important to Nebraskans and is consistent with LR134 and I'd urge your support. As far as AM26, simply a regurgitation of LB4, I oppose LB4. LB3 would simply shift LD24 a little farther to the east. LB4 would pick up Legislative District 44 and move it and moving L-- Legislative District 44 really is a nonstarter for me. And I certainly appreciate and admire and respect the service of Senator Kolterman to his district and to this state. I have the utmost respect for the senator and his service, but I still think it makes the most sense to

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move to shift LD24 rather than some of the others. I look at the geographic proximity of Legislative District 24 to Sarpy County compared to a district that lies 300 miles away to the west. I don't think it makes sense to pick up a district and move it 300 miles. And I don't care what they did with Legislative District 49 ten years ago. I look at and compare the local economies, especially the ag economy of District 44 and District 24 and Sarpy County. In Grand Island the vice president Farm Bureau indicated she had a working knowledge of agriculture across the state and she testified to the similarities of ag in the York, Seward areas to that of ag in Sarpy County and she testified to the differences in ag between those eastern counties--

FOLEY: One minute.

BRIESE: --in LD44. Thank you, Mr. President. LD24 is much more similar to Sarpy County, and I believe it makes the most sense to move it rather than Legislative District 44. So for those reasons, I oppose AM26, I support LB3 and I would encourage your support of LB3. Thank you, Mr. President.

FOLEY: Thanks, Senator Briese. Senator Lathrop.

LATHROP: Thank you, Mr. President, and colleagues, good afternoon. I am in opposition to LB3 and in favor of AM26. And I'm happy that I followed my friend, Senator Briese, who-- who spoke about preserving the core of the district. That-- that topic has a little history here. There were those of us on the committee the first time we talked about this included Senator Briese, who wanted that in our resolution. When we actually took it up and voted, he voted to make it permissive rather than mandatory, which a number of us wanted. But on the topic of core of the district, understand that what Senator Briese is telling you is he'd like to maintain the core of the western districts, but not apply the same standard to Douglas and Lancaster County. If you look at Douglas County in this map, LB3, it jumbles all of the districts and they become unrecognizable. There are boots-- things that look like a boot going in one direction and some-- some-- some space where we go off and grab some voters here and there. We're not preserving the core of the district in this map in the urban areas, but it does do that in the rural areas, specifically west of Kearney. And how is that accomplished? That's something else I want to talk about. By using the deviation, the permissible deviation, by the way, that was also the subject of something that took place in committee. When we talked about what deviation we were going to use, the Chair proposed 5 percent. Senator Morfeld and I, I think Blood as well, we talked about the necessity of tightening that up, making it a 2 percent deviation. Here's the reason for the deviation in the first

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place, and we did discuss this in committee. The deviation helps us not split towns, split counties. It gives us a little leeway when you're making a map not to split a town. But what happens in LB3 is it is now used as a tool for diminishing the consequences of population loss west of Kearney. So if you look at LB3, you will see in 48, it's minus 4.35; in 47, it's minus 3.98; in 43, it's minus 4.39 and and on and on as you move your way to the east. And what-- what's that mean? That means those districts are actually larger than they should be for the population that's contained within them. And what's happening, and I talked about this in one of our hearings, were gaming the deviation to create larger rural districts and it is now a tool. I tried to think of a term, what should we call this? If it's not gerrymandering, it's "deviationmandering". We're going to game the deviation to blunt the consequences of population loss west of Kearney and then stand up and say we're doing this to preserve the core of the district, a principle my friend, Senator Briese, voted against. Colleagues, at some point we're going to have to get down to making maps that are realistic. We are now on our second day of 8-hour debate. We started Friday, everyone recognizing that we were going eight hours and nothing would be accomplished. Today, we are starting once again an 8-hour debate. Everyone in this room knows what the vote count looks like. Nothing is going to happen. And to be clear--

FOLEY: One minute.

LATHROP: --and to be clear, when people-- when you hear the Chair talk about negotiations, there are none. There are no negotiations going on. If you are a Nebraskan watching this, there are no negotiations happening. The committee puts out Senator Linehan's congressional bill. They will not put out Senator Wayne's. They put out Senator Linehan's legislative maps, not Senator Wayne's and we are going to debate both of them for eight hours for no purpose. Everyone in this room knows neither one of them are going anywhere and no negotiations are happening at this point in time. I want to talk about the process the next time I get back up here and I want to talk about the importance of us getting this done. We cannot not get this done. Kicking this off to 2022 or punting is not going to work. And I want to talk about that the next time I get up here, but negotiations need to happen.

FOLEY: That's time.

LATHROP: They need to be thoughtful and they need to be nonpartisan. Did you say time?

FOLEY: I did.

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LATHROP: Thank you.

FOLEY: Thanks, Senator Lathrop. Senator Kolterman.

KOLTERMAN: Thank you, Mr. President. Good morning, colleagues. The people that know me have advised me to smile, take some deep breaths and talk about why they shouldn't take the 24th District and move it to Sarpy County. So, I'm going to try and do all of the above. As I stand here and talk to you today, it's more about keeping a rural district rural. There's nothing more rural than the 24th District at this time. But I do want to express my opposition to LB3, which literally, in my opinion, dissolves LD24 as it currently sits and moves it to district-- to Sarpy County. I personally believe moving LD24 to Sarpy County truly violates the redistricting guidelines we established last May as a body. According to Section 4 of LR134, the district boundaries shall preserve communities of interest and allow for the preservation of the core of prior districts if possible. I don't believe moving LD24 to Sarpy County does that. Based upon other proposals that have been developed, it's-- it's more than possible to preserve the core of Legislative District 24 within its current area with just a few tweaks. I believe that as one of 12 rural districts within the state that actually grew would only require the addition of approximately 3,000 persons to meet the 5 percent deviation while retaining the compactness of my district and preserving the municipal boundaries, the communities of interest and the core of the prior district. When we did LB1-- or LR134, it required using county lines as boundaries when practicable. Under LB3, which would relocate LD24 to Sarpy and Saunders County, that's-- that's one way of violating what we agreed to. Legislative District 34 would absorb Polk and York Counties and it would meet that criteria under LB3. But unfortunately LD23, which would absorb Seward County fails the test. LD23 would consist of the entirety of Butler and Seward Counties, the northwestern slice of Saunders County, which is basically cutting Saunders County in half, diagonally, and an offshoot of Colfax County, which allows LD23 to absorb the city of Schuyler and neighboring areas. To me, this proposal of LD23 is not compact and the division in Colfax County does not follow clearly recognizable borders either. The new LD24, should we enact LB3, would take the core of Senator Day's current district, Gretna and Cairo, and would also absorb Springfield from Senator Clements in Wahoo. Mead, Ceresco and Ashland from Senator Bostelman. This would be the third time in the last three redistrictings where Gretna and Chalco will have a new legislative district. I don't believe that's necessary. I'd be remiss if I didn't talk about the significance of--

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FOLEY: One minute.

KOLTERMAN: --Legislative District 24. Since the establishment of our district, we have a unique history of leadership for the state of Nebraska. If you listen to the original testimony in the hearing, we had-- we go back to 1942 when Senator Stan Matzke, Sr. was elected. He served as Chairman of the Education Committee, the Legislative Council. And I could go on and on about the number of leaders that we've had, but he was the start of this. Just to mention a few, Senator Sieck, Senator Moore, Senator Greg Adams, Senator-- Congressman Doug Bereuter, all played a role. And I'd be remiss. I missed Senator Conrad, Senator Nantkes Conrad, while she didn't serve the 24th District, she did serve in this Legislature.

FOLEY: That's time, Senator.

KOLTERMAN: And I'll have more to say. Thank you, Mr. President.

FOLEY: Thanks, Senator Kolterman. Senator Brandt.

BRANDT: Thank you, Mr. Lieutenant Governor. Thank you to the Redistricting Committee for your work on this. First of all, I'd like to start out thanking Senator Kolterman, he brought a solution to our problem. Constitutionally, Nebraska can add the fiftieth senator. The only fly in the ointment is we are in a first time Special Session ever to define redistricting. And the call of the Special Session failed to include the words that the Legislature could add the fiftieth senator. Had things operated in a normal fashion, and we had done this in our regular long session, we could have done that. In my mind, that's almost problem solved. The new senator could have been inserted where needed by the committee and everybody could have kept their district. We could have kept Senator-- the two plans basically either go after Senator Hughes's district in southwest Nebraska, which is a rural district, or Senator Kolterman's rural district just east of Lincoln. And it is a rural district. My District 32 sits right below that and that is the nature of what rural looks like in eastern Nebraska. By adding the fiftieth senator, we don't have to change much. We actually have an open seat right here in the front row. We've got plenty of office space somewhere up in that tower. Yeah, Senator Lowe, you'd have to share your mike. And the biggest thing I-- we'd have to either change the 33 number or the 17 number, because when you add the numbers together, they have to be one more than the senators and I guess given my preference, I'd make 17, 18, like I was explaining to Senator Pansing Brooks, on any given day when somebody is shooting for the magical 17, somebody is gone missing or excused from the Chamber and when that senator is gone, that's an automatic

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red vote. That's an automatic no. But we have no automatic greens in the Chamber, so to me, 33 is a lot harder to get than the 17 is. But that's-- that's my personal opinion. I believe there probably is a way to expand that. It's unfortunate that that-- that more emphasis hasn't been put on that aspect. I'm proud to represent District 32, Fillmore, Thayer, Jefferson, Saline and southwestern Lancaster Counties. Our district was one of the 16 districts below the-- below the median, but above the deviation. We grew. We are at 38,200 people and I think that's significant. Those four counties have been together a long time. I did not research the history, but I can tell you in the '90s the exception was my county, Jefferson County had to be split lengthwise. I was in that split. We're a small county. We're about 7,500 people. When you split a rural county like that, I can tell you from experience you have virtually no representation. All you are is a population donor. So with this in mind, I would ask the Redistricting Committee, given the opportunity to keep those small rural counties intact. LB3 takes my neighboring Gage County Senator Dorn's county, which is whole right now, and LB3 draws a line sort of to me without rhyme or reason through the edge of that county of 21,000 people and moves about 3,000 people over to our county after moving Fillmore and Thayer out of our county. And that necessitates--

FOLEY: One minute.

BRANDT: --under LB3 that we extend further north into Lincoln. And if you know anything about my district, those four counties are-- and southern Lancaster are very similar. They're very rural in nature. Adding 8,000 people from inside the city limits in Lincoln will change LD32 from a rural district to more of a suburban district. And I believe Senator Dorn, he can speak on his own, but it looks to me like the same thing would happen to LD30. So if-- if the true effort here is to try and save rural districts, I'm all in. And to me it shouldn't be urban and rural. It should be representing 40,031 people in each district as best as we can. Thank you, Mr. Lieutenant Governor.

FOLEY: Thanks, Senator Brandt. Senator John Cavanaugh.

J. CAVANAUGH: Thank you, Mr. Lieutenant Governor. And while I rise in opposition to LB3 and in support AM26, so obviously I think a lot of people have the same problems with LB3 that I have, but I just thought it would be important to continue that conversation. So we adopted LR134 at the close of the session, or close to the close of the session in the spring, and laid out several specific criteria we were supposed to use to determine what-- how we're going to draw the districts. So in Section 3 of that, there's the charge to follow county lines wherever practicable, which, of course, is what the

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Constitution says, it says "shall". And I'm sure everybody has heard about the-- the court case of Day v. Nelson, where the court said "shall" really means "shall" and as I've had many conversations with Senator Erdman about, "shall" is not discretionary. So whenever practicable county lines should be followed. Anyone can look at the map in LB3 and tell you the deviation from county lines is substantial, especially when you can-- compare it to AM26 and the deviations in that map. So on that regard, maintaining county lines, AM26 is superior, far superior to LB3. Compact and contiguous. And so this is one-- I went to the hearing last week on Thursday in Omaha and there was three mathematicians, I guess, two mathematicians and an actuary who testified against LB3 and in favor of LB4, which is AM26. One of those mathematicians handed out a handout with a website that links to a mathematical analysis of these districts and found that in LB4 the maps were 10 percent more compact than in LB3. So by an objective standard, AM26 better adheres to both, county lines were practical and compactness and contiguous. There's also the charge of adhering to-- well, that the plan should not violate the principles of the Constitution as set up by the United States Supreme Court. In one-- one of those fundamental principles is one person, one vote. And we've heard a discussion already here today about the deviation and staying within the deviation. Senator Linehan even introduced the districts as being a population of 40,000 or more. But the deviation allows for a negative deviation, which means the districts can be less than 40,000. And Senator Lathrop, I think, did a nice discussion about what the reasons are for the deviation. And the reasons cannot simply be for purposes of shifting population around. It has to be for a reason that is objective, that serves a purpose, keeping towns together, keeping counties together, keeping some political entity together within reason. And so it allows for deviation so that they don't get unnecessarily split up. Obviously, there's some necessary-- necessity to split up counties and even cities, being that the City of Omaha has more than a dozen districts within the boundaries dividing it up. So, when it comes to that deviation, Senator Wayne's map, LB4, AM26 is again objectively superior. The mathematician, Dr. Kristie Pfabi, and Dr. Pfabi, if you're watching, I mispronounced that, please let me know, included analysis where she plotted the numbers of the deviation versus population density and she found a correlation demonstrating that this LB3 deviates to the negative for rural districts and to the positive for urban districts, which means it disproportionately favors rural districts over urban districts when it comes to population distribution. And that is clearly a violation.

FOLEY: One minute.

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J. CAVANAUGH: Thank you, Mr. President. That's clearly a violation of the Constitution and maybe I'll wait till my next time to-- to talk about the case law interpreting that, but it's pretty clear that there's a purposeful deviation to pack more people into urban districts that-- and to have fewer people in rural districts and that is in the interest, the espoused interests of many people here preserving rural representation. But you cannot-- simply cannot put more people into urban districts just to preserve rural districts. That is an unacceptable purpose, use of the deviation. And so I'll continue to talk about that my next time on the mike. Thank you, Mr. Lieutenant Governor.

FOLEY: Thanks, Senator Cavanaugh. Senator Friesen.

FRIESEN: Thank you, Mr. President. First of all, I mean, as a rural senator, I will acknowledge that we have lost a lot of population. There's no doubt. We're following a 100-year trend that we have not even, you can say, slowed down. It just going to keep happening as we seek consolidation in ag and probably components of our tax policy that rural Nebraska is going to continue to shrink. And when you, you know, when you talk to constituents back home, you-- you tell them about the-- you know, I've always used 27th Street in Lincoln here is-- is the dividing line. The majority of senators come from 27th Street east and rural Nebraska is anything west of there. And we're going to see that trend continue. We're going to see that line move probably now to 48th Street or something like that. And we can pick a line, but until we are willing to address the population decline in rural Nebraska and try to come up with some solutions there, we're going to continue to see this. So I understand the need of-- you can say that the rural areas to give up a spot on the-- in the-- on the map. But when I look at it, representing what I would call a truly rural district, I-- I don't want a district like Senator Hughes's to leave because it truly represents agriculture. I mean, there's no ifs, ands or buts when you look at what that district makes up and what it does, it's ag. It's ag-related and you're going to move that voice out of there and dilute it further. And, you know, let's-- let's be honest. The rural senators can't even get together 17 votes. We don't have that many. A truly rural senator is probably less than-- less than a dozen. So it's-- it's not as though the power of the Legislature hangs in the balance. It's just how much voice you want to give to a-- a minority that's out there now already trying to deal with the consolidation in ag and what it means to the communities that it's served. And right now, you know, we have-- there's a lot of, you know, and we can talk school funding, we can talk all those things, but the pressures that have been put on some of these smaller

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communities, there's going to be some consolidation there too. There's communities that are going to have to just say, no, we're-- we're not viable anymore. We're going to have to close up. We're going to be done because we just don't have the people or need the services as ag consolidates and gets more mechanized with computer technology and those types of things, farmers are going to grow larger and that's just a fact. So I guess I'm not going to really comment on the maps and when I-- when I look at it, I mean, if I was just going to take it in a whole, I favor Senator Linehan's version, LB3. But can things be tweaked there? I'm-- I'm not going to get into what it does to the Omaha senators and Lincoln senators because I don't understand your districts. I don't know where you come from. I've visited some, but again, you know, your communities like I know mine and I'm sure you're representing them well. And somehow we all are going to have to get together and we're going to figure something out. And I applaud the committee for trying. And again, just the makeup of this Legislature and my being here the last seven years, I kind of predicted how the vote would turn out, sending out of committee. But this body is going to have to come up with a solution and we will. I'm not overly concerned about that. It's the process sometimes that we use to get there. But I think in the end, you know, we've-- I've heard a lot of talk and I'll use the same phrase, I'm protecting my district. It's not mine.

FOLEY: One minute.

FRIESEN: I'm representing a group of constituents who, if my district, district number 34 leaves, someone is still going to represent them. And maybe better than what they're receiving today. I won't even-- don't even know that. So in the end, I mean, everyone will have a State Senator who represents them. How should those areas be designed? I've seen in the past where communities as small as about five or six, 700 were split in two. I found that ridiculous. But that's what they've done in the past. The donut I have around the city of Grand Island, if you look at from a ridiculous standpoint, it's about as goofy as it gets. Trying to claim some territory and make it completely not understandable when citizens look at the map. Most of them have no idea what senator they had represent them. So, again--

FOLEY: That's time, Senator.

FRIESEN: --we've done things in the past.

FOLEY: That's time.

FRIESEN: Thank you, Mr. President.

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FOLEY: Thanks, Senator Friesen. Senator Groene.

GROENE: Thank you, Mr. President. I stand in support of LB3 and against AM26. We live in a government system that's an aberration to what America is. We are a democratic republic, 49 states are where they have a House and a Senate. We are a democracy. That's what we are, when a majority can be tyrannical to the minority. That's what we were talking here today. We have no Senate. Population shifts, all this about my district. It's a representative government. It isn't a district government. 2010, we lost in western Nebraska, LD49 in northwest. 2000, LD18 was moved. 1990, LD39, was moved from the west. 1970, LD31 and LD45 were moved to the east-- excuse me, to the east. In 1965 we increased from 43 to 49. And a lot of people alive today yet, they lived through all of those changes. And they've been in two or three or four different districts. They voted for a senator. It should be a representative, actually, because we are not-- we do not have a Senate. We are not a republic form of government. It's probably what Norris, through that nice fancy title of Senator in there, tried to appease some senators who didn't want to be called a representative. But anyway, it's time if we're going to move a district, it's time for one from eastern rural district to be moved. There's only four districts we know who they are who fit that description. It's 24 and 36, 44, and Curt, your district. The land of the district has to be adjacent to the rest of the land, you can't jump annex an area. Otherwise we'd take part of north Omaha and we'll annex you and you can be part of our district. So those four districts are the most logical ones. So if it isn't 24, which one is it? Is it Senator Williams' present district, is it Senator Friesen's? Or does western Nebraska lose another 17 percent of its representation? Everything from Grand Island west, we have six districts. We will have five, if LB4 passes. You know how many miles that is between districts for a senator making \$12,000 a year to transfer-- transverse? Do you know how far that is? Is that representation? Is that democratic representation to live that far from your senator and have that varied a difference in culture? If you eliminate 44, even as it is, you're going to have people with 30 inches of rainfall in the same district, people farming with 12 or 13. We have to look at this as a republic. We owe it to the people to create as close to we can a democratic republic. And that means that areas need to be represented. Local people need to be represented, not a mass of humanity, where the majority can be a tyrant to the minority, that's what LB4 does.

FOLEY: One minute.

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GROENE: LB3 tries its best to stay within the variance to create fair representation across the state. Even in my district, we're gaining Gosper County, that's going to be 130, 40 miles from, I believe, Elwood's in our district to North Platte. We are citizen legislators making \$12,000 a year, that ought to be considered when we make these changes about fair representation and how far from that representation are you as a citizen. So I stand in favor LB3, it works. It works. And we're going to grow in western Nebraska because I'm tired, I'm going to tell my rural senators, quit being bipartisan when it comes to economic development, quit sending all the money to University of Nebraska that takes our children. One last thing. I'll bring it up the next time I'm on the mike.

FOLEY: That's time, Senator.

GROENE: Thank you.

FOLEY: Thanks, Senator Groene. Senator McCollister.

MCCOLLISTER: Thank you, Mr. President. Good afternoon, colleagues. As I came into the Norris Chamber last Friday, one of our Republican colleagues said, McCollister vote like a Republican today. As you know, I didn't vote with the majority of Republicans on Friday, but upon reflection, I did vote like a Republican, a George Norris Republican. Norris, whose name this Chamber bears, had contempt for party politics, only displaying minimal party loyalty, and spoke this famous comment about political parties: I would rather go down to my political grave with a clear conscience than ride the chariot of victory as a congressional stool pigeon, the slave, the servant or the vassal of any man. And I would add, any political party. He even had the temerity to support the candidate from the opposite political party in 1932 because he thought him the superior choice. Norris thus was described as the sons of the wild jackass. Then and now, disloyalty to one's party is not appreciated by the party leaders, and the offender is usually asked to leave the party as I was. Norris, I'd contend, would likely vote to protect the so-called blue dot in Nebraska. The blue dot is an insurance policy, a safety valve and a check and balance against the misdeeds of an overbearing, transcendent majority party. Look no further than Alabama. We can see the danger of a one-party state that does not allow for early voting as an alternative to absentee voting. Principled, two-party competition is essential for democracy to flourish. Were I in New York or California, I'd be looking for a red dot to promote political competition in those states. Political parties, we can agree, seem to promote the toxic political environment we see today. Unfortunately, both political parties have forsaken good governance for games of one-upmanship. It's

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regrettable and we must now live with the consequences. Another topic. After two days of a nothing burger, perhaps the desirability of an independent redistricting commission is becoming apparent. Fail in this redistricting effort this fall, a petition by Nebraska's second house, like six other states in the country, is entirely possible. Thank you, Mr. President.

FOLEY: Thanks, Senator McCollister. Senator Day.

DAY: Thank you, Mr. President, and good morning, colleagues. I rise in opposition to LB3 and in support of AM26. I have a lot of things planned that I would like to say about this today, but for now, I would like to yield my time to Senator Wayne.

FOLEY: Senator Wayne, you've been yielded 4:40.

WAYNE: Thank you, Mr. President, and thank you, Senator Day. Colleagues, when this day started out, I thought we were going to sit here and go eight hours and get to a cloture vote and kind of waste a day. But the more I keep thinking about the maps and what this body, I think, holds itself to a higher standard than both of these maps, I think it's time to vote in positive for AM26 to flip the applecart to make everybody move forward. There were some of you who did not vote in the cloture vote yesterday or last week. There were some of you who are on the fence, some of you who don't like this map, but are maybe being pressured on whatever side. But by voting for AM26, it actually changes the dynamics of where we're going. By voting for this it puts everybody back at the negotiating table, make sure it's everybody, including all members, are engaged in this process because it won't just be one side of 17 up here, stalling or filibustering, able to flip the dynamic to make the other side have to filibuster. By doing that is forcing everybody to look at their maps, by doing that is forcing everybody to have a real conversation rather than just taking talking points or the lead from one or two individuals on either side. So I won't hold anybody to their vote on AM26. In fact, I will go to the Speaker and say no matter what we do, we can't bring LB3 back until we get a resolution, but I do think if we vote green on this, it changes the dynamics of us being stalled. It creates a starting point, no doubt. If we don't want District 44 to move, I am open to suggestions. But where we're at right now and just spending eight hours a day, we're all going to go back into the corners and it's going to be the same thing next time. The reason is we're not engaging everybody on the floor and partly it's just because we're doing it in a two-week possible session. It's hard to communicate with all 49, but by upsetting the apple cart today, voting green on AM26 forces everybody to come back out here on the floor and participate, forces

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everybody to start having conversations under the balcony and participate because what's going to happen today is going to be just like last week. Many people from a certain party are going to leave the floor, the other party is going to sit in here and take eight hours up because we have to and nothing gets done. But by voting for this and voting green just on this one vote makes everybody come back to the floor because we all have to participate now because it can go either way. The stakes kind of get higher and everybody has to sit down and talk. So I would actually like to see a vote on this, because if it's 25, watch how many people come back in here and have to talk. Watch how many people come in here and talk about their districts and figure out what they actually want versus last week where we clear out and it's the same few people talking the entire time. There's people in the back, people downstairs, people upstairs in the tower, and nobody's actually engaged. So let's look at AM26, not as a green vote for LB4, but how about a way to make sure that everybody gets in here and participates. How about a way that we all sit down and start negotiating today rather than tomorrow. That's how I look at this vote today.

FOLEY: Forty seconds.

WAYNE: Again, I am open to moving a different district. I am open to the idea of having conversations of what things need to look like, but we know what's going to happen today. It's going to be eight hours of the same people in the queue and nobody knowing about other people's districts except for the few who they might talk to. Vote green, get everybody out here on the floor and let's have a real conversation about what people want so we can move forward. So I'd ask everybody to vote green on AM26 just for the simple fact it will make us move forward. Thank you, Mr. President.

FOLEY: Thanks, Senator Wayne. Senator Wishart.

WISHART: Thank you, Mr. President. Good morning, colleagues. I rise in support of AM26 and in opposition to LB3 for a number of reasons that have been listed by those who have spoken before me. But today I'll talk in particular to District 27 since I am their senator. So the way I typically describe-- describe District 27, when I am at groups or meetings or hearings is, I am the western portion of Lincoln in terms of the district I represent. So we go from Capitol Beach all the way south to Wilderness Ridge and everything in-between. If you look at LB3 and the map that was introduced, it eliminates Capitol Beach and it eliminates everything in-between. It is pretty much 70 percent different district than the one I was just elected in. And the only reason that has been given to me is that my current district is not

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Republican enough. I have 14 distinct neighborhoods in this district: near south, Haymarket, Salt Creek, Capitol Beach, West A, Everett, Irvingdale, Indian Village, Country Club, Southwood, Rolling Hills, the Ridge, the Ridge south and Wilderness Ridge. 14 distinct neighborhoods, and all but four are eliminated from this district. I cannot go back to my constituents and tell them that I voted for a map where there was no reason other than partisanship that got us to where it is. I agree with Senator Wayne. I am willing to be practical and negotiate on this. In fact, when I was first brought a map, which is now, in AM26, one of the reasons I supported it, even though it does actually make District 27 a little more conservative, is what I'm told, I don't run these maps through a political spectrum. The reason I was willing to agree to it was that there was consensus between Republicans and Democrats on it. And that's nonpartisan to me. And I'm-- I'm willing to give just as everybody has gotten-- got up here, as Senator Groene has talked, he has to give. And as everybody has to do when you're collaborating on a process like this. But what I can't do and what I will just not vote for in my own one vote capacity as a senator is leave this Capitol having voted for something for the only reason that my district is changed so significantly, the core, the, the special sauce that makes District 27 is-- is changed so significantly, and the only reason is because of partisanship. I cannot do that. So I'm hoping that we come together and we recognize that there-- this is going to be painful for everybody.

FOLEY: One minute.

WISHART: And we all give a little, but in the end all of us can walk home to our districts with a sense of pride that we did something truly collaborative and truly nonpartisan. Thank you.

FOLEY: Mr. Clerk.

CLERK: Mr. President, Senator Erdman would move to return LB3 to the Redistricting Committee.

FOLEY: Senator Erdman, you're recognized to open on your motion.

ERDMAN: Thank you, Lieutenant Governor. Good morning. As you notice in the queue, you may be down about an hour and a half, maybe two, and after hearing some of the comments that were made, I couldn't sit here any longer and listen to that. To Senator Wayne's comments, why don't we vote on AM26 and move the discussion? That same argument can be made for LB3. Why don't we vote on LB3 and start the discussion there? And when I testified a couple of times, or once, I should say, at Grand Island, I had suggested the following and I went through it

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pretty fast and some said, you need to go slower so we understand what you're talking about as far as the percentages and the numbers go. So I'm going to try to do that in a more slowed down manner so you can understand it. We know that the three big counties contain 56 percent of the state's population or 1,098,000 people. If you were to divide those numbered-- that number of people by 42,000, the maximum variance, you would get a representation needed of 26.4 seats, 26.4. So that would mean you could actually remove a seat from those three counties if you went to 42,000. Now, follow my logic here for a second. Senator Cavanaugh, Senator John Cavanaugh's district is about six square miles. Senator Kolterman-- Senator Hilkemann's district is 20 square miles, Senator Brewer's district is 4,500 square miles. I will tell you this, that you can represent 42,000 people in six square miles far easier by their issues being similar and logistically than you can in a district that's 300 miles by 150 miles. But the point is this. He who has the gold makes the rules, or he who has the votes makes the rules. And Senator Friesen fairly described to you what it means to move a district like Senator Hughes's district. We have five Senators west of Kearney, and that's the way it is because of the population. So if you follow my logic and you take a 1,098,000 people and you give them the same 27 seats they currently have, that representation goes down to 40,666 people, which is a plus-deviation of 1.65 percent well-within the realm of what we have said on LB134 or Resolution 134. If you take away 1,098,000 from the total of the-- the total 1.96 million people that leaves you 862,000 people left. You divide that by the last 22 seats and you get 38-- 39,181 and that's an under the 40,000 average and that's 2 percent under. So that proposal was 2 percent under for the rural districts and 1.65 percent over. It makes sense. But as I said in the hearing, what makes sense and a commonsense approach probably isn't going to make it. And so those districts that continue to get larger, and they do, we're asking you to make a commonsense decision and give us a little consideration on the size of our districts and how we represent that many people in that many square miles. And I understand that it has been put in place, you can't have geographic representation. I understand all that. But the comments that Senator McCollister made about George Norris, I don't agree that George Norris did this for the good of the people. He did it because he was going to transfer the power to the east. He knew that. And he was the only senator to get elected with-- in one party and caucus with another. So to say that the Unicameral system is the best system in the nation, I would totally disagree with that. It's time for us to look at that great experiment that George Norris put in place. But we don't want to talk about that because it's nonpartisan. There's no such thing as nonpartisan, never has been, never will be. So you can come in here and try to bluff the population

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that we are nonpartisan, that's not the case. But that's what we say here all the time. And so we did the census, we counted everyone. We counted all those who are illegally here, those who shouldn't be here, that was all counted. That's not what the Constitution says. So how many people do we really have that should have been counted? No one knows that answer. So if you want to move forward, let's vote to pass LB3 and move on and start the discussion as Senator Wayne wanted to start it, and I'm willing to do that. But until we start making some commonsense applications to what we're doing here, we're doing as most people think, we're wasting time. And wasting time might be a good thing, but I don't think it is. I think it's time for us to pull up our big-boy and big-girl pants and move on and make a decision. So if you want to vote, let's vote and see where the votes are and then we'll find out what we should do next. Mr. Lieutenant Governor, I withdraw my motion.

FOLEY: Motion is withdrawn. Senator DeBoer, you're recognized.

DeBOER: Thank you, Mr. President. Colleagues, we're not really at our best right now. This really isn't us at our best. I think we're failing Nebraska. I think we failed Nebraska in a number of ways. Some of them are really, really difficult ways, things that we're going to have to continue to work on. Obviously, we failed to figure out how to grow the rural parts of the state. In 10 years, we have fewer folks living there. So that's something to work on, something we ought to pay attention to, something we ought to try to rectify in the next 10 years. You know, I had an LR to study redistricting, a legislative resolution to study redistricting the last couple of years in the summertime. And as part of that, I went around and I talked to previous members of previous Redistricting Committees and the Legislatures that they were a part of. And those folks warned me that this will be the most partisan time that you will ever come across, that it will be ugly and clearly they were sugarcoating it. I'm hearing handshakes are no longer binding, promises are broken. How are we going to work together after all of this? That's what I'm thinking about, how are we going to work together after all of this? We need to do better, and here's why. I grew up in the district I represent. I went to grade school there. There was a kid named Mark in my kindergarten class, met his mom again all these years later when I was campaigning. Heard the other day through a friend of a friend that there's Alzheimer's in her family now. I don't know if it's her or her husband. I have a bill in committee that looks at Alzheimer's, that looks at our response. I understand that the kid that I went to school with is trying to figure out how to navigate this disease for his parents. That's the business of this place. When I was campaigning, I

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also ran across in the same old neighborhood, Randy's mom. She'd been the lunch lady at my grade school. I don't imagine lunch lady comes with a huge pension, I don't know, maybe she has money from another source. I hope she does, but I think about that and I think I really hope she understands about the homestead exemption. I hope the homestead exemption for her property taxes will help her because I know how old she must be. There's Christie, who I also went to school with, also lives in my district. She has twins, trying to raise a family, want to make sure that they have a good education. That's who I'm thinking about today when I think about how are we going to work together in the coming years? That's what I'm thinking about when I think we're failing. It isn't my district that I'm thinking about, it's the people I live in-- who live in my district. And in LB3, none of those people will live in my district anymore. And it isn't because since I have the third biggest district in the state in terms of population--

FOLEY: One minute.

DeBOER: --it isn't because we just made it a little bit smaller under LB3, it's because we added a whole bunch of people to my district, to District 10. LB3 adds, I don't know, Anna has-- Senator Wishart has-- has figured out it's 70 percent. I don't know what percentage it is. It's maybe bigger than 70 percent. I think it also includes Senator Lindstrom as one of my new constituents. At least he said something about that the other-- the other minute we were talking and I was joking that I was going to knock on his door and ask him to vote for me. Why would we add so many people to a district that needs to get smaller? Do you know what makes my district just a little bit smaller?

FOLEY: That's time, Senator.

DeBOER: Thank you, Mr. President.

FOLEY: Thanks, Senator DeBoer. Senator Walz.

WALZ: Thank you, Mr. President. I see Senator DeBoer and I both have to wear our glasses today. Good afternoon, colleagues. Again, I just want to start by saying, thanking-- by thanking the Redistricting Committee for all your hard work in putting these maps together. I can't imagine the task that that is. Senator Erdman, I know that you're busy talking to Senator Groene, but I was just wondering if you could answer a question.

FOLEY: Senator Erdman, would you yield, please?

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ERDMAN: Yes, I would.

WALZ: I was listening as you were talking, when you're up on the mike and a question just occurred to me, when you are making decisions for your district, what-- what do you base those decisions on?

ERDMAN: The needs of the residents.

WALZ: The needs of the residents?

ERDMAN: Uh-huh.

WALZ: Their voice matters?

ERDMAN: Yeah, it does.

WALZ: All right. Thank you, Senator Erdman.

ERDMAN: And the voice from other districts' people matter too.

WALZ: Thank you, Senator Erdman.

ERDMAN: I believe you ask the people in Gering. Thank you.

WALZ: I, just based off that, I feel that the reason we don't vote on LB3 was because there was an overwhelming amount of people who testified against LB3. Senator Machaela Cavanaugh, can you answer a question, please?

M. CAVANAUGH: Yes.

FOLEY: Senator Cavanaugh, would you yield, please?

M. CAVANAUGH: Yes.

WALZ: Can you talk a little bit about the percentage of people that you felt were in favor of LB3?

M. CAVANAUGH: I-- I can't give you the percentage, but I can give you the numbers. There were in Grand Island, there were eight people that supported LB3 and four that opposed. And there were eight people who supported Senator Wayne's LB4 and five that opposed. In Lincoln, there were six that supported Linehan's LB3-- I'm sorry, LB3. And there were 26 who opposed and there were 17 who supported LB4 and five that opposed. In Omaha, there were eight who supported LB3 and 67 who opposed. And in Omaha there were 69 who supported LB4 and eight who opposed.

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WALZ: So overwhelmingly, people were opposed to LB3.

M. CAVANAUGH: Yes.

WALZ: I rise in support of AM26, and I couldn't agree more with Senator Wayne when he says, let's vote on AM26. It's really what the people are asking for and at least, let's start a conversation. Last week's debate was very informative for me and I'm sure for others who are not on the Redistricting Committee. But I do have to say that I was a bit dismayed at the discussion. Somewhere in our eight hours of debate, I think we lost our guiding light. So it's important for me to repeat, voters choose their representatives, representatives do not choose their voters. We are in a unique position here in Nebraska because we still are a Unicameral. A lot of us strive to maintain the integrity of the Unicameral. Although we are registered as a specific party, we are given the opportunity to overcome partisanship in a way that no other body in the country can. That was the goal of George Norris set out-- something he set out to do, and I feel that we are doing him a disgrace by even considering LB3, because the people have spoke. I didn't get to see much of the hearings, but like Senator Cavanaugh, I did catch a bit of Professor Kristie Pfabi, who was-- or who has been studying the scientific measures of gerrymandering for the last four years. She stated that LB3, the legislative map favors rural districts--

FOLEY: One minute.

WALZ: --in a way that many rural districts have populations-- in a way that many rural district populations are below the ideal population, thereby giving voters more voting power than in a district with a population over the ideal population. The visualization of LB3 map is striking in preference of rural counties. On the contrary, the visualization of Wayne's map shows more randomness, which gives definitive proof that LB3-- the LB3 map favors rural districts and Wayne's map favors neither. Last week we had a discussion on the importance of keeping a county whole, and this week we're having discussions about the fact that now it's OK to break up counties and districts. Senator Blood, would you answer a question, please?

FOLEY: That's time, Senator.

WALZ: Thank you.

FOLEY: Senator Matt Hansen.

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M. HANSEN: Thank you, Mr. President, and good afternoon, colleagues. I'll yield my time to Senator Day.

FOLEY: Thanks, Senator Hansen. Senator Day, 4:50.

DAY: Thank you, Mr. President, and thank you, Senator Hansen. I can appreciate how we're trying to very politely have this discussion today without becoming too angry about what we all know is actually going on here. And part of what I wanted to talk about today was, you know, I know that some are saying it's-- it's not your district. It's not your district, it's the people's district. And that's right. It's not my district, but it is my job to stand up here and make sure that the people that are currently in my district, whether they voted for me or not, continue to have the same voice and the same vote when electing members of the Legislature to represent them. And I know that Senator Linehan was not the only person that had input into these maps and I know that she's taken a lot of the heat because her name is on the map. And so I don't want to put it squarely on her shoulders, but also at the same time, you know, this was my first session this year, and Senator Linehan and I had had some really lovely conversations on things that we agreed on, on things that we disagreed on. And, you know, we agreed to disagree on certain issues, but when I saw this map and what it did to my district in particular and a couple of other very important districts when it comes to the 2022 and 2024 elections, I was very personally upset. When you look at how specific districts are drawn in the Lancaster County and Douglas and Sarpy County areas, it's very apparent that specific senators were targeted with the purpose of preventing them from getting reelected. That was obvious. It was obvious in my district and it was obvious in other districts. And to say that it wasn't the case, we're not naive enough to believe that. It's been less than a year since I was walking around my district, knocking on people's doors, meeting people's children, hearing about what they wanted, what they didn't want. It's been less than a year that I got to have my election party and bawl my eyes out at the fact that people chose me to represent them. So you bet that I'm going to stand up here and make sure that those people's voices are heard in the redistricting process. My district, which is currently almost entirely suburban with a small por-- part of rural area, would be turned into essentially two rural districts with LB3. We talk about communities of interest and school districts. The entire Gretna Public School District is almost entirely currently in LD49. Some of it stretches north into Senator Linehan's District, LD39. Under LB3, the Gretna Public School District would be split into four senators' districts. You cannot tell me that there is any attempt that was made at maintaining the core--

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FOLEY: One minute.

DAY: --or preserving communities of interest when it came to LD49. I know that that was done in other districts and that's fine. It wasn't done in mine. And it's my job to stand up here and talk about it and tell people about it. We have the eastern portion of what is currently LD49, which is around my sister's neighborhood, somewhere around 108th and Giles being pulled into a district that stretches almost all the way to the 27th Street exit in Lincoln, because it curves around to follow south of where they wanted to draw the new 49, because instead of moving it east, which we should be, because Sarpy County has gained population, so we should be moving districts further to the east.

FOLEY: That's time, Senator.

DAY: Thank you, Mr. President.

FOLEY: Thanks, Senator Day. Senator Linehan.

LINEHAN: Thank you, Mr. President. I don't know where to start here, so if anyone wants to yield me time, I'd be happy to take it. Senator Day, I've got your current district right here. I've got LB3 right here and I have LB4 right here. Your current district looks a lot more like your current district in LB3 than it does in LB4. I've got them right here for anybody to look at. We've talked a lot earlier about LR134, but people read part of it, but don't read it all. So, I will go to Section 3 that has gotten a lot of comment today, which does say district boundaries shall follow county lines whenever practicable and shall define districts that are compact and contiguous. But if you go down one, two, three, four or five lines, it says-- excuse me, only two lines. If adherence to county lines causes a redistricting plan or any aspect thereof to be in violation of the principles set forth by the United States Supreme Court in interpreting the United States Constitution, that requirement may be waived to the extent necessary to bring the plan or aspect of the plan into compliance. Now, I'm quite certain that Senator Wayne read the whole Section 3 because on Senator Wayne's LB4, he takes part of Madison into Stanton County, that's one. Number two, coming in to Stanton County, he takes three, Platte into Colfax and into Stanton County, so Stanton County gets three State Senators. Four, Dodge into Douglas, which mine does, too, by the way. Five, 44 goes into both Sarpy and Douglas County. Number six, Saline goes into Lancaster County. We're not done with Lancaster County. Number seven, Seward goes into Lancaster County. Eight, Gage goes into Lancaster County. Cass goes into Sarpy County. Ten, Buffalo goes into 41 with seven other counties. Hall goes into 41 with those same seven other counties. Thirteen, grabs-- thirteen-- 36 grabs some

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of Gosper and Phelps County. And finally, twelve-- one that I found here sitting here today, 42 grabs a little bit of Gosper. So when it comes to crossing county lines, I think as I said, I think Senator Wayne read all of Section 3. Now when it comes to who is packing or whatever we call that, overdoing or underdoing the deviation. Let's just stop here. I've got Senator Wayne's map in front of me and I don't know what we call this line. It's-- it goes from-- it splits Bassett, Rock County and Holt County and it kind of goes all the way down. It's-- it's more than half, probably three-fifths of the state west of that line. And Senator Wayne's map has five senators west of that line. Five. And did he try really, really hard to get as many people in there as possible? I don't think so, because I'm looking at Senator Erdman's and he is 4.12 percent below the deviation. Hop over to Senator Groene, that's 4.2. He's 4.3 percent below the deviation. Senator Williams, 3.6. He's 2.92 percent, almost 3 percent below the deviation. Then you kind of skip around. You go up to Senator Gragert. He's 1.7 below the deviation. And that's maybe understandable because population is spread there. But why when I come down to Madison County, which is Norfolk--

FOLEY: One minute.

LINEHAN: --so Senator Flood, why is he down 3.81 percent? We've already crossed the line there. Well, that's where we cross-- we cross, poor Stanton County gets carved up three different ways. And then we go down here to Columbus or Platte County, which takes also a part of Colfax and Stanton and for some reason, Platte County, even though we're crossing county lines everywhere, we've left it at 4.85 percent deviation. Go over to Senator Ben Hansen, which I can't quite tell, but I think they don't take all of Thurston, which I understand and I will give Senator Wayne credit here, he kept the reservation together, so that's good. But it does split the county. That's one I missed. And it's almost 3 percent under the deviation. And finally you get down here to my home district.

FOLEY: That's time, Senator.

LINEHAN: Thank you.

FOLEY: Thanks, Senator Linehan. Senator Vargas.

VARGAS: Thank you very much. Good afternoon, colleagues. First, I'd also like to thank the Redistricting Committee, their staff and legislative Research Office for their work, making sure that we're trying to find balance on these proposed maps. Just going to weigh in a little bit here. The district boundaries, as I've seen, I support

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where we can practically make sure the defined districts are compact and contiguous. We've heard that time and time again. And I hope we can continue to push those forward because I think that's the only way that we can actually define districts that are easily identifiable and preserve communities of interest and are understandable to voters. I hope that we continue to look through this as we're figuring out the most collaborative way to make sure we are not discouraging what are the guidelines that are set forth in the LR. I only want-- two things I want to make sure to the map here. I do think it's our responsibility to look towards what the trends are. We know that the urban areas are seeing growth and we know that the rural areas are seeing decline. I will say that even as the work that we've been doing in this rural development, even looking at the planning committee, we're trying to figure out how we can continue to invest in rural development because it is something we need to continue to work and we've been working on bills in that arena. But I do believe that the maps put forward by Senator Wayne do preserve the cores of the legislative districts better in my opinion. I think that we need to make sure we're looking at consistently following these county lines and actually preserving these communities of interests. It is not an either/or, it's to what extent we're doing it. And I see that to the extent to which, based on the maps that I've seen, Senator Wayne's maps do that better. This is going to be challenging. I know we're going to continue to engage in these conversations, but the best way forward is making sure that we're preserving these communities. And I'm seeing more of that in Senator Wayne's maps. I will get on the mike and talk more briefly about other different districts we're seeing and the trends. But in the meantime, I encourage us to continue to have a conversation based on not on either/or, but there is one map that is more in line with the communities of interest being preserved. And I also think it has been approached in a-- in a matter that is-- can be more amenable to us in finding some agreement. But with that, I will yield the remainder of my time to Senator Morfeld should he want it.

FOLEY: Thanks, Senator Vargas. Senator Morfeld, 2:45 if you care to use it.

MORFELD: Thank you, Mr. President. Thank you, Senator Vargas. I want to just note a few different things for the record. And I passed around a mathematical analysis done by an expert that looks at the quantitative facts of the Linehan and the Wayne maps. So first off, I just want to establish a few different things. So first, the data does not lie. We should be liberated by the data in the sense that we know what the population trends are, we understand where the population

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loss is. Also colleagues, I understand that there are a lot of people in here that have an affinity to the land. They have an affinity to area, square miles, and other types of measurements. But the bottom line is, this isn't about land. OK? Banks are not people. Lobbying groups in the education world are not people. Rain is not people and land is not people. People are people. That is what we are redistricting with. It's based on people. I know that may be upsetting to some, but that is the constitutional guideline-- guidelines that we are given to follow, one person, one vote. Now, it has been found by the court that if you have a population deviation of plus or minus 7 percent, somewhere in there, then is presumptively constitutional. But that is only if you are not using that for unconstitutional means. And Senator Linehan cherrypicks from Senator Wayne's map, AM26--

FOLEY: One minute.

MORFELD: --certain counties that are split, but as a whole the numbers do not lie. LB3 has 15 counties split, whereas LB4, Senator Wayne's map AM26, only has nine counties split. And if you look at the analysis by the mathematician that I handed out and you go to page, I think it's three or four, you find the data and you can go to her website and look at the data yourself, here you see that Linehan's maps, urban districts are larger. Persons per square mile are associated with larger positive deviations and more rural districts are associated with negative deviations. That is the overall trend. Yes, are there some negative deviations in Senator Wayne's map? Absolutely. But the overall trend points to favoring one area of the state and one particular population. That is not permissible. That is not permissible because you are using the deviation to-- as a whole--

FOLEY: That's time.

MORFELD: Thank you, Mr. President.

FOLEY: Thanks, Senator Morfeld. Senator Blood.

BLOOD: Thank you, Mr. President. Fellow senators, friends all, I still stand in support of AM26 and in opposition of LB3. And with that said, I want to make sure that everybody understood what I had to say on the mike last time. Friends, I want to make sure that it's clear that you understand on a national level, Nebraska is being scrutinized, not because it's anticipated that we are going to represent Nebraskans really well in the way that we create our maps, but based on our actions to this point, they feel that the maps that may move forward will result in litigation. And I find that concerning. So for those of you who talk about protecting Nebraskans when it comes to their tax

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dollars and how we frequently waste staff time and our budgetary dollars, geez, what a waste this would be if we got into something that we could have avoided. You know, we spend so much time in the state. And when I say we, I don't necessarily mean the people in this body, but people who represent Nebraska within our government, creating pretend issues and instilling fear in our citizens. But then when it comes to real potential problems like the AltEn plant, like the Alvo tire fire, like how for some odd reason, foreign countries now own land through eminent domain along the XL pipeline. All these problems that we know about that we ignore and we could do something about, we don't do anything about, but yet when we get something like this again in the forefront in our faces, we're going to pretend that we don't care and that nothing is going to happen as a result of that. So here's a real problem that we can avoid, and we're not doing anything about it. I don't see us on the sidelines like Senator Wayne said talking about how to make it better. I echo what Senator Lathrop said in reference to Senator Briese's comments. He does seem really concerned about the core of western Nebraska. He wasn't really concerned about making that definition a priority when we were in the, the committee. And I want to say that the same thing applies to Sarpy County. You know, the Nebraska Legislature, and this is kind of where I differ from Senator Groene and Senator Erdman, it's literally a laboratory of democracy. It is our job to reform, improve and protect representative government at all levels. And we do this using redistricting and our maps as a foundation. And so there are definitely issues in LB3 that need to be corrected, and with all due respect, Senator Linehan and I have had this discussion and I'm not seeing the issue of cutting through SIDs corrected. Cutting through a political subdivision is something that we don't do in areas where it can be avoided. I know sometimes it can't be avoided, but if you look at, and I'm happy to show you the maps because Senator Linehan's office was nice enough to give us a side-by-side comparison of all the maps, and unfortunately, we never got to discuss those in our committee. And that wasn't because Senator Linehan didn't bring them forward to us, by the way. I want to point that out real clearly. But because we have those, I think you can see a clear picture of the differences of how the two maps are drawn. Do I think that Senator Wayne's map might need tweaking?

FOLEY: One minute.

BLOOD: Sure, and I think he's open to that. But for me and for what I'm seeing, I favor AM26 and not LB3, because I'm not seeing how we can effectively get the math to work, which obviously is our number one concern and still have fair maps. And so we have to do something.

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It's silly if we're just going to stand here and pontificate all day long on this when we could actually be working together and get this done and go home early. But, you know, it's just taxpayer dollars, I guess, that we're going to waste. Maybe it's not that big a deal to anybody else. So thank you, Mr. President.

FOLEY: Thanks, Senator Blood. Senator Morfeld. Senator Morfeld.

MORFELD: Sorry, Senator Walz was distracting me. I do want to get back to talking a little bit about some of the different things that we are looking at in terms of population deviations and then also permissibility and then the Constitution as well. I think it's important to step back as we're talking about the analysis that's been done by independent mathematicians and other folks, and we'll get to reading some of those as well, because it's not just-- I think you pronounce her name Pfabi. I could be wrong, though, Kristie Pfabi. That's a-- that's a local person that is an expert in this type of analysis, but there's also national experts that have looked at the compactness of these maps and the fairness of these maps. And it's important to go back to why one person, one vote is so important. If you look at the one person, one vote case, which I believe was Reynolds vs. Sims, it was decided in the 1960s and it actually drastically changed-- drastically changed representation, not only in Nebraska, but in states across the country. Because what had happened is exactly what some are proposing and talking about here today, which is trying to provide more representation to areas that have clearly lost population, and doing so in a way that's not sporadic, not targeted to make sure that we have other legally permissible legislative means, such as following county lines or preserving certain communities of interests or even core districts, but rather doing it to disadvantage an entire part of the state. Make no mistake, the math doesn't lie. LB3 systematically makes it so that a certain part of the state-- and yes, to a certain extent, with a certain political affiliation-- has more representation than another part of the state. That's what it does. The math doesn't lie, and it's not only this analysis that finds that; there's other analyses that also find that. And we'll talk about it and put it on the record because, yes, it is totally permissible to have a county here or there that has a population deviation a little bit higher or a little bit lower. But when you have a pattern, a pattern that has been established by mathematical fact, of a certain part of our state is getting greater representation than another, then you have constitutionally impermissible maps. And that's what led to the Reynolds v. Sims decision in the 1960s. That's what led to an entire new district being created in the heart of northeast Lincoln-- District 46. At that time,

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there were only 43 districts and they completely, as far as I can tell-- I haven't plotted out the exact timeline. But in the 1960s, I believe we went from two-year terms to four-year terms. We also added six more districts. But it was because of the same thing that many on the floor of this Legislature is talking about right now, concentrating political power in one part of the state to make up for population loss in a constitutionally impermissible way.

FOLEY: One minute.

MORFELD: One person, one vote is important because it ensures that we have a representative democracy. And the maps contained in LB3 does not ensure that. It ensures that one part of our state that is losing population very clearly retains more representation than another part of the state which is gaining population. And I know that's disappointing to some, but again, colleagues, the math does not lie. And while there are a lot of other considerations that have been brought up on the floor today, none of them are more important than ensuring that we have one person, one vote. And people told me, when I wanted to change the deviation so they were smaller, that we couldn't do it. It was impossible. But yet we found out in 1990, the deviation was plus or minus 1 percent, and it was completely possible then when we had less technology--

FOLEY: That's time, Senator.

MORFELD: --and less ability to do it. Thank you, Mr. President.

FOLEY: Thank you, Senator Morfeld. Senator Machaela Cavanaugh.

M. CAVANAUGH: Thank you, Mr. President. I thought I was further down the queue. Just one moment. OK, so I want to speak about my district, District 6. In this map-- I'm opposed to LB3 for a lot of reasons, but I'm just right now going to speak to my district and what this map does to my district. There is no argument that can be made that my district retains its core. I don't know if there's any other district that is changed as significantly as my district is. This is not the district that I represent. I lose 82 percent of my current constituents with LB3. You cannot tell me that that is the only way to go. In addition to losing 82 percent of LB3, I also lose the three senators who served prior to me. They no longer live in District 6. The three senators who served immediately prior to me no longer live in District 6. Children's Hospital is no longer in my district, my child's childcare is no longer in my district. The part of my district that I drive through every single day is no longer my district. And for what? Why does my district need to change so significantly? When

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you look at Douglas County in LB4, my district barely changes. It adds Boys Town to give me just a little bit more population so that I am almost at a 1 percent deviation. This district puts me at-- I can't even remember the deviation-- 2.98 percent. Right now, I'm at 39,000 constituents. This puts me at 2.98 percent over. I mean, you honestly could have left my district completely untouched, and I would have been within less of a deviation than this. There is no reason to tear apart District 6. It takes out significant landmarks. It takes out the high school that I represent, the grade schools that I represent. It takes out two of the Catholic churches that I represent, places that I have been to weddings and funerals at-- my places of worship, my community. It takes that away because you want to take Democrats out of Senator DeBoer's district. That is the only logical reason. The only logical reason to tear my district apart is purely partisan, because you want to make Senator DeBoer's reelection harder. Shame on you. The five people that voted this monstrosity out of committee should be ashamed of themselves. It is so partisan. Senator Hansen's amendment is not perfect, but it is a far better starting point. I'm tired of how disrespectful the Redistricting Committee has been to this body and to this state. We have to spend eight hours again on a bill that everybody knows is going to fail, because you couldn't work over the weekend to make any sort of concessions. It is ludicrous. It is a waste of taxpayer dollars. It is a waste of our time.

FOLEY: One minute.

M. CAVANAUGH: This is when we should be doing the people's work. This is when we should be focusing on our interim studies and taking deep dives into complex problems. But instead, we are here spending eight hours because the Chair of the committee refused to compromise a single thing. We didn't come here on Saturday to debate this bill so that you could work on a compromise. And we are still debating the same exact bill. This is so frustrating. And to Senator Day's point, I have no delusions of being collegial. You came for me. You came for my district for partisan pettiness. I won't stand for it.

FOLEY: Thank you, Senator Cavanaugh. Senator Briese.

BRIESE: Thank you, Mr. President, and good afternoon again, colleagues. I've heard a lot of interesting comments today, but early we have heard several comments relative to the supposed inconsistency in the deviations from urban to rural, but we need to remember that inherent in the idea of preserving the core of existing districts, is the need to minimize boundary changes. The less we move boundaries, the more successful we are at preserving the core. So what happens when you try to minimize a shift in boundaries in order to preserve

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the core of existing districts, you tend to minimize the shift in population. And so naturally, in districts that are in areas of the state that start out with higher populations, tend to end up with higher populations as-- as that excess population is absorbed. And those areas that start out with lower population counts tend to remain lower. And that's simply a natural outcome of the effort to minimize the shift in order to preserve the core of existing districts. So that's why urban districts may generally be-- that generally have higher population generally remain a little higher than the shift would suggest and, conversely, with rural districts. And a few folks have objected to their districts remaining with somewhat higher populations, suggesting that it's diluting-- diluting their vote, with rural districts often being-- in some cases anyway-- being lower populated and supposedly enhancing the power of their vote. I think I've heard reference to one person, one vote, equal protection under the U.S. Constitution being implicated here. But now that's not consistently true, those population deviations. But to the extent there is a trend, again, this is a natural result of our efforts to preserve the cores. And we can do this, and we're permitted to do this. But the bottom line is, I'm not very moved by these vote-dilution or equal-protection arguments that were raised. I would suggest to you there's data out there suggesting the possibility of a census undercount in rural areas. If that's the case, then these proposed maps may be more closely reflecting an accurate mathematical division of the population than some of you would suggest. And if that's the case, then the voting power of folks in rural Nebraska actually may be diluted beyond our ability to repair here. And so you ask: What are you talking about, Briese? I've got data here suggesting that, in rural counties in Nebraska, the census enumeration or the census numbers tended to fall short of the Census Bureau estimate while, in urban counties, the count tended to exceed the estimate. So what's the conclusion to be drawn from that? Is there a problem with the estimation methodology or are we systematically undercounting the rural population? I don't know, but it's very troubling to me to consider the possibility that rural residents may have been undercounted and that rural voters may be the ones with potential equal-protection concerns here. So again, I-- I support LB3. I think it's going to need some tweaks. We've heard some concerns expressed that maybe we do need to be addressed. But I think in general, it's good legislation, and I would urge your support of LB3 and your opposition to AM26. Thank you, Mr. President.

FOLEY: Thank you, Senator Briese. Senator Wayne.

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WAYNE: Thank you, colleagues. I wasn't going to respond to that. But Senator Briese, there has been undercount in east Omaha that's been reported anywhere up to 20 percent. And if you just do the simple math, pick a rural county, I'll pick a part of east Omaha and the numbers still favor east Omaha. So we-- if we're going to start talking about data problem, we might as well start all over and not do anything 'cause if we don't have faith in the data, it doesn't really matter. The reality of it is, is that there has been significant loss in western Nebraska. So I'm going to tell you a little bit about what my map does to other parts outside of Omaha, since people seem to be confused. Well, there are existing splits in Box Butte, Alliance and Otoe County. We eliminate those. That makes the rural districts better. Those splits still exist under LB4. Dixon County would be split in order to provide the necessary population for LD17, which is Senator Albrecht's. But their results would be unifying two communities, Wakefield and Emerson. See, both of those actually straddle the county line, so it's impossible to just do the county line without splitting those actual cities. We make those whole. The only actual split that hasn't occurred or isn't currently split in our map is Phelps County in south central. Other than that, all the remaining splits are actually current splits. We only have-- so additionally, we just don't come around and split more. We actually make splits where it makes sense for communities. Let's talk about the city of Waverly. We actually move that into LD21, which is essentially what the Speaker wanted us to do. So it's done. We have been working with anybody who has been talking to us and we have been listening to everybody who has been talking to us. There are additional five counties that are split-- Adams, Gage, Kimball, Pierce, and Saunders-- underneath LB3 without our amendment. My point is not only has LB3 split SIDs and neighborhoods, which may or may not happen under both of them, the fact of the matter is, is rural Nebraska, in many parts, are treated as whole. We're-- we're actually unifying some communities to make sure they're back together. We can go on and on about what tweaks have to happen, but what has to happen first is: Where do you want to start? Where is a fair starting map? And here's the problem that I'm really, really, really not understanding. It was 4-1 from all the public testimony, 4-1 in favor of LB4 over LB3. We're just ignoring the public. That's the part that is just confusing to me. We went to three different legislative districts and, at every legislative district, including the 3rd District, what I would argue isn't a true representation of the complete 3rd at stopping at Grand Island. Thank you, Senator Hughes, for pointing that out. But at the end of the day, the issue was, they didn't want to eliminate Senator Hughes's district. I've already said three times, I'm open to discussion. Tell me who you want to move. But the overall map,

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everybody has said they agreed with. The issue was they didn't want to lose a rural senator. But where everywhere else, from Lancaster-- well, actually from Grand Island east, there weren't complaints at all-- at all. The only issues are in Douglas and Sarpy County that we have to tweak out, and we have to tweak out because our maps are drastically district-- different, where you're moving Saunders County into Cass County and all-- that's completely, to me, completely different, and I wouldn't do that under any map. My point is, is: Where is the starting point?

FOLEY: One minute.

WAYNE: LB3 is not the starting point. Overwhelmingly, the community said the starting point is LB4. That's just the fact, and that's what the record said in every congressional hearing we went to regarding these maps. So again, I ask us to adopt AM26. Let's have a real vote on it, and flip the applet so we can get back to the table and get things done. Otherwise, we are going to be here till 8:00 tonight, and nothing will be accomplished because the two lead negotiators are here on the floor. So we're going to waste eight hours 'cause I'm going to sit up here and defend my map, she's going to sit up here and defend our map. And who's going to have the conversation about moving forward?

FOLEY: That's time.

WAYNE: Thank you.

FOLEY: Thank you, Senator Wayne. Senator Kolterman.

KOLTERMAN: Thank you, Mr. President. Good afternoon again, colleagues. There's been a lot of similarities directed at my district about how it's very similar to Sarpy County. I-- I don't believe that for a minute, and so I'm going to talk a little bit about that. And I-- and I do appreciate what's going on here. I know I've talked to Senator Linehan, the Speaker, and also, Senator Wayne. But the reality is, my district has got some of the richest farmland-- not only in the state of Nebraska, but in the nation-- in it, and we produce much, much grain, poultry, beef, and pork. In my district, I have one of the largest-- I would say one of the largest co-ops in Central Valley Ag. They're based out of York, Nebraska. But Corteva-- they used to be known as Pioneer-- they're a Fortune 500 company, I believe. They're one of the largest seed corn companies in the nation. Bayer Agrosience [SIC] started up in-- a few years ago. Now they bought Monsanto, which was also-- that would have been five, but now we're down to four. But I don't need to tell you about Monsanto and the

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Bayer Corporation, phenomenal corporation for our state, as well as in my district. Dow AgroScience, Mycogen Seeds, Green Plains Energy-- that's-- that's a biofuel company domiciled right in-- just outside of York. And then just recently, because of our agricultural background and because of the work ethic in the 24th District, I believe Petsource, which is a Scoular company, came to Seward, and they're having tremendous success already. And then along with all of those companies, comes the ancillary benefits of irrigation and-- and sales of agricultural equipment. And the list could go on and on. So to compare me in the 24th District to Sarpy County-- and I-- and I'm-- I could get in. I've got a whole booklet of the differences right here, I mean, it's-- it's two inches thick. We're not-- we're not an urban district. Someone recently said, in the North Platte Telegraph, that Seward was just a subsidiary of Lincoln. I can tell you those are fighting words in Seward. We like to look at and think that Lincoln is one of our suburbs, to be honest with you. But the reality is, we've got a tough job ahead of us. I support AM26 primarily because it doesn't take my district away, and I don't want to lose another rural district. But as we look at this information that we've been given over the last couple of weeks, I start looking at districts that have lost ground. My district happened to gain about 3 percent in population, and we're very productive and we're very proactive in growing our district. But we have Hall and Adams County, which lost 1 percent. We have-- we have Senator Williams' district lost 1.2 percent. His is probably still within-- those two are probably still within the variance that needs to be. But then we start looking at districts that lost 2.8 percent,--

FOLEY: One minute.

KOLTERMAN: --5.4, 3.3, 4.4, 6.9, 6.4, 5.5, 2.4. They're all rural districts, colleagues. They're all rural districts. So-- so I'm not just supporting AM26 because AM26 won't take my district away, but I don't want any of us to lose a district. So if we do that, it has to be through compromise, it has to be through willingness to work together. I can't support LB3 because it rips my district apart. I just can't support that. So as we move forward, I like the idea of taking an up-or-down vote on AM26. I think we should find out whether or not that that's a starting point. I think perhaps there's the opportunity to get that done.

FOLEY: That's time.

KOLTERMAN: Thank you.

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FOLEY: Thank you, Senator Kolterman. Senator Pansing Brooks. Is Senator Pansing Brooks on the floor, please? I do not see her. We'll move to Senator John Cavanaugh.

J. CAVANAUGH: Thank you, Mr. Lieutenant Governor. Well, it's I rise again in support of AM26 and against LB3. A lot has been talked about since the last time I stood up here. And so try to hit on the things that struck me in what people are saying. I do appreciate the conversation today, but I'd kind of join a number of other people in their dismay about the fact that we started at noon today in the hopes of people spending that time negotiating and coming up with some sort of compromise so we don't continue to waste time like we did on Friday. But I guess here we are. I-- hope springs eternal, and I will assume that people are negotiating somewhere out of sight. So Senator Morfeld talked about the mathematical analysis, and I thought it would be important to kind of address that again, what-- and everybody has the hand out that Senator Morfeld handed out. And if you want a color copy, I'm sure we can get you one. There's also the Web site, but specifically, on what would be page-- I guess it'd be the fourth page of Senator Morfeld's handout is that graph. And it's in black and white, but you can see on the Web site in color, and it is an analysis breakdown of the line going at about a 45 degree angle up. And to the right is analysis average of Senator Linehan's map, and the line going almost straight across is Senator Wayne's map. And what that is showing you is, statistically, Senator Linehan's map has a positive deviation, meaning more people are placed into districts as the population density grows. So the bottom line is 0 people per square mile, up to 6,000, and the closer you get to 6,000 people per square mile, the greater the amount of deviation from 0, so the more people put into that district. And vice versa, that the closer you get to 0 people per square mile, the more the deviation goes to the negative. And the reason this is significant is-- and that Senator Wayne's is basically a straight line showing that the-- that the-- there is no statistical correlation between the population density of the district and the deviation. And Senator Linehan pointed out that Senator Wayne has a number of districts that have positive and negative deviations all over the state. And that's exactly correct. And that's what this analysis shows, is that Senator Wayne's deviations on AM26, LB4, are not purposefully meant to shift and pack the population into urban districts, whereas the analysis here shows that Senator Linehan's map, LB3, is purposefully pushing people-- and I'm sorry, Senator Linehan, I know it's not your map, but that's the easier way to say it-- but push-- purposely putting more people into the urban districts. And we do have, obviously, LR134, which gives you some license, puts importance on preserving communities of interest as one of the reasons

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for deviation insofar as possible to deviate from county lines, city lines, and things. But it still does not give you the right to wholesale or systematically deviate from one person, one vote. And I was going to read parts of a case that I have here where, let's see, this is-- lost the front page-- Cox v. Georgia [SIC-- Cox v. Larios], which is a Supreme Court case where a citizen in Georgia sued the state of Georgia over the fact that there was a systematic packing of individuals, in this case by Democrats, into suburban districts to disfavor Republicans. And so the Court said it was clearly deliberate and systematic policy of favoring rural and inner city, which is, of course, different geography than we're talking about here, but they did it and they said those numbers largely speak for themselves. They found that the shapes of many of the newly created districts supplied further evidence, which the other Senator Cavanaugh just addressed. And I think--

FOLEY: One minute.

J. CAVANAUGH: --her district is a good example of this, where her district looks like an anvil, I guess. I don't know, it looks like some kind of strange creature. I'd go as far as to say maybe it looks like a salamander, but that is-- those two pieces alone are evidence of a systematic approach here to push more people into districts like mine, which has the maximum deviation-- or close to it-- of 4.98. Senator Morfeld, I think, correctly pointed out that that maximum deviation is not an absolute pass for courts to find case-- maps constitutional. It is perhaps a shift of the burden in who's responsible. But the evidence here is pretty clear, and there are individuals here who have advocated for just this type of systematic packing. And I think the map reflects the--

FOLEY: That's time.

J. CAVANAUGH: Thank you, Mr. President.

FOLEY: Thank you, Senator Cavanaugh. Mr. Clerk.

ASSISTANT CLERK: Mr. President, Senator Kolterman would move to amend the Hansen amendment with AM27.

FOLEY: Senator Kolterman, you are recognized to open on your amendment.

KOLTERMAN: Thank you, Mr. President. Colleagues, what you're going to see in front of you here-- and I know this is going to catch a lot of you off guard-- but Senator Dorn and Senator Brandt and I, since we

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found out that they are dramatically changing our districts in-- in LB3, we weren't particularly excited about that. So-- but we were OK with LB4, if we could get it amended. So what this amendment does-- what AM27 does is it takes Seward and York Counties and a little bit of Lancaster County, which is the 24th District, which is rural, and it puts it into a block just to the west of Lancaster County. And then we take District 32, which is Fillmore, Saline, Jefferson, and Thayer in their entirety, and give them a little bit of land-- give Senator Brandt a little bit of Lancaster County. Then we take Senator Dorn in Gage County and give him a little-- he keeps all of Gage County, and we give him a little bit of Lancaster County as well. And inside of Lancaster County and the Lincoln senators, we think there's somewhat of an agreement that we can work with the districts that are mapped out in our amendment. Now I can't speak for all ten senators, but that represents five Republicans and five Democrats, if we're looking at it from that perspective. I think that everybody pretty much keeps their districts intact. We all give a little, but we gain a lot. That's-- that's a roughly 25 percent of where we need to be. I'm not advocating completely for Senator-- eliminating Senator Hughes. I don't like that idea. I think that still has to be negotiated. But this fits into LB4, which we had talked about that the three of us could get along with. And so the three of us dropped this amendment. Hopefully it will continue to have some talking points. And with that, I would appreciate a green light on AM27, AM26, and, ultimately, get us to where we need to be so we can continue to negotiate in a prudent manner. It's not the answer to everybody in the state, but it does take care of a large percent of the population in eastern Nebraska. It keeps three of us completely rural and keeps Lancaster County and the Lincoln senators pretty much intact the way they were. So with that, I appreciate your willingness to talk about this and compromise. Thank you very much, Mr. President.

FOLEY: Thank you, Senator Kolterman. Senator Dorn.

DORN: Thank you, Lieutenant Governor. I was in line to speak before the amendment was dropped, and it-- kind of coincidence I'm in line right after the amendment was dropped. Yes, I will be in favor of AM27, but I wanted to talk more about, I guess, this whole process, what we're-- what we're going through with redistricting, and sitting here watching the other day when we had eight hours of discussion, and now again today here, however long we go, probably eight hours of discussion. I had some-- have some thoughts on this. One of the issues we have with the way the census is set up and then, every 10 years, we come about and redistrict, that gives you a long enough time to really take-- I call it ownership of your district. You know where the lines

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are at. You know where the-- I call it some of the main events are at, some of the parades are at, some of those things. And as you travel around your district, you know where the boundaries are at, and that this is your district, that's the one you represent. You build a relationship with a lot of people in that area, in that specific part where you represent. Part of what the census does, though, is it comes out with new numbers. We find out over those ten years, we as a state have certain areas that have grown-- grown immensely. We have areas of the state that have lost population. So we don't have a choice. We now get to redraw. We get to adjust the lines so that 10 years ago we represented 36,800 people, approximately. Now you're going to represent in the neighborhood of 40,000 people. Well, to do that, lines will be adjusted, your districts will change. And it's just the unfortunate part-- fortunate, unfortunate, maybe you don't feel comfortable with your district-- that will be adjusted. It will be shifted. The unfortunate part is you get somebody like Senator Linehan, who has 59,000 people, that current district there is going to lose a third, no matter what. We don't get to change those numbers. You have a district like Senator Erdman's, way out west. I believe it's one of the lower ones at around 34,000. He is going to gain in his district no matter what, no matter what we decide or we-- I hear so much talk about negotiating and where we're going to go out and what we're going to do. Some of these districts are going to change. I know there was an article in the paper I read in the last week-ten days. The difference between Linehan's map and Wayne's map, LB3 and LB4, whatever you call them, one of them shifting 8 districts by a certain percent, the other one will shift 16 districts by a certain percent. And then I heard Senator Machaela Cavanaugh get up and say her district, 82 percent of it's going to change. And I go, oh, my gosh, I don't follow the Omaha districts as closely as I follow some of the rural ones 'cause I'm more familiar with those or whatever. We are going to change how we come about. I do hear a lot of negotiating, I hear a lot of conversation, I hear a lot of discussions among various senators. I hear a lot of conversation among-- I call it the Redistricting Committee. And I would really like to thank them for taking on this and the work they've done, especially Senator Linehan. Senator Wayne is leading that. I don't know if the people of the state of Nebraska realize how much of a challenge that's been. And just to come up with some maps is a challenge and, let alone, here on our desks, we have about 40 pages of maps again this morning that we can all look at. That's the LB3 that was sent out to us. So we-- a lot of us are sitting here looking at those. What we end up with, I don't believe LB3,--

FOLEY: One minute.

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DORN: --I'm pretty sure AM26, neither one of those are exactly the map we're going to end up with. Where we go or what direction we take, I think, there's needs-- a lot more discussion yet, a lot more negotiation. As I've been on the floor here this morning and probably visited with 10 senators or more, and every time the discussion about was: What are we going to do? How are we going to come up with a map? Where are we going to change things? Are we going to affect my district, your district, or how is this going to happen? I believe we can come up with it. It's still is not there. I thank you for the time.

FOLEY: Thank you, Senator Dorn. Senator Groene.

GROENE: Thank you, Mr. President. There's some flawed thinking here, I believe, and premises. Since when is it dictated that the one who loses population is the one that dissolves? I would think the commonsense thing with this core idea that's been thrown around would be to find population and move it to that district, not dissolve it. It's a long difference between-- big difference between adding or losing part of your district. People are whining on the floor about losing part of their district. People in Imperial and Red Willow County-- McCook-- are going to lose their district, are going to lose their representation. They're going to be blended in somewhere else. That's fine, somebody is going to do it. And the most likely ones are 24, 36, 44, 40, because you can blend them in to other areas and keep them whole. That's fine Senator Dorn and Brandt and Kolterman want to change it, but they haven't said who they're going to throw under the bus. So you're willing to throw the people of the hard-core farming area under the bus-- that's District 44-- because you don't like a few changes to the lines of your district. I guess I can't. You haven't heard me complaining about what's happening in my district. We're going to-- we're going to get an area that is changed because we have to. We've been too nice in rural Nebraska, supporting all of the economic development in eastern Nebraska. Here's a couple of points you ought to know in Nebraska. When your child leaves North Platte, Imperial, Scottsbluff, and goes to Lincoln or UNO to college, guess where they get counted in the census? In Lincoln. When your neighbor commits a crime and he goes to the prison in Lincoln, do you know where he gets counted in the census? Lincoln. When the resettlement of the immigrants happens in Lincoln, which was a big center point in the state of Nebraska and South Omaha, do you know where those are immigrants-- who don't have the right to vote, are not citizens-- get counted in the census? Omaha and Lincoln. That's what happens, folks. You want to talk about inequities in how we count? Our state Constitution says: The basis for apportionment shall be the

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population, excluding aliens, as shown in the preceding census. They decided this year not to count-- ask them if you were legal resident of the state when you-- when they counted you in the census. So we can't subtract them. Senator Linehan and the committee could not subtract them. So you get more representation in Omaha and Lincoln, around the University of Nebraska, UNO, Kearney, because of our kids. Do we correct that here? Maybe Kearney ought to have a negative deviation. Maybe the heart of Lincoln ought to have a negative deviation. Maybe UNO, around UNO, ought to have a negative deviation to offset that injustice, that unfair representation, because those kids could go back home and vote at home. And they will, a lot of them, but they will be counted in Lincoln. Those aliens won't even vote, won't even register to vote.

FOLEY: One minute.

GROENE: Here's an ideal for you. We've been really nice helping you build eastern Nebraska with our-- with your Advantage Act, Imagine Act. I had to, Senator Kolterman, meet with the State Chamber to get something for western Nebraska; you didn't. There's \$520 million coming with CARES Act money. Let's be bipartisan and spend it all west of Grand Island. Let's build rural Nebraska next session. It's our turn. We keep being bipartisan and help you grow. And what do you do to us? Take away our representation. \$520 million, Governor. It's time. They elected you, rural Nebraska. Spend it. Senator Stinner, Scottsbluff. Spend it in rural Nebraska. Thank you.

FOLEY: Thank you, Senator Groene. Senator Day.

DAY: Thank you, Mr. President. I just wanted to mention the last time I got off the mike, I think Senator Linehan was right after me, and she said that she was looking at the three maps, my current district, and Senator Wayne's new District 49, and her new District 49, and that my current district looks more like her new 49 than it does Senator Wayne's new 49. And I'm glad that she mentioned that because I wanted to talk a little bit about this here. I have an article from the Brennan Center. And the Brennan Center for Justice is a nonpartisan law and policy institute, and they have an article called "Don't Judge a District by its Shape," and the sub-headline says, "Can you spot the gerrymandered districts?" Within the article, it talks a little bit about what gerrymandering is and what we expect gerrymandered districts to look like. We-- we sometimes expect them to look like the salam-- salamander-shaped districts from which gerrymandering found its name. But the reality is that gerrymandered districts don't often look like that. Within the article, it starts to talk about the public has an important role to play in pushing back against the practice of

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gerrymandering. But it's important to understand that recognizing unfair maps means considering more than just the shapes of the districts. Because-- but just because a district has neat and regular looking district lines doesn't mean it isn't a gerrymander. In fact, some of the most aggressively gerrymandered maps don't have any odd looking districts at all. So I just-- again, I wanted to point out the fact that we can't just look at the visual aesthetics of what the districts look like on a map. We have to look at the actual content of what the districts have currently, and where that content is being moved, and what the communities of interest are. And when it comes to my district, in particular, again, because this is where my experience lies and I understand my district better than anybody in the body, Senator Linehan's new map, LB3, takes every single community of interest in my district and either removes it entirely or cuts it in half. It removes all of Papillion and La Vista. It takes Chalco, slices it in half, and it removes all of Gretna. So while visually the new District 49 on LB3 may appear to look similar in terms of the boundaries of the district and what it looks like, it would be an entirely new district that is in no way consistent with maintaining the core or keeping communities of interest intact. And there's a few other areas that I just wanted to mention, as it relates to LR134, and my district in particular. In LR134, Senator Linehan defined communities of interest as geographic areas such as a neighborhood, school district or region whose residents have a common interest, adding, quote: I don't think any of us want to not preserve the cores, but just common sense tells me it's more important to keep communities of interest together. Again, as I mentioned earlier, when it comes to Gretna Public Schools, which is almost entirely contained in the current LD49, the new LB3 would take Gretna-- Gretna Public Schools and split it into three separate legislative districts. Our principles call for compact districts. LD49 and the neighboring-- what would be Senator Kolterman's district, LD24-- are not compact.

FOLEY: One minute.

DAY: Many of the voters who used to be in LD49 who would now be in a new LD24 that stretches from Papillion to Wahoo. As I mentioned earlier, for perspective, this Omaha metro-area district runs nearly as far west as the 27th Street exit in Lincoln. Taking the current footprint of LD49, merging it with a new LD24, and spreading districts across Sarpy, Douglas, and Saunders County, violates the principle that we follow county lines. Another thing I wanted to mention was in LB3, LD49 takes out two precincts from north of Harrison, pulling in part of Douglas County into the new LD49, which, when you look at the population of Sarpy County and how much it's grown-- it's the fastest

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growing county in the state, growing 20 percent since the last census data was taken-- we should have about 4.7 senators, meaning 4 senators are entirely in Sarpy County alone.

FOLEY: That's time, Senator.

DAY: Thank you, Mr. President.

FOLEY: Thank you, Senator Day. Senator Hughes.

HUGHES: Thank you, Mr. President. Good afternoon, colleagues. I haven't talked on this yet. In visiting with one of my-- one of our colleagues, they asked if I was going to weigh in on this. And I said, yeah, eventually I'll talk about it. I said: Do you think it'll make any difference? And they said: No. Everybody's pretty well got their mind made up. I certainly want to weigh in on this. LB3 does maintain the 44th District, which is great. But in listening to the conversation today, I'm hearing a lot of I, I, me, me. That's what-- not what this is about. This is not about my district. This is not about I, Senator Hughes. We're drawing the lines for the next ten years, and it needs to be about the people, our constituents, the citizens of the state of Nebraska. District 44 is 10 counties in the southwest part of the state. It's relatively intact in Senator-- in LB3. It gets divided up among several different districts in LBr4. There's a reason for that. It's a large district, it lost population, and it's got several counties, so it's easy to draw lines to make-- make the other map work. So in that instance, it was low-hanging fruit. Does that mean that it should be the one that disappears? I don't think so. Just because it's easy, I don't think that's the reason we do it. That's not in the best interest of the citizens of the state of Nebraska. I testified in Grand Island on both LB3 and LB4 to the same tune. And the point that I made there was, the citizens that we represent, whether they are the citizens of Nebraska, the citizens of our district, the citizens of our county, the citizens of our town, they need to have access to us. And in the massive distances that we have to travel in the west in these large districts, we do our best-- Senator Erdman, Senator Brewer, myself, Senator Gragert. It takes a lot of time and personal effort in order to represent those 36,000 citizens. And we can't do it as well as the senators in Lincoln and Omaha can because we have such a large territory to cover; and that's a disservice to those citizens. We're denying them access to their senators because of the great distances we have to travel. That's why we're having the fight about trying to limit the size of the rural districts. It's not about ag, it's not about the senator, it's not about the district. It's about servicing the citizens of the state of Nebraska. They deserve representation. They deserve access to

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their senator. And it's a lot easier for a Lincoln or Omaha senator that represents 20 or 30 or 40 square blocks versus 300 or 400 square miles or more. That's what we're talking about. For the people watching at home, there are additional maps being drawn. There are things going on. But we are taking the time today because this is our process. This is how we do things. These are our rules. And we fight like cats and dogs because we are family.

FOLEY: One minute.

HUGHES: The 49 of us are family. And when someone from the outside attacks us, we close ranks. But when we're inside here, when we're within our living room, the gloves come off and we go after each other. But at the end of the day, we are still family and we come together to do what's best for the state of Nebraska. The last point I want to make-- you talk about rural versus urban? Depends on what your definition of urban is. Everybody in Omaha thinks everybody else in the state of Nebraska is rural. Everybody in Lincoln and Omaha thinks everybody in the rest of Nebraska is rural. I think there's a lot of urban areas in our state: Grand Island, Kearney, North Platte, Columbus, Norfolk-- you name them-- Hastings. Those are urban areas to me. They're not rural. So what is your definition? Thank you, Mr. President.

FOLEY: Thank you, Senator Hughes. Senator Lathrop.

LATHROP: Thank you, Mr. President. Good afternoon, colleagues. I-- since the last time I spoke, Senator Briese has had an opportunity to speak, and then brought up the fact that he has data that suggests that, in rural Nebraska, those citizens were not counted. And now we are talking about maintaining the core of the district, and using the deviation to do that, and talking about the challenges senators face servicing a large area. Now as Senator Hughes said, we're all friends here, and I appreciate the challenges that someone like Senator Brewer faces in District 43, primarily the Sandhills. That's large stretches. Heck, he probably has a third of the state. But Senator Hughes here that's talking about the problems servicing the district is supporting a map that's six counties wide. It's almost as wide as Brewer's. Here's my point, which is, it's not about the size. The reality is, I can appreciate-- I can appreciate that, for many of you that are in rural areas, you might have several towns that you have to go to their parades or their carnivals and those kind of things, which is what we do. And there's nothing wrong with that, and I get it. But most of us are talking to-- we don't drive over to somebody's house. I mean, I'm in an urban area. I don't drive over to somebody's house when they call up and say: Hey, I want to talk to you about redistricting. You

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pick up the phone, you respond to an e-mail. So those are the challenges. But they-- but to talk about these things and the distances is to miss the reality of what we're doing. And as long as we stay stuck on something that isn't part of the reality, we don't move forward. It'd be nice to have four congressmen; we don't. I imagine Adrian Smith would like to have a smaller district. Everybody would like to have a smaller, more compact district. It makes getting around easier, probably fewer parades or whatever that might be, in terms of your representation of the constituents or continuing to maintain contact with them. But we don't have four congressmen, and you had a lot of population loss. And frankly, it's not because we sent people to prison or the kids are going to UNL. That isn't-- that doesn't account for this. You know, when I-- when I was down here in my previous term, what I heard so often from my rural colleagues was, we got to save our communities. We got to save our small communities. We got to stop this corporate takeover of farming. We need to preserve our communities. We need to preserve our small school districts. I was-- when I first came in, we were just at the tail end of eliminating the one-house school districts, and we talked about consolidation. These are facts of life that have to do with the-- the decision people are making in rural areas, using Senator Hughes's definition of rural areas, to leave. They go down to the university and they don't come back, or they get their education and they move to Chicago, whatever the-- or it just may be people dying. Whatever the case, your districts are-- are getting smaller in number. And we can't turn this process into an unlawful attempt to have you overrepresented. How much time do I have?

FOLEY: One minute.

LATHROP: OK. We have to get past this idea that a large district in acres is-- is something that we need to take into account, or account for, or, worse yet, use the deviation that was intended to help us draw lines and work around splitting towns up as a tool for changing the representation so that these rural areas, as Senator Hughes would define them, have 95 percent of a district worth of people and urban areas have 105. That's not the way it's supposed to be. That's not the assignment. That's not our LR, and that's not the way we should proceed. I would really, really encourage people to come to the floor, turn your light on, and participate in this debate so that we can have an exchange, go back and forth and figure out when people start to talk to one another,--

FOLEY: That's time.

LATHROP: --where the middle is. Thank you.

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FOLEY: Thank you, Senator Lathrop. Senator Slama.

SLAMA: Thank you, Mr. President, and good afternoon, colleagues. Like Senator Hughes, I-- I really wasn't planning to get up on the mike today, because I think that everybody's entrenched on their corners, and the folks that are negotiating right now are off the floor. So to be clear to everybody watching back home in Nebraska, there-- there are negotiations going on as we speak. I'm not going to take my full five because I don't think there's any need for me to pitch in and help the group filibuster LB3, which I think is overwhelmingly the fairest way to ensure that no districts in the western part of our state are fully eliminated. I could make a joke about Senator Lathrop, given his comments, insisting that size doesn't matter. Joe Nichols has a song about that. It's a country song. And I get it. We have some people on the floor. Actually, a lot of them are still off the floor negotiating, trying to figure out how we can get to a compromise. We need 33 senators on board and this filibuster and pass maps this year. And I'm-- I'm curious now, just listening to the debate. I thought Friday's debate was far more substantive and helpful in senators listing off their must-haves, in terms of negotiation. There was a clear direction and a clear intention stated by senators. But today's debate really seems to have turned. And I have to wonder, like I know there are some people who are truly opposing LB3 in good faith, but I'm also worried that there are some folks here that are complaining to either get a headline or to shut down this process altogether, like the sheer amount of lawsuits that have been threatened on the floor in kind of a backhanded way. It almost makes me wonder if the really foreboding phrase "sue till it's blue" has a little bit of truth, especially given like what we've talked about already this afternoon, like we've been up here three hours and I think lawsuits have been threatened a handful of times already. Like, to everyone on the floor shaking their heads "no," that I would even bring that up, like what are your must-haves? Like, what is your must-have list that is realistic so that we can take that back and work on that in negotiations? Like a group is at work here, and they were at work on Friday-- seems to have dug in. And I'd love-- I'd really love to see where they'd want to have a compromise. What are your requests that we can fit into a map that ensures that all 49 senators in the state have districts within the legally required amount of deviation? Now I also want to just briefly push back against claims that somehow the number of testifiers at the public hearings this week was an organic straw poll of the separate maps' popularity rates among Nebraskans. Like you can go to the Nebraska Democratic Party's Web site, and they have an entire section dedicated to the 2021 redistricting process. They have sample testimony to support Senator Wayne's maps over Senator

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Linehan's maps. And again, I know everybody on the floor knows this is a thing. This is for the folks at home who might be hearing this be brought up on the floor in debate and think to themselves: Wow, a lot of people came out and testified opposed to Senator Linehan's maps; I wonder why. Well, you had a political party, the Nebraska Democrats, actually organizing people with sample testimony to have that kind of outcome so it could be pointed to in debate. Now, that's not to take away the fact that people came out and testified. That means something absolutely. But you can't just claim that this was an organic straw poll of what the position of Nebraskans actually are when it comes to redistricting, because there's an entire section of the Nebraska Democratic Party's--

FOLEY: One minute.

SLAMA: --Web site dedicated-- thank you, Mr. President-- with information about how to testify in support of Senator Wayne's maps and in opposition to Senator Linehan's maps. Senator Blood even led a training session with Chair-- Chairwoman Kleeb on redistricting through the Nebraska Democratic Party. And I'm sure she'll respond to that. But like it's a matter of fact that there was coordination with the intention of having those numbers be overwhelmingly in favor of Senator Wayne's maps and opposed to Senator Linehan's maps. So that is just some very helpful context for everybody watching at home. I hope it was helpful. Thank you, Mr. President.

FOLEY: Thank you, Senator Slama. Senator Matt Hansen.

M. HANSEN: Thank you, Mr. President. And I'm going to disagree that the discussion today hasn't been sincere or hasn't been focused. Senator Kolterman's map, as been proposed, has the support-- if it's the same map that we've been talking about for the past week-- has the support of a bipartisan group of eight of the ten counties-- senators that it would be in Lancaster County. He, Senator Dorn, and Senator Brandt have been very open in trying to get the other Lincoln area senators to agree on the boundaries for the Lancaster area and how those spill over into the counties that are currently in Districts 24, 30, and 32. We've not come to a final agreement on that because there's been a couple of senators who represent Lincoln who have refused to agree or it's been a whole thing. It's been a whole thing behind the scenes. And I bring all this up to say, not to air dirty laundry, but this is an amendment Senator Kolterman has cared about and has worked on for a long time that I've told him I didn't have a problem with, that I told him I liked. And here we are having an opportunity to debate an amendment that has bipartisan support to an amendment-- to improve an amendment that already also had bipartisan

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support, and this is being dismissed as not being sincere or not helping. This is a real attempt to solve some of these issues in districts, in Lancaster County especially, and surrounding areas. I-- part of the reason I'm involved is-- and when we talk about my districts and I get that point-- part of the reason I'm involved is A) I'm a term-limited senator and B) my district doesn't really change in any map. My core of the population, for whatever reason, doesn't get shifted or moved in any maps. I don't really have anything to lose personally, or do I think District 26 is really at any threat right now. So that gives me the ability to work and support other things, and which is why I support Senator Kolterman's amendment, because it's a sincere amendment that solves some of the issues that he, Senator Brandt, and Senator Dorn had, and took into consideration, and comments, especially from others in Lincoln on how to specially handle kind of southern Lincoln in Lancaster County. This is, as far as I can tell, the only truly bipartisan effort to resolve really anything in redistricting that has ended up in amendment form. And I would encourage people to give it serious consideration, to talk to Senator Kolterman about it if you have questions, and let him explain it to you. Talk to Senator Dorn, talk to Senator Brandt. We are trying to get something done when it seems that much of the other state is the-- much of the senators representing the rest of the state are the ones digging in their heels. And to this notion about this rural-urban divide, I appreciate that some people have tried to [INAUDIBLE] some legislative history, that variations happen when you protect core of the districts in population shifts. Variations happen. Variations do happen. I get that, and all maps are going to have that. But when you have people get up, as they have on this floor today, and say: I want to intentionally skew-- you know, here's my mathematical formula to giving Douglas County and Sarpy County as few seats as possible, you can't just say that's something that then happened by accident when they have, in public hearings, in the media, and on the floor said that that's what their intent is to do. I appreciate that they might not necessarily speak for anybody, but that intent is clear and said on the floor. Part of the reason I introduced AM26 today was that I thought that was the map that had the better start than LB3. It splits less counties. The counties it does split, it more aligns with the current splits nowadays, which are functionally necessary, based on where some of the population has. I've listened to Senator Wayne go kind of over and over, in circles and circles, that when you have some of these counties with like 24 or 30 or 35,000 people and they're surrounded by other counties of considerable size, there's no way to not split something in that situation. And how do you do it as equitably and as fair as possible to get to our target of 40,031 or as close to it as possible? So LB4, as incorporated in AM26, is an

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attempt to base off of current cores of the districts, split it as few as possible. Yes, it does shift a district from west to east. But as people have pointed out, almost the entirety of growth--

FOLEY: 30 seconds.

M. HANSEN: --thank you, Mr. President-- almost the entirety of growth. Over 100,000 people now live more in three counties. Three counties have grown by over 100,000 people. And if only one district has to shift because of it, that's kind of amazing. And that's something we should recognize is accounting for a lot of concerns. We're welcome to move more. Lincoln could use an extra one, but that's not being proposed because we know how that's going to be received in the body. With that, I would support all the amendments on the board. Thank you, Mr. President.

FOLEY: Thank you, Senator Hansen. Senator Bostelman.

BOSTELMAN: Thank you. I yield my time to Senator Linehan.

FOLEY: Senator Linehan, 5:00.

LINEHAN: Thank you, Senator Bostelman, and thank you, Mr. President. So I rise-- I am against AM27 and against AM26. I've been searching all day where Senator Wayne put the people because he didn't put them in the western part of the state, and it doesn't look like-- well, some of them are in Douglas County. But then I realized, when it comes to Lincoln, he's got Senator Brandt's district at almost 5 percent over. But they have to go to Lincoln, even though they're almost 5 percent over. Got Gage County 3 percent over, Seward County 4.49 percent over, 21, also in Lancaster County, 2.27 over. So I counted, there's five-- five districts that enter-- touch Lancaster County, and they're all over-- over by significant margins. People have talked about their own neighborhoods a lot here today. So I know these maps are hard to draw. And I accidentally, when we were drafting maps, put senators out of their districts unintentionally. The final maps that were put up last Friday night had no one-- no one, not Senator Lindstrom, not Senator McDonnell-- no one was out of their district. And that was mainly because the Legislative Research Office and Grant Latimer, and my office spent well into Friday night, making sure we didn't make those mistakes. But if you look at LD39 in your stack here, in Senator Wayne's-- so we-- we want to talk about our districts. I know I have to give up people. So if you look at the bottom of the LD39 here-- oh, that's another thing, I'm 4.43 percent over. That's odd to me, since I'm a growing district. Every-- every place around me, new homes are going up, but somehow I end up 4.43

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percent over. I don't know why it would have to be, but they knew where I lived because, if you go at the bottom of the map, that little hook down there at the very bottom on your left-hand side, that's me; I'm in that little hook. And the line-- the line that comes across there is, I believe, F Street. And the irony of this is, when you get to F Street, that point that goes south, that goes into a neighborhood right next to me. I live at the farm. It's called the Farm at the Preserve. And this is-- the strange little line here at the bottom I think that might be the Gretna school district. I've always known that I had a little bit of Gretna's school district, but nobody's-- until the last two or three years, nobody lived there, so nobody talked about it being Gretna. Now they're building houses, so it's Gretna. I'm going to go back to AM27 for a second. If I understand it-- maybe I'm wrong-- it is a part of a map. I believe that to be true. Is Senator Kolterman on the floor?

FOLEY: Senator Kolterman, would you yield, please?

LINEHAN: So is your AM27 just part of a map, right? It's not the whole state.

KOLTERMAN: Correct. That's absolutely correct.

LINEHAN: Thank you, Senator Kolterman; I appreciate that. So I think we could all draw a part of a map. That's pretty easy-- don't have to take anybody off board, don't have to say I'm going to take it from you, we'll just draw a part of the state. There are several senators here today or down in their offices who have spent hours and hours in that map room, trying to draw a whole state. And their staffs, not just committee staff,--

FOLEY: One minute.

LINEHAN: -- and not just my staff and Justin Wayne's staff, but a lot of senators' staff who have spent a lot of time in that map room. So it's a little bit like, OK, guys, this isn't-- you know, it's like when you get an assignment in college or high school, you don't get a lot of a credit for like a third of the job. If you want to map to pass, you got to do the whole map. Thank you, Mr. President.

FOLEY: Thank you, Senator Linehan. Senator Erdman.

ERDMAN: Thank you, Mr. Lieutenant Governor. Good afternoon again. I was wondering if Senator Kolterman would yield a question.

FOLEY: Senator Kolterman, would you yield, please?

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KOLTERMAN: Yes, I will.

ERDMAN: Senator Kotleman, thank you. I was trying to make heads or tails of your amendment. So your amendment, if you could tell me exactly what it does. And here's where I'm going with that. It preserves Senator Brandt, Dorn, and your committee [SIC], and it eliminates Senator Hughes's commit-- district, excuse me. Is that what it does?

KOLTERMAN: Not really. It-- it-- that's yet to be seen. It's not complete. I-- I was the first to admit that that's only-- it only represents about ten senators that are involved in that. But it does plug into senators-- Senator Wayne's map.

ERDMAN: Let me ask you this question then. When you made your opening statement, you said this new map is supported by five Democrats and five Republicans. Is that what you stated?

KOLTERMAN: I didn't. I said five Democrats and five Republicans were implicated in the bill,--

ERDMAN: OK, so-- so--

KOLTERMAN: --but they didn't all agree to it.

ERDMAN: If we're if we're nonpartisan, why do we-- as Senator Hansen mentioned, we always talk about nonpartisan. And why didn't you just say ten senators instead of saying five Democrats and five Republicans. We're nonpartisan, right?

KOLTERMAN: I would totally agree with that.

ERDMAN: Then why did you say it like you did?

KOLTERMAN: Because 50/50 is pretty good in this body.

ERDMAN: No, you said it like you did because we are not nonpartisan. Thank you for your answers. We're not nonpartisan; we never have been. OK? there's a Scripture-- 8:20-- Romans 8:28 says: All things work together for good to them that love God, are called according to His purpose. I put my name in for redistricting. I am so thankful that they didn't select me. You don't know how thankful I am. But we are partisan. We always have been partisan. We always will be partisan. So Senator Kolterman stated it exactly correct when he said five Democrats, five Republicans. Now I want to talk about an issue that has come up several times, and that is keeping county lines whole. And we don't do that in Douglas, Lancaster, and Sarpy County, but the rest

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of the state is supposed to. So that argument don't hold much water. Let's talk about the hearings that were held. When they held the hearings in Grand Island, there was more support for LB3 than there was for LB4. So the further east you go, it's the closer people are to their government. It doesn't cost much to come to Lincoln if you already live in Lincoln, but you didn't hold any redistricting hearings in Scottsbluff or North Platte. And so Senator Wayne had mentioned the majority of those people testifying were in support of LB4. Well, let me refresh you a little bit. Back last year, we had LB643 by Senator Hansen, and had a couple hundred people come and testify in support of that bill. Five or six testified in opposition. That bill went nowhere. So don't come here and try to tell us that because you got more people testifying one way or another, that we need to do that because the proof is in the pudding, and we never advanced those things. And so it doesn't make-- it doesn't make a lot of sense that we stand up and say: Well, the majority of the Nebraskans that testified wanted it one way or the other, but you didn't go to the western part of the state where people have to travel a great distance to testify. So that's not a very good situation to be presenting to us today. So we are partisan, we always have been. Deal with it, we get along a lot better. And if I have any time left, I'll yield it to Senator Friesen.

FOLEY: Thank you, Senator Erdman. Senator Friesen, 1:20.

FRIESEN: Thank you, Senator Erdman. I just like to-- I'll-- I'll continue on with what Senator Erdman kind of mentioned, too. And I know when I was at the Grand Island hearing, I-- I didn't testify. I wanted to listen. I wanted to hear what people had to say. But one thing I noticed is that-- and-- and again, this is no one's fault. This is the Census Bureau not getting us the numbers.

FOLEY: One minute.

FRIESEN: But there were numerous people sitting in the audience there that, the first time they'd ever seen the maps was that day. And so for them to stand up and testify without being coached by someone, they were there, they were interested. They wanted to be engaged, but they knew it did no good because they didn't even understand the maps. And so again, it's because of our restrictive time period, we were not allowed to-- a lot of time for the maps to be out, and that had to do with the Census Bureau. That's nothing to do with what our process here. But it does indicate we had it a "speeded-up" timeline that didn't allow people to study the maps, and to ask questions, and to actually study what was going on. So I think you found that in the different hearings as they progressed across the state. They had a

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little bit more. They had another 24 hours, 48 hours to look at the maps and to decide what they would testify and how they would testify. So I did talk to the individuals that just did not have the knowledge.

FOLEY: That's time.

FRIESEN: Thank you, Mr. President.

FOLEY: Thank you, Senator Friesen. Senator Blood.

BLOOD: Thank you, Mr. President. Fellow senators, friends all, I stand in support of AM27, in support of AM26 and not in support, as written right now, of LB3. Since Senator Slama has once again opened the partisan playbook of smoke and mirrors to try and influence Nebraskans to believe something has been biased, and that somehow they are victims of this bias, and it was said for the record, I'm going to offer my response very quickly, for the record, for Senator Slama. Senator Slama is right. I absolutely did participate in a phone call on redistricting. I did not lead the meeting. Apparently she didn't watch it. I just came in and said a little bit about redistricting, about why it was important for all Nebraskans. And that video is actually available. And I asked people to come forward and tell their stories, to not give cookie-cutter responses and not bring forward other people's messages, but to talk about their own communities and why it was important to them. So I just want to make sure that I get that on record. And then I think it's really interesting that we had to sit here and talk about partisan shenanigans. That's not the word I really want to use. Both parties sent out e-mails. Senator Kolterman specifically talked about one of the Republican e-mails that came out when he presented his proposal for a bill. So to think that one party over another was more organized is just ridiculous. And please, fellow Nebraskans, don't fall for that. You know, of course, everybody got organized. I can go all the way back before the elections when I read an e-mail blasting in the Republican Party, that said: It's important that our candidates win because we must protect our values, and redistricting is happening now. Whoever we get elected, it's going to depend on whether we do well in redistricting or not. We can go over and over and over this again, and I'm not going to do that. So please don't fall for this-- this playbook that is continually used to try and make one side look like the boogeyman. But what I do want to talk about is Nebraskans, not our personal preferences, not whether areas lean R or D. Let's talk about what Nebraskans have said about the maps they like and why. I have received hundreds of e-mails, and it actually kind of speaks to what Senator Slama just said. Many of them responded to particular blasts that they received. A lot of them responded back to us: No to redistricting-- no to redistricting,

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because that's what it said in the subject matter of the e-mail that they received. So we would e-mail back and say: The process is going to happen. What in particular are you concerned about when it comes to redistricting? And the vast majority of people had no response. I think the only response that I got was: You're a tyrannist. I'm still trying to figure that one out. So we did get a lot of people that were either opposed or in it-- or liked certain maps. And I'm talking about hundreds of e-mails. We gave everybody a response. And when somebody told us that they were opposed to a map, we would respond back and say: Can you give us particulars on the map that you either like or don't like, and explain to us which section you would like us to fix or which sections you would like us to keep? 96 percent of the people that we responded back to could not give us any details. So I do think that a lot of the-- the verbal--

FOLEY: One minute.

BLOOD: --testimony was good organic testimony, because they told us, again, their stories. There are so many people trying to influence what's going on today. We, as a nonpartisan Unicameral, need to look at the facts, and to blank out the rhetoric that people keep bringing to the floor, and really do what's best for Nebraskans. And now I kind of anticipate that there'll be more back and forth, but I'm not going to participate. The point being is let's do what's best for Nebraskans. Let's figure out what we can do to make the maps better, and let's get this done. Thank you, Mr. President.

FOLEY: Thank you, Senator Blood. Senator Williams.

WILLIAMS: Thank you, Mr. President, and good afternoon, colleagues. When Senator Linehan introduced LB3, she said something that I hope resonated with everybody. One of the reasons we are here, and one of the reasons we should be really happy today is that the population in our state grew. Now, it wasn't maybe growth overall like we'd like to have it be, but at least we grew. If we hadn't grown, this whole process would be a lot easier, but we would have a lot of other problems, as senators. So I think we need to change the tone. And I see Senator Briese is down, smiling down in front. And I almost saw Senator Groene smile once today, but maybe not. Yeah, he's smiling. I think he is now. But I think if we think about what we've got to do, these are difficult decisions. Nothing comes easy with this. But that's not why we're here. We're here to make difficult decisions. I'm not going to talk directly about my district because I agree with those comments that were made that these aren't our districts. But I am going to talk briefly about the constituents that make up Legislative District 36, and why they are passionate about being

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together, and why the fact that the population numbers that we looked at, those residents of District 36 have done the things necessary to maintain the population so that they are within the deviation. And they have lots of commonalities of things that are-- that are there. But how do we make this decision? I've said this before, and I will repeat it. In our rural areas in particular, the only way for rural areas to not just survive, but to thrive, is to meet or exceed people's expectations in certain areas. The first one's education. You wouldn't move your family to a location where your kids or grandkids are not going to receive a high-quality education in a safe manner. Same way with healthcare. So those rural areas have to have access to healthcare, they have to have access to education, we have to have access to workforce development, all of those things. And I would tell you, there's a difference in our rural areas. We have areas and communities, because of leadership that have stepped up, and those are the areas that continue to survive and thrive. Every one of us has probably got an investment portfolio at home. Where do you put your money? Where should we, as state senators, put our money? Where should we be investing? Should we be investing and preserving those areas that are thriving and growing because they've demonstrated the ability to do that? Or should we keep trying to just survive? I think we can do better than just survive. I think when we work together, we do that regularly in here, and I think that's the challenge right now. We could eliminate one of a number of legislative districts from rural senators, and we'll probably have to do that. And I'll tell you, every one of those senators right now is bulletproof. Nobody can get 33 votes to eliminate one of those districts. So it's going to take a concerted effort, and it's going to be those rural decisions-- those rural senators that are probably going to have to make that decision.

FOLEY: One minute.

WILLIAMS: So I think we should celebrate today. Quit complaining about being here. Quit complaining about that we don't think things are happening in the back room. By the way, they are. Quit complaining that we're tired, and step up and accept the responsibility of being senators. Thank you, Mr. President.

FOLEY: Thank you, Senator Williams. Senator Linehan.

LINEHAN: Thank you. I actually forgot I was in the queue. I'm going to pass; I'm not prepared. Thank you.

FOLEY: Thank you, Senator Linehan. Senator Morfeld. Is Senator Morfeld on the floor, please? I do not see him. We'll move to Senator Briese. He waives the opportunity. Senator Groene.

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GROENE: Thank you, Mr. President. Every once in a while, my unbelievable ability to procrastinate serves-- does not serve me. I thought I had enough time to do some research. As to the-- the-- I said earlier, college students, where they reside is where they're counted. I forgot to mention foreign exchange students, which Lincoln is so proud of how many they take in, and UNO and Creighton. They're counted in the census. Yet they don't vote, and they don't care to vote. They go back home to their countries. We don't have those in rural Nebraska. There's an additional bump there. What I was looking for, I was going to find out, in the districts surrounding the University of Nebraska, what the voter turnout was or how many registered voters there were compared to other districts in the state. And I'll continue to look that up, 'cause a big chunk of that constituency are foreign exchange students and farm kids who go in for education and then leave the community-- Lincoln. I was one of those a long time ago. They always ask me: How did you manage to work full-time and get out in eight semesters? And I said I wanted to get out of Lincoln. But I'm assuming, if there was a census during that time, I probably got counted as a citizen in Lincoln, Nebraska. There's a lot of variables and a lot of things you can say about one person, one vote. We're counting people who don't vote. Disproportionately, the district around UNO and around Lincoln does not represent the true area. A senator there can just go around and-- and knock on a few doors because he's got these huge skyscrapers full of-- not skyscrapers out where I come from. They are dorms full of people who don't vote, or they do vote, but they vote back home by absentee ballot or they go back home and vote. So how do we take that into consideration? As far as Senator Kolterman, I appreciate his efforts. Why five Democrats and five Republicans in his group? By proportion, it should have been one Democrat to every two Republicans because we have 17 Democrats and 32 registered Republicans, depending on what your definition is, as I've always said to a couple of those individuals, if they define what a Republican is, then I'm a RINO-- Republican in name only. I'm hoping that the conservative viewpoint of family, pro-life, property rights, ability to control your own medical decisions defines what a Republican is. I hope it still is that way-- called freedom, liberty, defense of it. But I'm looking at that vote. I've got to give it to Senator Wayne and Senator Lathrop. If that's how they win cases, I got to wonder who their jury is because their simplistic arguments and passionate arguments don't hold any truth. We're supposed to start with the minority position and negotiate from there. Has anybody ever done that in life? The majority is in the driver's seat, the minority negotiates with the majority. AM26 tells us--

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FOLEY: One minute.

GROENE: --that we're supposed to accept that and then throw a variant in there of AM27 that absolutely disrupts AM26. It no longer exists to be true 'cause we changed only three districts. And we're supposed to be bipartisan and start with the minority position, and then beg them to change it a little. What I seen on Friday was 29 votes to 17, and a couple of individuals who stayed out of it. Now you want bipartisanship? Well really, it's urban and rural. There was 1, 2, 3, 4, 5, 6, 7 of those 29 that are truly urban. They don't have no rural areas. And they supported LB1. Now there's a starting point, not Republican-Democrat, urban-- urban and rural. We have the basis here of 29 solid votes. Four more. Who are they, Senator McCollister?

FOLEY: That's time, Senator.

GROENE: Senator Kolterman? Who are they?

FOLEY: That's time, Senator. Senator Friesen.

FRIESEN: Thank you, Mr. President. You'd think it was about 7:00 at night. It's pretty quiet. Everybody is getting a little tired. I just want to, I guess, talk a little bit about and what some people call the urban-rural split. And I don't know if this is, you know, an R or a D fight or it's the rural-urban or whatever you want to call it. But when I go out into my district and try to explain sometime the votes that happens, the rural areas that I'm talking about all the time, they feel totally disenfranchised because the rural areas don't matter in the state. And I think part of this happened, maybe, because of term limits, because veteran senators were no longer here to work out deals that looked out for the urban-rural interests and made sure that some things got done once in a while in the rural areas. I even had a city administrator tell me: You know, Senator, we-- we've learned that we really don't count on you guys to do anything up there. We just find ways to work around what you're doing. And that's unfortunate that they feel that way because they do send a representative to the Capitol here. And that's-- you know, I've had numerous people ask me why we don't switch away from the Unicameral, because in the end, if we keep going the way we are, the state will eventually-- two-thirds of the state will feel totally disenfranchised because nobody will care about them, unless we work together to solve our population shift problem that we have and start to get rural Nebraska growing again. People are feeling disenfranchised. We don't address the issues out there that people want addressed because we just can't get to 33 votes in this body. And so they feel if we'd go to a two-house system, they'd at least have a Senate and the House to pit against each other

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and work out a compromise; maybe we'd get it done. But as this population shift keeps happening to the east, the case for that is going to get greater and greater, but their ability to get it done is going to be less and less because we just don't have the votes. And if you look at what's best for the state-- you know, I've carried bills for Omaha, I've carried bills-- I've-- I've made the statement that what's good for Omaha is good for Nebraska. But I've also told Omaha senators that what's good for Omaha-- what's good for rural Nebraska is good for Omaha. It's a two-way street. And I'm-- you know, I'm kind of sorry to report that it hasn't been a two-way street lately. And I'm not arguing over districts here. I'm saying we lost population; we've got an issue. And we'll address it. And I think it's one person, one vote. I'm not arguing that point. You can look at the numbers there. And yes, there are some that are over and that are under. But unless you want to start splitting down the alleyways and through backyards, you're going to have some of that, especially when you get in rural areas. You want to include whole towns versus splitting a small town in half. You're going to have some deviations 'cause it makes a difference. But again, when it comes to working together, we haven't seen as much of that lately as what I thought we would see. And we have kind of divided ourselves into little camps. And maybe it is time to look at something different than the Unicameral. I thought it was still worth defending; I still do. But we've got to either get away from term limits, where we get people here that stick around, that have some institutional knowledge, that help us make some of these tough decisions without looking at whether it's urban or rural or--

HILGERS: One minute.

FRIESEN: --Republican or Democrat, and we start working together because, if we don't do something, 20 years from now, 30 years from now, I won't care. But rural Nebraska, our number one industry, is going to care, and it's going to matter. And someday it will come back to haunt us that we didn't work harder at fixing this. Thank you, Mr. President.

HILGERS: Thank you, Senator Friesen. Senator Dorn, you are recognized.

DORN: Thank you, Mr. Speaker. Getting up to talk on this again, I've heard several senators, some different points made or whatever-- yes, I am in favor of AM27, which basically takes Brandt's, my district, Kolterman's district, the Lincoln area, inside of the map that Senator Wayne has for the state of Nebraska, and realigns that a little different. A lot of us had agreed on that. That-- that's something we could agree with. I don't know how many come up and ask me: Well, then

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you're voting for a AM26? And I said no. I said: I don't know if I'm going to vote for AM26 because, if we pass AM27 and put it in AM26, we now have done what I don't want to do, and that is take away a rural district. We've done that then, because Senator Linehan's map shifts-- not takes away-- shifts enough lines so that we don't eliminate a so-called rural district. You call it what you want. If I vote for AM26 though, I basically have determined that Senator Friesen, Senator Hughes, or another-- Senator Williams maybe-- one of their districts is going to be gone. So that's what we struggle with here when we redistrict. We hear so many arguments that this is a good argument, this is a bad argument, but we struggle with those things. When you come up here and, in your mind, you want to do something, you want to support the whole state. And yet if I vote for my district, now I do something different to the whole state. I heard Senator Day say that Sarpy County should have four and a half senators by the numbers. Let's take Douglas County, 580,000 people. They should have 14 and a half senators. You add those up. We now have 19 senators in that area. You talk about the rural representation. You talk about us being here to represent-- I call the number one industry in a state of Nebraska, how can we accomplish that or how can we do that without us all working together? 'Cause we have 19 senators in Douglas and Sarpy County. And we can sit here and say, this is a Republican, this is Democrat. We need to decide what we're going to do philosophically. Are we going to make sure we protect a rural area, the rural areas, or are we-- we going to work together and do that? Senator Groene, I thought he brought up a very good point a little bit ago, about when we brought LB1107 and the other incentive packages, is part of the reason we have population loss in rural Nebraska, is it because a lot of those incentive packages ended up helping urban districts? Are we not putting enough money out there? Are we not working together as a Legislature? If we were to put X number of dollars more out there, would we have less of a population shift? Those are the things we rattle with when we're sitting here and going-- go over this redistricting. We'll come up with a plan. Sooner or later we will-- maybe it'll be next session, I don't know. But sooner or later, Senator Linehan, Senator Wayne, others working together, we will come up with a plan. But there are so many more things involved in it than let's draw this line over here so it protects my district or protects your district. And what happens? I don't know if we'll get to a vote to this today or not.

HILGERS: One minute.

DORN: By looking at the queue, there aren't that many more people in there. We may vote on this thing. We may get there. I heard, all day

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long, we were going to be filibustering eight hours, and then they're going to negotiate, and we'll come back with something else. I hope we come to some type-- type of agreement. I think this body can. I know this body can. We need to make sure we do. Thank you.

HILGERS: Thank you, Senator Dorn. Senator Lathrop, you are recognized.

LATHROP: Thank you, Mr. President. And colleagues, good afternoon once again. It's time for the Lathrop look-back, so if you need to roll your eyes, you can start right now. I can't help but notice something that's going on in this body. And you've heard me express my concerns, over the years, about the partisanship that has come into this institution that the-- the Republican versus Democrat. I had a bill that got killed just because it was introduced by a Democrat. I have expressed my concern. And I want you to know that what we're seeing today-- what we're seeing today is a symptom of that problem. Forgive me for this-- forgive me for this, my perspective on my prior service. We would come in to this body every year and we would figure out, 49 people would, what needs to get done, what needs to get taken care of. It wasn't a Republican agenda, a Democratic agenda, a rural agenda. When I was here-- you guys have never had the numbers. All you're looking for is enough people, hopefully, to filibuster. You didn't worry about that. That wasn't the issue ten years ago or eight years ago. It became an issue seven years ago when we went from deciding, as a group, what's best for the state, to deciding how do I maintain leverage, how do I get leverage. What does he want so that I can make him vote for my stuff by-- by-- not-- not on the merits of what I think of his bill, but leveraging him. I want to tell you, you go back ten years, colleagues, and you didn't have to worry about how many rural senators you had because about every third speech in this place was about: I may be the District 12 senator, but I'm a State Senator first. and I care about what happens in rural Nebraska. I can think of votes that I've taken that don't benefit District 12. For example, we've exempted-- I'm thinking of two, and I think they were offered by Senator Dubas who sat near me-- replacement parts for your farm equipment, we exempted that. All of the things that you've gotten, you haven't gotten in this place because you had the numbers or you figured out how to leverage somebody. And so what do we do when we come to redistricting? It's a blood fight over: I need this many rural people or I need this many Republicans. That's because the culture has changed. And if we walked into this place at the beginning of this session and said, these are the things that need to get done. Now we can all agree on that, and not try to figure out: How am I going to leverage the urban guys to vote for a rural thing? Or do I need enough rural guys so that we can filibuster anything the urban guys do, so

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that we can then force them to vote for our rural bill? We are experiencing-- we are experiencing, in my estimation, a symptom of a culture change. And this process is the time to have that conversation, because what we're doing right now is partisan. We've also made it a rural thing, and we've lost faith in one another to say this is the right thing. So when Senator Groene needed a spur last year, I think it was Senator Wayne that helped him out from District 13.

HILGERS: One minute.

LATHROP: We got to stop this because, if we're trying to carve this place up into enough real rural guys and enough Republicans, we're missing the point. The point is, our culture changed. It changed seven years ago when we decided we were going to be partisan and we were going to caucus, and then we were going to start screwing people. That's when it changed. And we wouldn't even be having this fight if it hadn't changed. And there's really no reason to, because we still demonstrate support for our friends in rural Nebraska, and you don't need to resent a business incentive package that may help somebody in Omaha because that's bringing in revenue and growing that economy. But we need to get back to where we look at the issue, and we-- we're not getting marching orders from somebody. I had a conversation with Senator Moser last year. I said: Mike, one of the things that I would value is learning what somebody who was formerly a mayor and a--

HILGERS: That's time, Senator.

LATHROP: Pardon me?

FOLEY: That's time, Senator. Thank you, Senator Lathrop. Senator Lowe, you are recognized.

LOWE: Thank you, Mr. Speaker. District 37 is not my district. I was elected by the people in District 37 to represent them. But District 37 is not my district; it's the people's district. We are taking this way too serious that it is our districts. Let me tell you, I represent Kearney, Gibbon, and Shelton to the best of my ability, but I also represent Wood River. Elm Creek, Ravenna, Holdrege, Amherst, Miller, Grand Island. Why? Because they are Nebraskans. And I go to those places, and they appreciate me being there to represent them, even though they are not in the 37th District. Our districts will survive. We'll be gone in a few short years, and our districts will survive, and they will have great senators representing them. And to say that we are partisan, and it is just one side that is partisan, it seems like just Friday we were arguing about a blue dot. Now if that isn't

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partisan I don't know what is-- a blue dot. I would like to thank the members of the Redistricting-- Redistricting Committee: Senator Blood, Senator Linehan, Senator Wayne, Senator Morfeld, Senator Lathrop, Senator Brewer, Senator Briese, and Senator Geist, and the LRO for working extremely hard this last month to prepare us for these two weeks that we are having now-- and those who have helped to participate in this redistricting process. And we're down to this. We're down to arguing, we're down to saying we don't have the votes to go either direction. I could have told you that back in January, that this is where we were going to be, because we are fighting for the districts that we represent. And it is good. There have been several senators that have stood up on the floor today, saying size doesn't matter, it's the people. I disagree. Size matters when you want to testify in front of this body. We just had hearings in Grand Island, Lincoln, and Omaha, for congressional districts. They're in the congressional districts of 3, 1, and 2. In Districts 1 and 2, you could Uber or Lyft or take a taxi to the hearing. In Districts 1 and 2, you may even be able to bike ride, after having breakfast, to the hearing.

HILGERS: One minute.

LOWE: Thank you. Try that in District 3. Finding an Uber or a Lyft is almost impossible. You might find one in Grand Island or Kearney, but to come and get you in Scottsbluff will take a better part of three days' pay, in a very good job, to go one way. Try that in District 3; it doesn't work. Size does matter, and it is only said that size doesn't matter by individuals that have limited size. Thank you, Mr. Speaker.

HILGERS: Thank you, Senator Lowe. Senator Moser, you are recognized.

MOSER: Thank you, Mr. Speaker. Senator Lathrop kind of piqued my curiosity, so I'd like to let him finish his story. I'm not sure exactly where he's going here, whether I'm going to regret this or not. But would Senator Lathrop yield to a question?

HILGERS: Senator Lathrop, will you yield?

LATHROP: Yes.

MOSER: OK. So what's the rest of the story where we were talking about some issue there?

LATHROP: Well, we were in the middle of something last year, and you came back and you said: What do you think? And I said: I think this

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place would benefit from hearing from everybody, that when somebody texts you how-- how to vote, you come over and you sit down, and you're done contributing to the process. This place is better when 49 people weigh in on an idea, and clean it up, and chip away at the rough edges, and smooth it out. And that process, in my judgment, was more prevalent in the past than it is now. And I think we benefit when the former mayor of Columbus weighs in, when someone who's from Dodge County or Gage County weighs in on every one of the issues, and not come over here with instructions in their pocket and sit down and vote, and they're not offering anything. They're voting in a bloc. And we miss out on their insight, their thought, their life experiences, all that make a legislative body better.

MOSER: Well, thank you, Senator; I appreciate that. I do like to go around and talk to all the senators and ask them what they think, not so much how they're going to vote, but what they think about, you know, why-- what motivates them. And I try to, you know, draw my conclusions from that. But that being said, my guiding principles are different than a lot of the senators here. And so sometimes I'm going to vote based on my life experience, on my business background, on my previous political offices I've held. And, you know, I've learned a lot over the years, but listening to Senator Erdman and Senator Friesen speaking before kind of brought something to the top of my mind that I-- I hesitate to bring up. But I'm going to anyway-- how's that? The majority of the state is of one political party, and a lot of those members of that party are in, you know, west of Lincoln and north of Lincoln, all the way to the other end of the state. And I don't think some of the senators feel the frustration that citizens in that part of the state feel, because Lincoln and Omaha kind of run the state, you know. They come up with all the regulations, and the rest of the state just has to react to them. And so I'm not surprised at all that some of the rural senators don't agree with what some of the city senators think. But what drives us is what we've learned, in our experience, living in our part of the state. And I don't want to discount what you learned living in the city, but I don't want to deride rural senators just because they live in the rest of the state. I mean, we all believe that our views are correct, but sometimes you have to do a little self-examination and-- and--

FOLEY: One minute.

MOSER: --represent the whole state. You know, in some ways it's too bad we don't have a house and a senate. I think it would complicate the process, and I think we'd do less. And, you know, we've got a combination of laws that were developed over 150 years by some of the

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smartest people in the state. And why do we think that, just because we're in these seats right now, that we can change every session, change 700 laws? You know, sometimes we do our best work when we don't do anything at all.

FOLEY: Thank you, Senator Moser. Senator Linehan.

LINEHAN: I did know I was up this time. Thank you, Mr. President. I just-- I want to talk to AM27. I understand the frustration here. But I'm going to remind everybody, you can't do a piece of a map. If you amend AM27 into LB3, you're eliminating LB-- Legislative District 44; that's what you're doing. It's not like we're going to put this in there, and then we're going to go back and negotiate. You are saying they were going to take Senator Hughes's seat. I thought the game plan today was-- and maybe I haven't worked hard enough at this 'cause I didn't file another amendment-- but I just-- I don't think people recognize what we're doing here. We're not-- you can't-- I just-- I'd ask any of you to think really hard about voting on part of a map. You have no idea, if you vote for AM27, which con-- I'm not sure how many districts. Senator Dorn, would you yield to a question?

FOLEY: Senator Dorn, would you yield, please?

DORN: Yes.

LINEHAN: How many districts are involved in AM27?

DORN: There were ten senators.

LINEHAN: So there are 10 senators. Thank you, Senator Dorn. So there's ten districts. We're going to vote for them. I doubt if very many of you-- maybe ten of you have even looked at this map. You're going to vote for a map that you have no idea how it affects your district. That means there's 39 in this body that risk voting for a map-- unless you live in Lancaster County or touch Lancaster County, you have no idea how it's going to affect you. I don't think any of you want to do that, and unless you've been in the map room, which some of you have-- Senator Bostelman has been there day in and day out. I think Senator Moser has been in there, Senator Wayne, Senator Lathrop. You-- you're going to vote for a map that you have no idea what it does to your district. It's bad idea, guys. You cannot draw a part of a map. Look at the maps we've got here. Look at Wayne's map, look at Linehan's map, look at any of the maps floating around here. You think you can vote on ten districts and then we'll all just-- the rest of us will pick up whatever's left over? That's what you're doing. You're voting on ten, and the rest of us will divvy up the leftovers. Seems like a

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very bad idea to me. I know what-- we all think the world of Senator Kolterman; we do. I happen to like Senator Hughes very much, too. And there's nobody in the body I don't. This isn't-- I know it's personal 'cause we've already been through that, why it's all personal. But we have to do this-- we need the space here for 49 of us to work. I don't think we want to take 10 and say: OK, you 10, you're all done. The rest of us can pick up and get what's left over-- bad idea. Thank you.

FOLEY: Thank you, Senator Linehan. Senator Groene.

GROENE: Thank you, Mr. President. A couple or three points to correct the record of what Senator Lathrop said. On the meetings, if Senator Linehan was manipulative on her hearings, she wouldn't have picked Grand Island. She would've went to Scottsbluff, she would've went to Morrill, Nebraska. She would've went to-- she would've went to Alliance, Nebraska-- very conservative-- Broken Bow. That's where she would've went if she wanted to twist who-- who could show up for a hearing. From Grand Island to Scottsbluff is 330 miles, five and a half hours, if you want to testify. If she wanted to twist who was testifying in District 1, she'd have had it in Norfolk or Columbus, not in the heart of liberal Lincoln. If she wanted to twist the hearings and who showed up in Omaha, she wouldn't have had it at the Scott Center. She'd have had it in Papillion; that's what she would have done. But she didn't, did she? Don't call her partisan. As for partisanship, let me correct the record on five years ago, Senator Lathrop, not seven. There was 25 solid conservatives in this body, solid, men and women of conviction. After that election, guess what? Solid conservatives got 27 votes, 25 to 28 votes for Chairmanships. That's not partisan. They had the votes, no gimmicks played. Senator Wayne was-- was-- derailed a-- another Democrat for Urban Affairs Committee because people believed he had the background and his district fit what that committee should cover. And he's done an excellent job. He took economic development and thing away from the rich who wanted to build outside the cities, then he turned TIF into something, with my help, that helps urban poor districts. He is a friend. He don't want to admit it, but I do. Yes, he-- he has the big ideal mentality. He understood the rail park mentality and he kind of copied it with his inland ports, which I also supported, because what was that for? That was what Democrats used to do, support the working people, create jobs for rural Ne--not the public employees and the teachers union. They used to represent who Senator Wayne does now, and I do, no partisanship. You want to know who the most partisan person I've seen in seven years? It's Senator Lathrop. You ask any senator that has a conservative leaning that sits in his caucus in Omaha and he's a political boss. He tells them what committee they're going to

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go on and he's going to tell them and he-- and he manipulates who's on the committees. Deny it if you wish. He's a political boss. You want to start throwing accusations around about facts and truth, Senator Lathrop, I'll go toe-to-toe with you. I'm not some weak jury. Anyway, I voted for medical marijuana because it was what was right for the people of Nebraska. Senator Wishart, who stood up and said she's bipartisan, told me she would be the 33rd vote for the discipline bill. She agreed with the teachers union, the Democrat-- the administrators. But partisanship came into play. She was told she couldn't vote for it because she was a Democrat. Don't tell me who's partisan and who isn't. I know who's partisan around here.

FOLEY: One minute.

GROENE: You look at the Governor's vetoes at the end of the last-- at the end of this session. Look at them. It was Republicans who did the deciding votes to overrule a conservative Governor's vetoes. Don't tell me who is partisan. I know who is partisan, Nebraska. There's 16, 15, at least, of them that never cross the party line. I'm giving you credit, Senator Lathrop. Once in awhile, you do. That's why I only said 15. And Senator Wayne doesn't, and Senator McDonnell. Now I'm going to get in real trouble. But there are nonpartisan senators here who cross party lines, and they don't do it with a trade, the order to trade. They do it because it's the right thing to do. And the right thing to do here--

FOLEY: That's time.

GROENE: --is to support rural--

FOLEY: That's time, Senator.

GROENE: --Nebraska's representation.

FOLEY: Thank you, Senator Groene. Senator Moser.

MOSER: Thank you, Mr. Lieutenant Governor. Greetings, colleagues. Greetings, Nebraska. Well, this time I want to talk about the amendments and the bill. We kind of got off on a tangent in my last discussion with Senator Lathrop. The-- trying to change a few districts in the whole picture of things is dangerous. This redistricting thing is kind of like a Rubik's cube. And if you turn a few numbers one place, it changes a lot of numbers everywhere, or maybe it's like sudoku where it has to add up all the different directions. And so for us to have a motion to approve a change to the map and vote on it in, you know, an hour or two is probably not a good

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idea in my-- my estimation. Luckily, my district grew, my county, main county, Platte County, had growth. And about the only two counties that had growth that aren't on the interstate are Madison County and Platte County. And I think that's because those counties work really hard on economic development. They work really hard together to get things done. And when we get the highway from Omaha to Columbus complete and they get that section through Fremont done, I think that's going to help our di-- population immensely because a lot of people want to go to Omaha for medical, for educational, for entertainment purposes. I don't have a particular negative thing to say about the amendment and what it does to my district, because I don't think it does anything to my district. And the one thing I do object to in Senator Wayne's congressional map was that he put Platte County in the 3rd District and, as I've said before, we'd like to keep that in the 1st. We think our interest and our interaction is more with the 1st District than the 3rd. We all come here with a body of knowledge that we've, you know, learned, our life experiences, our education, our faith, and all those things enter into how we vote. And if I could go back and redo some of the things I voted for, you know, there might be one or two that I wouldn't have voted for. But I have voted for a couple of things that Senator Wayne introduced, and they were to benefit Omaha, one of his transit bills that he was really passionate about, some economic development, TIF bills that would help his part of the-- his district. I voted for those. I'm just looking forward to getting some clarity here in where we're going with this. You know, I-- I don't see that we're making any progress and we've only got four or five days left, something like that. I'm hoping that there will be some compromises made and move us forward. Thank you.

FOLEY: Thank you, Senator Moser. Senator Albrecht.

ALBRECHT: Thank you, President Foley. And, members, I kind of waited to hear the conversation today because these maps have been out for a while. What was confusing to me is to bring, in the beginning, two maps forward, even though the first map, LB1, was voted out and now we're on number LB3. But when the number LB1 was voted out and we had the public hearings, they got to talk about not only number LB1, but number LB2 as well. So in doing that, I think it's confusing to the public, confusing to this body right now, because I have been in a mapping room trying to figure out District 17, along with Senator Gragert's area and Senator Ben Hansen's. And some of the maps keep me whole right where I'm at in District 17, but other maps take me into Cuming County, up to Dixon County, Dakota County, and Thurston County. And, you know, I don't want to lose Wayne County. But you know what? I realize that this happens every ten years. I will still represent

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every county in the state the same as I would, as if I had them in my own personal district. Now I can certainly feel the heartburn that Senator Wishart would have in taking up so much of her area. But what affects that? I mean, every time, whether it's Senator Kolterman, Senator Dorn, and Senator Brandt decide that this is-- this is good for them, it's going to change everybody else's district. If you move it just, I think they said, a half a percent, it's 400 people. So which way do you go? Who's-- who's it going to be? And I really need to understand which rural senator is going to be taken out of the equation and then that, too, will decide a lot of other people's fate. So I just want to see us-- if we have a special session that we have spent taxpayer dollars to come back to take care of a very, very important historical event in Nebraska, why would we not figure this out and show the-- the state that we can get this done? I mean, we-- we've skipped over the congressional. Now we're going to skip over the legislative. And if we come back in a 60-day session and take another two weeks, three weeks, however long it's going to take to get through this, you know, we're going to-- we're going to be putting a lot of other bills on the back burner. But more importantly, there are people that want to run an election. They want to run for a school board. They want to run for the regent. They want to run for Public Service Commission. They want to run for the State Legislature. But they can't do that because we're not taking care of business this week, getting it done. I mean, again, every time you make a change and ev-- the three of us, Gragert, Albrecht, and-- and Ben Hansen, can come up and say, hey, we've got-- we've got our-- ours cut out just the way we want it, so try to work around us. But, you know, that's why we have a Redistricting Committee. And the-- when the five or what-- majority vote comes out, that's the one we're talking about. That's what we-- we're amending right now because we couldn't get through number LB1. Now we're going to go to number LB3. It's-- it's very confusing to everybody that's trying to put the maps together. It's not as simple as it seems. And I don't want to sit on the floor today and listen to everybody talk about partisan, nonpartisan, start insulting one person's comment over another person's comment. You know what? Cool heads will prevail. If we have to grab another committee, like we did with Senator Kolterman's big economic development bill, let's-- let's put eight other people, besides the one on the-- on the committee, and figure this deal out. But I want to go home--

FOLEY: One minute.

ALBRECHT: --with it done. I would like to be finished with this at the end of the week. But if we don't figure out-- I'd like to vote on all of it right now and everything fails and let's just go back to the

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drawing board. And if those on the Redistricting Committee want to say uncle and we're going to let it go and give up, then-- then let's-- let's bring some more to the floor and then we'll bring our recommendations to the committee and deal with it that way. But something has to give here, and we're wasting time not being able to know exactly what everyone wants. You know, I see people working in the Senator's Lounge on, hey, where you at on your district, where are you at in yours? So I think if everybody gives it up-- otherwise, we're going to be here with two or three senators bringing a bill onto this 26. I think we should just form another committee, a subcommittee to the Redistricting Committee, and try to get to the bottom of this. We've got to get out of here. We're--

FOLEY: That's time.

ALBRECHT: We're burning up time. Thank you.

FOLEY: Thank you, Senator Albrecht. Senator Erdman.

ERDMAN: Thank you, Lieutenant Governor. Good afternoon again. I listened today the conversation and one of the things that came to mind is I'm reminded of the scripture that says don't think more highly of yourself than you should. And I'll explain what I mean. If you went to your district today and you walked down the street and the first ten people you came to, how many people would know who their senator is? Two, maybe three. The point is this. These people don't know who their senator is and they could care less, so saying that your district is going to change and you're going to get 82 percent from someplace else or you're going to get 40 percent from some-- some other district doesn't mean squat, OK, because those people don't know who you are anyhow. All right? So just remember that. Even though you won an election, they still don't know who you are. And so we talk about we know all these people in our district and we can't give up that part of our district because we have a relationship with them. That's hogwash. They don't know who you are, and most of them don't care who you are because only about 30 percent or 40 percent even vote. So we're talking about protecting our district. If you look at my district, how it's going to change no matter who-- whose map you follow, I really don't care. I don't care where it is. All right? And here's a reason. If you think that if they remove Sioux County, Banner County from my district, I'm not going to compare-- not going to care about what Game and Parks is doing to those people, you're totally wrong because, you see, several years ago, a lady from Omaha came into my office and she said, we need to eliminate the learning community. That's in Omaha, for all of you that don't know. And I said, OK, tell me about that, so she did, and I introduced a bill to eliminate the

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learning community in Omaha. That's not my district. So I'm not changing who I represent. You call me, I represent you. And if they know me, they know me. I don't care. All right? I came here to do what was best for those people that sent me here. And that's what I've tried to do, tried to make a difference. But saying that you can't change my district because they may not know who I am, they don't know who you are now and they don't care. They do not care, so deal with that. I know some of you are going to say, oh, no, they all know me. They don't. They don't. I seen a guy at Holmes Lake yesterday. I ask him who his senator was. He said, I don't know. OK, you don't know. Do you care? I don't know. So we're here bragging about our district and how wonderful people think we are. And some of you may have won by just a few votes, so half of the people didn't vote for you, but you're still their senator. That's what I tell people all the time. Even those people that didn't vote for me, I'm still their senator. So if you call me from Scottsbluff or you call me from Gering or wherever you call me from, Omaha, I don't care, if you have an issue that I think needs to be addressed, I'll try to help you in any way I possibly can. So whether my district is 10 counties or 14 counties or 3 counties is irregardless to me, don't make no difference. Right? I'll be the same kind of person, the same kind of representative, whether I've got 3 counties or 15, don't make any difference. If you live in Nebraska, I'll represent your issues if it makes sense to me and it makes common sense to what we need to do.

FOLEY: One minute.

ERDMAN: Now the problem we have is that common sense is not very common. In fact, common sense is a flower that doesn't grow in everybody's garden, because if it did, we'd have this issue solved by now. We would have solved it. But we don't want to do what's common sense. We don't want to take into consideration those people that have 4,500 square miles, Let's not do that. So 27, L-- AM27 is an afterthought that should have been thought of a long time ago. Put up there at the last minute for us to vote on makes absolutely no sense at all. I am not-- I'm not in favor of either one of those amendments. Thank you.

FOLEY: Thank you, Senator Erdman. Senator Lowe.

LOWE: Thank you, Lieutenant Governor. Changing a few districts on a map is dangerous if you haven't been down in the map room, if you haven't done a full map by yourself. It takes time, it takes thought, and by going, well, this works for me and this works for you and this works for you, let's-- let's do this and let's put amendment up because it's good for us, but it screws everybody else in this room.

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Everybody else in this room, their districts get screwed. I'm sorry I just pulled a Brewer--

BREWER: Hey.

LOWE: --but that's what it is. We work together. We are a united Legislature. We're not partisan. I have worked with several people on this floor, Senator Wishart, Senator Pansing Brooks, Senator McDonnell, Senator Hunt. Senator Lathrop, you and I worked on a bill this last session. Senator Wayne, someday maybe we could even work on one together. This body is a great body. We work together all the time and I consider you, all of you, friends. We're not partisan. We do disagree on some of the bills that we bring. That happens. But all of a sudden, because we disagree on those bills, one side is now partisan and the other isn't. "Partisan," it's a dividing word, it's a hatred word, and that's what's being spread when we utter it. We work together. We are working together. This is part of the process. We'll find out a way to come through this because we are good. Everybody is going to be counted. We have people that the census took. They knock on the doors and it doesn't matter if you're a legal resident or an illegal resident, they take the number down. All votes are counted, all people are counted, whether we like that or not. We will work together to get this through. But voting on AM27 with just a few districts involved puts everybody else at peril and we will-- you haven't seen discontent. That's what this will do. So if you have not sat down in the map rooms and gone and drawn a map and gone to each block and included those in and make a mistake and have to withdraw it out, it takes a lot of little clicks. Plan on spending 20 hours minimum down there on one of these maps, 20 hours. Vote no on AM27.

FOLEY: One minute.

LOWE: Thank you, Lieutenant Governor.

FOLEY: Thank you, sir.

LOWE: Vote no on AM27 because I don't want to spend another two weeks down here that we don't need to be down here. Thank you, Lieutenant Governor.

FOLEY: Thank you, Senator Lowe. Senator Moser, your third opportunity.

MOSER: Thank you, Mr. Lieutenant Governor. So not every citizen is the political animal that some of us make our citizens out to be. I was at a funeral dinner here about-- I don't know what it was-- ten days ago or so, and one of my high school buddies was there and we-- he knew

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that I was representing our old school district, or that area, in the Legislature. So he asked me a couple of questions about what we were doing here. And he was a great athlete. He could run a 100-yard dash in less than 10 seconds. He's almost as fast as Joe Blahak and Joe Blahak was just really fast. And he's, or he was-- I think he's retired now, but he was an underwriter working for an insurance company. So he's no mentally-- mentally, he's no lightweight. Physically, he's-- he's very sharp. So I asked him. I said, who's your senator? And then he was kind of quiet. He said, well, name some. So I had to start going down the list and even I had trouble naming them all. I-- I almost had to get my phone out and start looking because I got eight or ten into the list before I finally found the one he thinks is his senator. I didn't bother to look it up, see what that's-- whether that's really true or not. But sometimes we kind of swell up with self-importance, thinking that, you know, everybody knows who we are and they-- a lot of people don't-- if they're happy and they're doing well in their business and things are going well, you know, they're-- they're not as poli-- politically connected is as some. So anyway, I'm still hoping for some compromise. I don't like AM26 or AM27. Senators Clements and Bostelman are working on a map. I've seen that. The preliminary map I saw of theirs, I thought, had some real good potential. And I'm still wanting to keep Platte County in Congressional District number 1, although that's not what we have before us today. But I'm just kind of trying to drill that into your memory bank so when that comes up, you'll remember. Thank you.

FOLEY: Thank you, Senator Moser. Senator Hughes.

HUGHES: Thank you, Mr. President. Good afternoon, colleagues, My previous time on the-- on the mike, I did fail to express my appreciation to the members of the Redistricting Committee. I have talked to several of you and, to a person, you've expressed the challenge of the task that we have appointed you to and I do appreciate it. That being said, I feel like there's a target on my back. And I know it's not me. I never take legislation personal. I try to never make it personal. But if we pass AM27, we really upset the apple cart. And I understand why Senator Kolterman, Senator Dorn, Senator Brandt, and I don't know who the other seven senators were, that are trying to do this. It is the path of least resistance for them, but it does make a very hard road for the rest of us. In listening to Senator Lowe's comments about the challenges of fixing one problem or a couple of problems, and then the ripple effect from that across the entire state can be very difficult and does send someone back to the map room for a good many hours. There's been quite a-- quite a conversation today, and there are still conversations

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going on. One of the perks, I guess, of being a senior senator and having had the luck to get a back-row seat, I do get to see a lot of the conversations that are going on. And for the folks at home, like I said before, there are a lot of negotiations [SIC] going on. This is a work in progress. What that outcome is, we don't know. We're still-- we're still playing chess. This is not checkers. Every move has a consequence, a pretty significant consequence. And for those of you who are still listening, you need to remember that every vote does have consequences. We may not see it at the moment. We may be the path of least resistance moving forward so we can get at least one thing done, say we accomplished something and move on to the next one. But is that the right thing to do? One of the conversations I had with one of the long, long-time employees in this building told me the other day, says, sometimes it's an easy thing, sometimes it's a hard thing, but you should always do the right thing. And I appreciate that individual having that conversation with me, because sometimes this is a very hard button to push to do the right thing. I've had conversations with a few of you and you understand the challenge that adopting AM27 is going to give to this body. It's basically telling the Redistricting Committee that, yeah, you guys did all right, but we think we can do better on this little piece. I think that's very disrespectful to the committee. And why would they be very enthused about going back to the drawing board and trying to craft something--

FOLEY: One minute.

HUGHES: --that works for everybody within this body? There are negotiating-- there are negotiations still going on. There are maps being drawn. Give us-- give them a little more time. I think they're close. But if we vote and pass AM27, I think that really hinders the progress that could be made, that could benefit most of us, if not all of us, sitting here today. And we all want to get home. I sympathize with Senator Albrecht. This is not where I want to be the end of September. There's planting and harvesting going on on my farm, but I committed to this job and I'm here and I'm willing to do it. Thank you, Mr. President.

FOLEY: Thank you, Senator Hughes. Senator Bostelman.

BOSTELMAN: Thank you, Mr. President. I haven't spoke really on the map today because we've been working pretty hard on another map. And what I have to say, really, pro-- I don't-- I'm not naive. It's not going to change any of your mind. So what I'm going to say is I'm going to speak to the people that are watching, the people that are listening. I've got probably 70 hours working on a map on a computer. I was here yesterday. I was here on Friday. I was here during the week. I was

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here the last weekend trying to do all the things that you hear everybody out here talking about. Some of them are pretty disingenuous. If you haven't sat down at a computer and worked on it, you don't know that you can't touch one district without affecting two or three more. And I'm opposed AM27 for the basic reason of this, is I don't have a map. There's no map here. We're voting on an amendment that we don't even know what that amendment looks like. I don't have it sitting here front of you, I don't have AM26 sitting in front of me either. I have LB3. I don't know what the deviation is. People are complaining about deviations. What's the deviation on-- on-- on all the districts that they're talking about? I have no idea. What are they? How does that then affect my district? So you're going to vote. We're going to vote on a map that we haven't even looked at. We haven't even seen it. Now the map might be fine when it comes out, I don't know, but I cannot-- I cannot stand here and vote for a map that I've never seen, for an amendment that I've never seen, I've never looked at, because I know I have spent countless, countless hours on the computer trying to find ways to make things happen. And I think we're close. It's not going to be perfect. But the thing is, when it's done, when we have something to talk about, we'll talk about it. I'll make sure you have a copy of it before-- before you do that. It makes no sense to me. Again, we're just going to take it for somebody's word that it's OK. And I don't-- I don't fault them for wanting to do the things they want to do. I get it. But the point being, folks, we're voting on a map we haven't even seen. That's a big deal to me. That means a lot to me, maybe it doesn't you. Maybe you can go back to your constituents, say, you know what, I voted on a map, I never saw it, that's just fine with me. I don't know what your constituents will say about that. If you're going to vote for it, then perhaps there's something you know that I don't know. What does it do for your district? What does it do for the map of AM26? I don't know what it does to it. You tell me. This isn't right, I don't think, to have that opportunity to vote on something that we don't know what it is. What's the deviation? What's the population? Where are the lines drawn? We don't-- we don't know. I think it's very sad. And I wish we could have it. If we do, maybe that's something different. But in my clear conscience, not going to vote for a map that I don't have standing in front of-- sitting in front of me.

FOLEY: One minute.

BOSTELMAN: I guess that's on your conscience if you do. I think we see that on other levels of government where people complain about just vote on it, you'll-- you'll read it later. Well, I'm not going to vote on something that I'm going to look at later. I want to look at it

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now. I want to look at it before I vote. Give me that opportunity to take a look at it. I may change my mind and I may not, because I know when you get on that map, when you get on the-- when you get on the map down in LRO, you cannot touch one district without affecting many others. So how does that affect Senator Murman's district? How does that affect Senator Slama's district? How does that affect Senator Clements'? I don't know. Briese, others, no one show-- I don't have it and I can't vote on that, and I would ask you--

FOLEY: That's time.

BOSTELMAN: --to not vote on AM27, vote no. Thank you, Mr. President.

FOLEY: Thank you, Senator Bostelman. Senator Morfeld.

MORFELD: Question.

FOLEY: The question has been called. Do I see five hands? I do. The question is, shall debate cease? Those in favor of ceasing debate vote aye; those opposed vote nay. There's been a request to place the house under call. The question is, shall the house go under call? Those in favor of calling the house vote aye; those opposed vote nay. Record, please.

CLERK: 28 [SIC--30] ayes, 8 nays to place the house under call.

FOLEY: The house is under call. All senators please return to your desks and check in. The house is under call. Senator Morfeld, if you'd like, you can accept call-in votes. You had, I think, 23 on the board. Call-in votes can be accepted on Senator Morfeld's motion to call the question. Yeah, Senators Hilkemann, Geist, and Bostar, we need you on the floor, please. The house is under call. Senators Hilkemann, Geist, and Bostar, please check in. All unexcused members are now present. Senator Morfeld will accept call-in votes on his motion to call the question. Would anyone care to vote? Senator Bostar--

CLERK: Senator Bostar voting yes. Senator Pahls voting yes, Senator? Yes. Thank you. Senator Geist voting no. Senator Hilkemann, is that a yes, Senator? Yep. Thank you.

FOLEY: Senator Morfeld's motion has been adopted. The question has been called. Senator Kolterman, you're recognized to close on your amendment.

KOLTERMAN: Thank you, Mr. President. When I brought this amendment, I didn't bring this to cause a lot of consternation with all the people

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in this body. I brought it because I still believe rural senators ought to be representative and they ought to be able to work with urban senators. If we pass this amendment, that's a pretty strong indication that it would work and that negotiations can work. When I started out with the amendment, I said I can't speak for all ten senators. They had the opportunity to speak for themselves and nobody spoke against it from that group that I'm aware of. Is-- is it an answer to our problem? Absolutely not. But it is a step in the right direction that when people want to get together and negotiate in good faith, they can get the job done. The ten senators that are represented in AM27 represent approximately 400,000 people in this state, 400,000 people in an urban and rural area. I had-- I have been on the record countless number of times saying I do not want to take Senator Hughes's district away from him. I don't want to take senator-- any senator that's in the rural area. But nobody asked whether it was OK to take my district before they just came in and said, Kolterman, we're moving you to Sarpy County. That's not negotiations. That's telling you what they're going to do. So if I'm fighting for my district, that's what I'm doing. And do I own my district? No, I don't, Senator Lowe. But I can tell you this. The people in my district respect me for going to bat for them. It's a district that's been around for-- for decades, and I believe it deserves an up-or-down vote on AM27. So with that, I would encourage you to vote yes on AM27. I'd like a roll call vote in reverse order. Thank you.

FOLEY: A roll call vote in reverse order has been requested. The question before the body is whether or not to adopt AM27.

CLERK: Senator Wishart voting yes. Senator Williams voting yes. Senator Wayne voting yes. Senator Walz voting yes. Senator Vargas voting yes. Senator Stinner voting yes. Senator Slama. Senator Sanders voting no. Senator Pansing Brooks voting yes. Senator Pahls voting yes. Senator Murman voting no. Senator Moser voting no. Senator Morfeld voting yes. Senator McKinney voting yes. Senator McDonnell voting yes. Senator McCollister voting yes. Senator Lowe voting no. Senator Linehan voting no. Senator Lindstrom voting-- voting yes. Senator Lathrop voting yes. Senator Kolterman voting yes. Senator Hunt voting yes. Senator Hughes not voting. Senator Hilkemann voting yes. Senator Hilgers voting no. Senator Matt Hansen voting yes. Senator Ben Hansen voting no. Senator Halloran voting no. Senator Groene voting no. Senator Gragert voting no. Senator Geist voting no. Senator Friesen voting no. Senator Flood voting no. Senator Erdman voting no. Senator Dorn voting yes. Senator DeBoer voting yes. Senator Day voting yes. Senator Clements voting no. Senator Machaela Cavanaugh voting

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yes. Senator John Cavanaugh voting yes. Senator Briese voting no. Senator Brewer voting no. Senator Brandt voting yes. Senator Bostelman voting no. Senator Bostar voting yes. Senator Blood voting yes. Senator Arch voting no. Senator Albrecht voting no. Senator Aguilar voting no. 26 ayes, 21 nays, Mr. President, on the amendment.

FOLEY: AM27 is adopted. I raise the call. Mr. Clerk.

CLERK: Mr. President, a priority motion, Senator Hughes would move to reconsider that vote just taken.

FOLEY: Senator Hughes, you're recognized to open on your motion.

HUGHES: Thank you, Mr. President. We have our test vote. It was close: one to spare. Unfortunately, that really weakened us in our ability to negotiate moving forward. And it-- it's not about me. You know, I don't take-- I'm not taking that vote personal at all. It's not about me. It's not about my district. It's about the challenge that we have ahead of us, and that just made it that much harder and most of you know that. We took the easy way out. And I don't blame Senator Kolterman and whoever the other nine senators were to try and move the ball forward, but that was a low-level maneuver. We need to be thinking at a higher level, thinking of the bigger picture. We've got a big challenge. This is just one map of the six we have to do and we don't have any of them done yet, and that vote is going to make it harder to get all of them across the finish line. And I'm not-- I'm not threatening anybody. I'm just stating the fact. The amount of time and effort that the Redistricting Committee has put in to get us to this point, the amount of time and effort that Senator Bostelman and Senator Clements and their staffs have put in, in drawing a map, and there is another map out there that I think has some potential, but what is the likelihood of serious consideration moving forward? That's the challenge we have. We've been at this for 4 hours and 45 minutes; we've got another 3 hours and 15 minutes to go and we wanted to show that we made some progress to the people of the state of Nebraska. That just made it much harder, in my opinion. It may have solved a couple of problems; for ten senators, it may have solved your problem, but it created more for the rest of us. We've got a long week ahead of us and several maps that are going to have to be drawn, and we'll see how far we get by Friday night, by Saturday night. Getting to work in this building is truly an honor, there's no question about that, and we are standing on the shoulders of our predecessors. And when I came to this job, I wanted to represent my district and who I was and the people of the state of Nebraska, not as a politician but as a statesman, and that's proving to be a challenge at times because there are some very hard votes that we have to make and politics does come

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into play occasionally. But as I said the other day when I was visiting with a long-term employee, sometimes you just have to do the right thing. And I did not see that that was the right thing to do. That was the easy thing to do. The challenge is, where do we go from here? What's our path forward? How do we make the necessary changes to get this done? I want to get done. I don't want to be here. But this is the job; this is what I signed up for and I'm willing to take on that burden. It's going to be interesting the next five days, the next three hours that we've got here, the twists and turns. We've all been here before. We understand the making of legislation, the grinding of sausage. Hopefully, hopefully, we can move forward after this, but I'm not very optimistic. Thank you, Mr. President.

FOLEY: Thank you, Senator Hughes. Returning to the speaking queue, Senator Wayne.

WAYNE: Thank you, Mr. President. Colleagues, I have-- I have the actual opposite view of what just happened. What just happened to me-- and if you can't vote count, then you should probably start asking people before we get into session who you should have vote count. But I know AM26 doesn't have the votes. I can look at that screen and know exactly where those votes are, and I know exactly who's peeling off. And guess what? I am fine with that. I am fine if AM26, my LB4, dies on the floor. And I'm fine with that because at least I have clarity of where we're going; at least I have clarity that we don't want to remove Senator Hughes's district and put it in south Sarpy, and what you have clarity from the AM27 vote is we don't want to remove Senator Kolterman's district. That's clarity we haven't had the entire time, even on the committee, so that gives us a starting point that we have been internally struggling with because of no fault of the committee, due to time. If we were in a 90-day session, the committee would have met, we would have come out here and talked about other bills, people would have been talking, we would have been knowing what's going on. But when you leave here at 8:00, 8:30 at night, you don't feel like calling 15 to 20 senators to tell them what's going on. It's just a fact. And then you come back down here at 8:00 in the morning and stay here till 8:00 at night. It isn't on your priority when you're driving home to Omaha, at least for me, that I gotta call 15 senators and tell them kind of where I'm at. It's just hard to communicate when we're not down here like we are today, when we're not down here talking. There were issues that I worked out with my maps, with a couple of senators who I didn't think what was-- and it doesn't affect me or Senator Linehan's map. It's probably one that we'll actually gain support on. So I don't see it as a-- necessarily a bad thing. I'm seeing as that we have some guide-- some guideposts now, some

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guideposts of there is strong sentiment in the body that we don't want to move Kolterman's district and Saunders County and Sarpy County. There is strong thought in this that we don't want to move Senator Hughes's district. And here's the honest truth, and if Senator Hughes-- I would ask him to yield to a question. Here's the honest truth. When I called Senator Hughes in the morning and said, hey, I'm introducing a map at the committee that's going to remove you, my gut feeling is we probably won't stay with your district being deleted or moved, no matter how much I wanted that, doesn't really matter. That's a starting point. It's going to require all of us to figure something out. So I look at that vote as healthy. I look at that vote as saying, hey, we got some guideposts, now we got to figure out. I think what we have figured out is that people feel strongly about their districts today. I think what we have figured out, that rural Nebraska has a growth problem and maybe we need to have conversations about legislation that rural senators should introduce to help their growth problem, such as: workforce development housing that was actually filibustered by rural senators; inland ports, which I introduced, which is strictly for rural; spur line, Senator Groene, great bill. We even worked on TIF together, and that was like some crazy thing that Senator Groene and I actually agreed on a TIF pro-- overhaul. We allowed Winslow to actually move. Micro-TIF, the-- that was the most absurd idea. Senator Groene came to me and we worked on it for a whole year and passed it. Those are the things we have to do. I agree that there is going to be problems with how far senators are going to have to drive, how big their districts will be. But I also believe in the constitution.

FOLEY: One minute.

WAYNE: And I know that my ancestry didn't do well when the constitution wasn't followed-- just an idea. So I agree with Senator Lowe. I agree with Senator Brewer. But that comes from the growth factor. And for the next four years, I'll do everything I can to help rural Nebraska grow that you can have a seat back. But right now we got to follow the constitution because if we start throwing out this, then we might as well throw-- start throwing out the 2A and everything else because there is no higher thing than the constitution. It's the constitution. That's what we have to follow. That is the reality of what we're here and what we're trying to do. So I think it was a healthy vote. I think we can continue to work together. I look forward to seeing Bostelman's map. I look forward to seeing whoever other map we have out there. I want to look at them all. But now we have some guidelines, at least, some guideposts of where we are.

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FOLEY: That's time.

WAYNE: Thank you, Mr. President.

FOLEY: Thank you, Senator Wayne. Senator Matt Hansen.

M. HANSEN: Thank you, Mr. President. And thank you, members of the body, for that last vote. I do want to say I [INAUDIBLE] agree with Senator Wayne that that is a significant moment showing that people of this body can work together and can move forward. When Senator Kolterman first approached me with that map, which fit into the Wayne map-- I want to be clear. It's not just an incomplete map. It took sections. It took a eight-county square of the Senator Wayne map and figured out how southern Lancaster County fit in with the rest of those. It's a complete map. It just fits into an existing one, which is why it was an amendment to an amendment. I bring all this up because when Senator Kolterman and Senator Dorn first showed me that, I said, I have no problem with it, but are you going to get people to agree with it? And they spent time and effort getting 26 people to agree with them. And that's what we should be asking of ourselves in this Legislature during this redistricting. Am I under the thought that AM27 being adopted is going to make this bill, make my amendment get adopted and race to the finish line? No, not at all. But it is showing that we can at least get broad consensus on how to handle the Lancaster County area. That was an amendment to sort out basically western and southern Lancaster County with the seven districts that are entirely in Lancaster County and the three districts that reach in. It was a square involving York, Seward, Fillmore, Saline, Thayer, Jefferson, Gage, and Lancaster Counties that we got agreement upon, now, granted, not everyone and not even necessarily everyone who lives in those counties, but we got it there. And to have the notion and have Senator Hughes reconsider and get up and say that's not what we should be doing, we should not be figuring out a region, a particularly tricky region where lots of inter-- districts intersect in a way that doesn't necessarily impact anybody else out under the proposal, or at least under the District 4 proposal-- LB4 proposal, is nonsense. This is what we should be doing. If we need to figure out-- we've sorted out Lancaster County. We have an opportunity to hang our hat on that and say, all right, we've got basically 8 counties done, 85 to go. And some will be harder than others, admittedly, but we have progress and we've shown that people can work together and come up with a map that works, that preserves cores of the district, that doesn't necessarily redistrict incumbents out, that doesn't mess with the lines all that much. It does enough moves to adjust enough things to make sure that we have equitable and fair districts that I believe

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can pass scrutiny. And to say that this somehow has harmed the process today, even if this amendment ends up failing, to show-- say that this process has harmed the day, is probably more revealing to Senator Hughes and his plans for session than necessarily what we just did with AM27, which was transparent in the light. I don't know how passing a compromise amendment that still has to get adopted over-- again and over multiple rounds into redistricting is somehow harmful, other than if people were told how to vote and they were bucked and rejected that. I don't necessarily know that for certain, but that was certainly the implication that I heard in that speech. I hope not. I-- I-- but that's where we're at. And so to come in and say, hey, you shouldn't work on the counties you live in, we have to reserve it entirely to the Redistricting Committee, only the Redistricting Committee gets to solve it, or apparently Bostelman and Clements, who have been working on their own map and get a pass and they get to propose a new map, but Senator Kolterman doesn't-- I'll just hang that out there for the public to think about the implications of that-- puts us in a really weird spot. What am I doing here for this whole week if I'm not allowed to vote for an amendment that handles my county? I just have to--

FOLEY: One minute.

M. HANSEN: --sit here and slowly get crushed by the wheels of the Redistricting Committee and there's no negot-- discussions, no negotiations, no plans? Is that what we're setting the table? Is that what the expectations is? Is that what we've been told to do? Colleagues, we've adopted the Kolterman amendment. Please vote down the reconsideration moment [SIC]. The Kolterman amendment actually guts my amendment, so let's adopt that, too, and let's pass LB3 forward and get on from there. I know the odds of that happening today, but that's what at least I'd like us to consider. Thank you, Mr. President.

FOLEY: Thank you, Senator Hansen. Senator Groene.

GROENE: Thank you, Mr. President. So now let's bring an amendment where we do Senator Friesen's District. I'll bet you he would get 26 votes. Let's bring an amendment. Let's vote on the Wayne plan. Senator-- Senator Hughes will get-- will win that one too, so, all right, now we limited that. Now what's next on the list? Senator Williams. He'd probably get the same 26 votes that Senator Kolterman get with his friends. Now who do we go after? Bostelman? How about Groene? You cut my city right in half. That'd be something you've all talked about because all my population is in North Platte. We could just go down the line, and you think any of those amendments would

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pass? Because we're all friends here, as Senator Blood says, so this proves nothing. This proves we kicked the can. Now in seven years of being here, I have never-- I always wanted-- I thought it was just a filibuster-- buster maneuver to reconsider, but this is the first time I ever seen it made sense. Senator Hansen, I liked your explanation of how this fit here and you're drawing with your hands this map. But let me tell you, there's an old saying: A picture is worth a thousand words. In this case, it's worth 10,000 words. I'm not voting on anything until I see a map. Move-- you want me to vote on something because somebody said that they moved some lines in three districts? Really? Where's Nancy at, Pelosi here? We'll look at it after we vote on it? Is that-- that what we're going to do? We're going to read it after we vote on it? Senator Hughes, you have done something I never thought anybody could do, bring in a filibuster motion that actually makes sense as a-- as a right maneuver to do right now. We need to send this thing back to committee and then they can argue if they're going to take Senator Williams's district, then they can argue if they're going to take Senator Friesen's. Whose district you gonna take? Which representation are-- well, let's take Senator Way-- Hughes's. It's desolate down there. They don't got no water no more. Gosh, we've just fixed the 30/30 problem. We just turn it into the 30 percent where we appease Mr.-- Senator-- the tyrant, Sen-- President Byron-- Biden. I don't think Senator Hughes is like that. This is a joke. You just keep bringing amendments with all the-- every single senator's district on there and every one of them would get 26 votes to-- to turn it down. So which district are you going to take? This vote was meaningless, but I'm going to support Senator Hughes's reconsider back to committee, because I'm not voting on anything until I see a map. Excuse me if I'm skeptical, but you just don't draw lines and then tell me nothing happened, that 46 other districts didn't get affected. Really? I'm supposed to believe that? Oh, but, yeah, people in southwest Nebraska are out there harvesting their beans, their corn. They don't even know what's going on down here. And pretty soon they're going to say, well, guess what, you're going to be throwed in, your district's disappearing, your Republican River Basin, which I have some fights, Senator Hughes and I do, about that situation. But those people need to be represented by somebody who-- whose-- knows how important that issue is. Now they're going to be represented, if you do this, by somebody up in-- who's more interested in the Platte River Basin because that's where the bigger population base might be. So they lose their representation.

FOLEY: One minute.

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GROENE: All right, just keep bringing them, and then tell me that, well, the body says we're not going to take Senator Groene's district, we're not going to take Senator Friesen's district, we're not going to take Senator Williams'. Let's just go all down the 49. Senator Flood, you want to give up your district and be the great-- the art of compromise? You hear that? We got an answer. Let's send it back to committee and bring a map back out. Thank you.

FOLEY: Thank you, Senator Groene. Senator Morfeld.

MORFELD: Thank you, Mr. President, colleagues. First off, I rise in opposition to-- to the mo-- the Hughes motion. I just want to say a few things. First, I-- actually, I kind of-- well, I don't know if I agree, but maybe I disagree with Senator Groene. But I agree I'm perfectly fine with taking this in a piecemeal approach if we have to because, quite frankly, colleagues, that was the first time in working in 20 days on the Redistricting Committee that I've seen any progress whatsoever to work together. So I'm actually fine with this approach. This is how things work in a Legislature, particularly when you have a committee that, for whatever reason, which I won't go into on the floor, can't work together for some reason, partially because I don't believe there's a lot of leadership trying to bring people together, have tough conversations, and come up with compromises. Now there were some things that I, quite frankly, didn't like in that amendment that we just passed, but there were people that were willing to come to the table, sit down, be adults, and compromise. That amendment that we just passed was the result of adults coming to the table, despite their personal differences, despite their party differences, and coming to a resolution on an area in a region that they all represent. That's progress, colleagues. And I find it a little bit disturbing that Senator Hughes calls out nine people who voted for that. Well, what does that mean? So if nine people work with somebody else that they generally disagree with philosophically on a bunch of other things and they work with people, suddenly they're pariahs? That's the dangerous stuff that we need to be staying away from is the kind of nonsense that Senator Hughes is saying. That nine people decided to work with a few other people to try to finally get something done after 20 days of work, that's exactly what we should be doing, colleagues, and I'm perfectly fine taking this piecemeal. I tell you what, that's a lot more productive than the last probably four or five days that I've spent, Saturdays and Sundays, over the last 20 days, sitting down here, twiddling our thumbs, because people won't make tough decisions and bring people together. Colleagues, this is exactly what we should be doing. And I would like to see some proposals from Senator Bostelman. I think he said Senator Clements is also working on

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it. I don't know if I got that wrong, but I-- I know there are some people working on a proposal. I'd like to see it because, quite frankly, it might align with a bunch of different things that I think we should do in the Legislature when it comes to redistricting. I'll be honest with you. This is maybe how we will have to approach this, because I have not seen movement within the committee or outside the Legislative Chamber in terms of negotiations. I haven't really even seen a willingness to sit down with parties that generally don't agree with each other to even negotiate. I worked hard on that for several months before that, but I won't get into that now. But I just haven't seen it the last 20 days. This is the first time that I've seen it. So, colleagues, this is what we should be doing. And, yes, it would be great to have the maps in front of us right now. You also have the amendment, which you can look up. I will admit they're tough to read because a lot of people don't realize it, but the amendments are not maps. They're actually a bunch of counties and words and streets and all that, so--

FOLEY: One minute.

MORFELD: --it's a little bit tough to follow. But I also know that there were several members that put this proposal together that were walking around with maps. So if you're that concerned about what it looks like, here's an idea: Go talk to one of the co-- your colleagues that put together the amendment because they have a map. Colleagues, we need to start sitting down and compromising. By me voting for that amendment, I compromised several things that I didn't like in there, but I want to get the people's business done and it's not going to be off in the corners, apparently, talking and trying to figure it out. It's apparently going to be right here. So let's do it. Thank you, Mr. President.

FOLEY: Thank you, Senator Morfeld. Senator Lathrop.

LATHROP: Thank you, Mr. President, colleagues. So I stand in opposition to the Hughes motion to reconsider, and I do want to talk about where we're at in our process. This is a special session. They called us back here to take care of redistricting. Where are we at in that process? I happen to serve on the committee. And I've heard people today say negotiations are ongoing, people are still drawing maps. I don't know who these people are. I've been on the committee. I've been working on this, as Senator Morfeld has, like 20 days. I serve on the committee. We've-- that committee's had five or six hearings. We did a hearing in each of the congressional districts. We were here for eight hours on Friday. I spent all Sunday afternoon here. I was here this morning. We had another hearing. We're five

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hours into debate. No one's talked to me. I don't know who's negotiating. That's not happening. So is anybody surprised that this is what passes for a process? There isn't anybody in here that doesn't know how this should go. It's just not going. Nobody's bringing people together. The leadership, whatever it should be, isn't happening. No, what we did-- what we've done so far is Senator Wayne did a bill, Senator Linehan did a bill, one for Congress, one for the Legislature, both of them. Wayne's bills can't get out of committee; Linehan's bills come out. What are we supposed to do with that? Like people don't like the Linehan bills-- by the way, that was pretty much unanimous when we went around to the congressional districts-- but we put them out. So what should we do, not try to amend them? This-- we're-- we're not doing our job. This isn't a process. This is not ideal. Senator Hughes, it's not ideal, putting up amendments on maps. What we need are adults to sit down and get this done. We started out Friday. Everybody in this place knew we were going eight hours to no-- to no end, not even-- not even a-- it didn't even lead to any negotiation. We just didn't pass the congressional map. OK, who's working on what? Nothing, no-- no negotiation, no process. It just died. Well, let's pick this up. We come in here this morning. Everybody knew this was going to go eight hours and nothing was going to happen. What's the process? And how can you blame Senator Kolterman for dropping an amendment? At least it's-- at least it passes for a process right now. It's sort of like legislating. But every time somebody stands up and says, you know, you do something with the map, then it affects somebody six districts away, yeah, that's why people ought to be in a room talking about it, not out on the floor wasting eight hours, two days in a row, filibustering something to no end. It's time for the people that are leadership in this place to bring people together, get them in a room, and get the maps done, because this doesn't work. You're not happy with it and we're not making progress. That's where we're at. And, Senator Kolterman, I understand why you offered 20-- AM27 and I understand why 26 people voted for it, because it's the closest we got to a process right now or any progress, unless there's somebody secretly--

FOLEY: One minute.

LATHROP: --coming up with a map that everybody's going to love in a minute, and no one's told me who that is or what they're working on. Did you say a minute? Well, I'm done anyway. You-- I think I made my point.

FOLEY: Half-minute.

LATHROP: Thank you.

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FOLEY: You have 30 seconds if you want it. OK, Senator Friesen.

FRIESEN: Thank you, Mr. President. We all know where this is going to end up. Twenty-six votes doesn't equal 33. We can play games until we get to cloture, and we will, and then somebody is going to have to go back in a room and work. And both sides of filibustering here, this has just been ongoing. We just keep talking because there isn't time. You know, we-- we've been put in a box by when the data was presented to us and by when we want to get it done. And so, yes, there's not been a lot of time to work on this. We've been rushed. The maps were put out before people could comment on them really in the public hearings. I get that. But this has just been a different year. I'm not going to blame anybody except the Census Bureau for not getting stuff out sooner. But this vote means nothing to me. I'll support the reconsider because, again, it didn't-- doesn't get us anywhere. It gets us 26 votes, does not get us to 33. And if each of us goes back and starts to draw our own maps for a district to fix my problem or somebody else's problem, we're going to spend a lot of time here talking about each of those maps and they'll each get-- could get 25 votes. But again, we're not getting to 33. And somehow, and I don't-- I don't know how. I don't have the answer to this. Senator Lathrop, you alluded to the fact that people have to get together in a room. Somebody is going to have to make a decision, but it's going to have to be a decision that somehow gets 33 votes. And I knew coming into this process that we weren't going to have 33 votes. Neither side seems to want to compromise on some of the issues. But again, 26 votes doesn't get us to 33, and that's the way this process has been for the last I don't know how many years that I've been here. Everything that's controversial needs 33 votes. And we'll come up with some more suggestions, I'm sure. There'll be some other maps presented and I-- I-- again, it would have been nice if we could have had those up front so we had time to look at them. But in the meantime, I hope we don't start yelling at each other and draw those lines even harder in the sand by arguing over things that don't matter because we all know these maps don't have 33 votes. Senator Lathrop has said it, numerous others have said it, where we came into the room knowing there's not 33 votes. And I-- there is a process. We will get through it. And as long as we don't hurt anybody's feelings, we can keep moving forward and I think it'll-- it'll happen. And that's why, I mean, let's-- let's maintain our composure here. We are in a short time frame because I don't quite see how we're going to get this done by Saturday night. But, hey, I'm-- I've been wrong before once. But I-- I-- I think it's possible to get this done yet. But again, people are putting too much into this one vote, and it's-- it's-- it's-- it's troublesome because we can come up with solutions all day long that

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get 25, 26, 27 votes, but it doesn't get us any closer to 33. And that's the problem I'm seeing right now is that there is no-- not yet-- I mean, we keep hearing of it. There's going to be something probably coming forward. But again, I haven't seen a map. I haven't seen how it all works. And again, it always impacts somebody.

FOLEY: One minute.

FRIESEN: So, again, I-- I hope people just relax a little bit. This vote, to me, meant very little because I think the same group of people all saw that there isn't going to be 33. There's-- there was 26, and that's where we're at today. So thank you, Mr. President.

FOLEY: Thank you, Senator Friesen. Senator Briese.

BRIESE: Thank you, Mr. President. And good evening, colleagues. I was just going to say a whole lot more on this today, but I guess, being as we're chewing up some time here, I-- I did have a few comments. First I want to talk about a couple things I agree with that was said, and then I want to talk about a few things that I don't agree with that has been said. First of all, I'm with Senator Groene. I-- I would like to see a map of what we're talking about here. The folks that put this together tell us that it will fit into a map and will not have a ripple effect, and I'm sure they're probably right on that, but I would like to see it. And that was one of the reasons I voted against it, plus the fact it's essentially LB4. And Senator Lathrop indicated that what we have here, what we're doing here is not ideal. And, boy, that seems to me the understatement of the afternoon. It-- no, it's not ideal. But earlier today, you know, it was suggested that when we were talking about LB3, that Briese's trying to preserve the core of rural districts and not trying to preserve the core of urban districts. I think the statement was made that the urban district maps ba-- basically jumbles the maps in urban areas. And I was going to counter that early on because I had my staff go through the maps of all the proposed districts in LB3, comparing them to the current districts, and-- and I come to the conclusion that it does a very good job of preserving the core in all districts. But with that said, you know, Senator Machaela Cavanaugh and Senator Day and Senator Wishart, I think, pointed out some things where may-- maybe I wasn't quite right in that assessment, but so maybe there are a few concerns out there. But I do think overall LB3 does a pretty good job of preserving the core of existing districts. And, Senator Brandt, earlier he mentioned going to 50 senators, that that would be the solution. And I-- I guess I have trouble with that. I'm not exactly sure what that solves. You know, the urban-rural ratio is still going to be the same. And I-- I just-- I'm skeptical of that. I'll-- I'll hear it out

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someday. I'm willing to listen to that idea when the time comes. But I don't know that that's really a solution to the problems that we're going to be facing going forward. Early on, somebody characterized probably what I'm promoting and suggesting we do as a, quote unquote, unlawful attempt to enhance rural representation. Well, let's be clear here. We can deviate within reason in further-- in furtherance of a legitimate legislative objective. And preserving the core of existing districts is a legitimate legislative objective, and I think that's what that person was referring to. And so we're-- we're not doing anything unlawful here, so we just need to be a little cautious when we throw phrases like that around, suggesting that what we're proposing in LB3 is unlawful. I-- I think that's-- I wouldn't want to say reckless, but we have to be careful when we talk about things in that light. And then later on here somebody said, well, we gotta follow the constitution, implying that LB3 does not follow the constitution. And again, I take issue with that. Yeah, we follow-- we cross some county lines. But let's be clear. The constitution allows us to cross county lines. We're supposed to avoid that wherever practicable. And in an effort-- and-- and it's not practicable to avoid all splitting of counties when you're trying to preserve the core of existing districts. So I think what we proposed in LB3 passes muster--

FOLEY: One minute.

BRIESE: --on those accounts. it's not unlawful; it's not unconstitutional. Does it need some tweaking? Yeah, I think it does. We heard some concerns today that probably do need to be addressed. So it-- it-- it's good legislation; the end of the day, I-- I'm still going to support that. As far as the motion to reconsider, yes, I-- I'm going to support Senator Hughes on that. I think it's a mistake to throw this amendment onto that bill at this point. But if it takes us down the road to compromise and gets us where we need to be and helps us find a solution to all this, so be it. Maybe it'll work out. But anyway, thank you, Mr. President.

FOLEY: Thank you, Senator Briese. Senator Erdman.

ERDMAN: Thank you, Lieutenant Governor. Thank you again. I appreciate Senator Hughes putting up the reconsider motion. As we talk about AM27, I have never seen the map. I have no idea. It surprises me that we voted for something we have no idea what the map looks like. So my suggestion earlier about dividing up Douglas, Sarpy, and Lancaster County, the 1.098 million people by the 27 districts, and then do the rest of the 862,000 by 22, I sent that up to Bill Drafting as an amendment. So I'm very encouraged that you're willing to vote for

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something, a map you haven't ever seen, but just a concept. So I'm thinking that when I get mine back and I introduce it as an amendment, I've got a good shot because I have a precedent here by voting for AM27. You don't necessarily need-- Senator Lathrop, you don't need to spend 20 hours in the map room. You just throw it up there and-- and then we'll vote for it and move on. Doesn't make any sense at all, none, but that's what we did. So when my amendment comes back, we'll submit it and see what happens. But how peculiar is that, that the Redistricting Committee spends days working on a map, days, literally days, and they bring it to the floor and someone could amend it with a floor amendment that has no map attached? If-- if that's not peculiar, you tell me what is. And so when we get my amendment back, we'll put it up there and see if you like that one, as well, because it keeps everybody whole and 27 seats in those three counties, 22 seats in the rest of them. Senator Kolterman's district is protected; so is Senator Brandt and Senator Dorn, problem solved. So all of those nonpartisan, five Democrats and five Republicans, can be satisfied that we've accomplished what we need to accomplish, because, remember, we're nonpartisan here. We have no different party affiliation. We're all the same. We're equal. And we've had plenty of lectures today from Senator Lathrop on how we should do this and what we should do, and I'm not so sure that we need to have lectures on how we should act and what we should do and how we should vote. But that's what he does. I think that's because he's a lawyer and they think they have the-- the advantage over us people who don't have a law degree. So I don't appreciate being lectured, so we'll see what happens when my amendment comes back. Thank you.

FOLEY: Thank you, Senator Erdman. Senator Lowe.

LOWE: Thank you, Lieutenant Governor. I have a collection of maps sitting up here about two-and-a-half inches thick. We've had maps for everything. And yet when we came to AM27, we had most of the morning to think about it. We haven't received a map yet. There may be some maps floating around, but it seems like every AM that we do around here, there's some explanation that gets printed out-- Senator Morfeld handed something out today-- about what we're voting on. We'll give it to you later, that didn't work well in the federal government, did it? What we just did, Senator Lathrop summed it up nicely. We are surprised that this passed, which he voted for, but this is the type of Legislature-- or legislative things that we're doing now is we're passing things that we don't know what we're passing. Does that make sense? I don't know how it affects the rest of the maps. I don't know if this-- if the map was drawn off of 2011 or it's what the map-- drawn off the maps that Senator Wayne and Senator Linehan are drawing.

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I don't know. I haven't seen it. I've looked at it and it's words on a page. It doesn't correlate to anything that I can understand. This motion by Senator Hughes, motion 5 to reconsider, is very appropriate. We just voted on something we don't know anything about other than ten senators said it was good. Really? I got some good stuff for you guys to vote on. Maybe I can find nine other friends and then we can all vote to have it passed. I think each one of the western senators ought to bring an amendment to keep their districts whole that they represent, and then let's see how we work around that in Omaha and Lancaster County, because we'll pass it. Seems to be a good idea. Like Senator Erdman said, we have precedent now. Because ten senators said it was good, we just passed an amendment. You know, there are four districts out in greater Nebraska, 44, 33, 24, and 42, that are going to be moved. They're not going to be gone. They're going to be moved. Those four districts, one of them will have new people in them. They're not from where they were. It's been picked up and moved. No--no ground was moved, just some lines were drawn on a map. Nothing on the ground, there aren't any streets; there's no infrastructure.

FOLEY: One minute.

LOWE: Thank you. They're lines on a map. Now do we want them to represent the same type of people that they represented before? I believe so, so that kind of leaves out Senator Hughes's district and Senator Groene's district. So then we're working on Senator Friesen and Senator Kolterman's district or Senator Williams' district. Senator Williams' district is pretty rural, pretty rural; has some manufacturing, but it's pretty rural. So where do we go? Thank you, Lieutenant Governor.

FOLEY: Thank you, Senator Lowe. Senator Pansing Brooks.

PANSING BROOKS: Thank you, Mr. Lieutenant Governor. Well, I started this whole process with hope. I had great hope that we could get things done, that we had a committee filled with wisdom and determination that we would get things done, that we would be able to get some common ground. And then I woke up this morning and at about 10:00, I heard, oh, it's the exact same map that's been taken around the state, it's the map that all of the consti-- the majority of the constituents came forward and didn't like. It's a map that four out of five people on the committee also didn't like. And instead of, since Friday, coming forward with some type of amendment or some kind of change, because no one-- the majority of people that understood and looked at that map did not like it, the one, LB3, that we've been talking about all day. I had great hope, hope that we could move forward, hope that we could find another place to start from rather

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than the place that pretty much the majority of people think is a nonstarter. So I don't swear a lot. I used the word "frick." And I said, I cannot believe we're spending a "fricking" day on this entire map, this map that has gone across the state, that has not received any kind of support to-- that's worthy of discussing, and this map that four out of the nine people on the committee did not support. So where is-- is the kindness to the body, to the people to say, OK, I get it, this isn't quite right, we'll change something, we'll make a little bit of a-- we'll-- we'll make a different point here and bring it out to the body? And Senator Hughes talked about, well, it's-- it's impolite, it's not kind to the committee to not accept what they've worked on all this time. Well, under that theory, we should never bring-- we should never discuss or criticize anybody's bill because people have worked on it and that's that. We should accept it, sit down, be quiet and accept it. That-- that's just not what happens here. And Senator Kolterman talked to us over a week ago, and he'd been talking to a lot of different people about his map, which was involved in-- in AM27. If you didn't choose to go find out about it, it was pretty clear, it was all over the paper, that he did not like that map. He had a-- a picture in the paper that was pretty clear how he felt. So I think it's on you if you didn't go forward and look at the map. I saw it. I understand how it fits into the whole picture of the whole scheme. And I'm not an expert on maps, but I get that. So, again, I'm on Exec Board and I got to help appoint the committee. I'm so relieved. There was no way I was going to get on this committee. I'm grateful to the people that are on this committee. It is a thankless, horrible job. But then for all of us to sit back and go, well, why would anybody be against this map when nothing new came forward today and we're rehashing the exact thing that we knew we were going to have problems with?

FOLEY: One minute.

PANSING BROOKS: We-- we talk about the nonpartisanship, and I've-- I've cared about that a lot and talked about it a lot, but reality matters. We are better served when we work together. To act as if there doesn't need to be discussion on the floor, it's either my way or the highway, I just don't even get that. We don't-- we don't act that way here. And I-- and I'm hoping that the leadership will come forward and start forcing people to come together. Coming together doesn't mean digging in your heels and saying, here's your map, what's your problem with it? OK, we've told you there's a problem, now let's fix it. No, here's your map, I've told you, that's it; here's this map, now come together. You mean accept exactly LB3 or else that's it.

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That doesn't make any sense. We're never going to get anywhere and it makes--

FOLEY: That's time.

PANSING BROOKS: --no sense. Thank you, Mr. Lieutenant Governor.

FOLEY: Thank you, Senator Pansing Brooks. Speaker Hilgers.

HILGERS: Thank you, Mr. President. Good evening, colleagues. I wasn't intending to speak on this particular bill because I was trying to, I think, work on not just trying to reach compromise and agreement, but as part of this process, I'm trying to do what I think we all should be doing during this debate, which I think serves the most important function of this eight hours, is listening to one another. I could go into a room with three under-- other senators or four under-- other senators, and if one of them happens to not be Senator DeBoer, then I am deprived of the opportunity to hear her complaint about this map. If I go into a room and one of them just happens to not be Senator Dorn, I don't get the opportunity to hear about him and his concerns about this map. The truth is, colleagues, sequencing matters and the timing that we are under matters. If we were in a regular session with 90, 90 days, we absolutely would do what Senator Pansing Brooks suggested. We absolutely would have done what Senator Kolterman suggested on his comments. The idea of just dumping a map on everyone and saying, let's just do eight hours, we know where this is going to go, let's just, everyone, just complain and just sit and we'll just yell at each other for eight hours, like we would not do that under 90 days. But this serves an incredibly important purpose. This is the one vehicle, the one opportunity for all 49 of you to be heard, not in some back room, not in some private room where three people or five people or six people can hash out the future of these maps. And under the timing that we have now where we have to get these maps done now, we have to have this opportunity done now. Could we wait a week? Yeah, we could wait a week. And what happens after a week if five of us decided, well, this is how Senator Dorn's lines ought to be and this is how Senator Gragert's ought to be and is that Senator DeBoer's ought to be and we come to the floor and then everyone says, no, this is terrible, you didn't hear me, you didn't listen to me? We would be back in square one. It would be a false step because we would have no time left to rectify it. Is this ideal? No, of course it's not ideal. Is this what we intended? No. But I'll tell you, it was forced upon us when the data came at the end of August out of no-- no fault of anyone in this room. The idea that no one is listening or no one is following a process that might help get-- get us to a result, I think, is wrong and I think doesn't take into the full context. I'll tell you what,

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I've had plenty of conversations with the leadership of the Redistricting Committee, Chair Linehan, Vice Chair Wayne, members of both parties. We were here for a number of hours yesterday trying to work through issues. And I'll tell you what, tomorrow, after we've had the benefit of eight hours here and hearing people's concerns, we're going to be in a better position to find what those material issues are. And if we have any hope of compromise, if we have ever-- any hope of working something out in this body, it's because we had the opportunity today to talk about the issues that we care about. There absolutely will be conversations. You're fooling yourself if you think otherwise. This debate today might seem like a long eight hours and, boy, we had eight hours on Congress last Friday, and that's not how we want to do things. There's no doubt about it. This was forced upon us and I will be "danged" if I go into some small room with four people or six people and not listen to the concerns of 48 of you. And if I can do anything to help get a compromise that gets 33 votes and gets us across the finish line by the end of September, that is what I will do. But it requires listening, I haven't been in a map room today. I haven't been walking around trying to figure out, meet with one or two people to try to resolve all of this. I have listened. And if you don't think there's value in that, you're wrong. This bill came to the floor today, LB3, with not the greatest expectation that it would pass, but it has value. I don't begrudge Senator Kolterman for bringing an amendment. I don't begrudge Senator Brandt and Senator Dorn for working. In fact, that-- they're one of the few people I asked who actually took up what I asked them to do. This is hard work. This is not like a bill where you can just say, well, let me just change the marginal tax rate from 7 percent to 5 percent. You have to sit down. If you change district X, it impacts districts Y, Z, A, B, C and D across the state. It's hard to do on the floor. I know if Senator Linehan and Vice Chair Wayne could produce the map that makes everyone happy like that, they would do it. This takes dozens of hours and anyone who's tried to do these types of maps would tell you that's exactly what it takes. I am asking you for a little grace for your colleagues. I am asking for a little recognition of the value of this process, which lets you be heard and the people of Nebraska hear us. We will do everything we can this week to get this resolved, everything we can, and after today, which was a necessary step, the hard work of accommodating everyone's concerns that really matter will really begin in earnest. But we can't get there until we have the chance to listen to one another. That's what I've done today. And I know many of you, that's what you've done. And we still have two-and-a-half hours left and there are important things to be said. And I hope if you have any concern and you haven't said them, get on the mike and say it so we can hear it. Thank you, Mr. President.

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FOLEY: Thank you, Mr. Speaker. Senator Wayne.

WAYNE: Thank you, Mr. President. Colleagues, I wasn't going to speak when I was down there and I heard people criticizing the committee and criticizing the process and leadership. At the end of the day, I'm part of that leadership and I-- I ran for it, so I'm OK with the criticism. But I want to throw out some fundamental truths that we all need to struggle with here or we all seem to be struggling with. We can't lead if people can't say what they actually want. We can't lead if people don't want to compromise. We can't lead if there are backroom deals going on. We can't lead if people are worried about their friends and their friends' districts more than they are about the state. We can't lead if everyone's trying to be a leader and cut deals and negotiate instead of the people who were elected to be those leaders. The biggest question is, people need to ask themselves, whether rural, urban, etcetera, am I willing to give up my seat? Am I willing to give up part of my district? Am I willing to give up the stronghold of my district for the greater good? That's truly-- that last question is truly the question. We've all agreed that a district is going to have to move or, if you want to get fancy with words, shift over. But I've heard nobody offer up their district. And in this body, with only 49 senators, regardless of party, you pull together 8 to 9 senators, you can disrupt anything. So if you want to lead, give up your seat. If you want to lead, tell me whose seat we're going to move. I can tell you, east Omaha, my district, no matter what map I plug it in, I'm fine. Senator McKinney's district is fine. Senator John Cavanaugh's district is fine. Senator Machaela Cavanaugh's district will be fine. Senator McDonnell's is fine. Senator Vargas is fine. Why? Because you can't really do a whole lot with east Omaha that's going to fundamentally change it. So I got no dog in this fight. Once you move a little farther out to the west in Douglas County, the numbers don't change a whole lot. Nobody's looking at political affiliations, but the-- the neighborhoods, you know them because you live there; just like Lincoln, just like small-town Nebraska, you know who your voters are. The numbers don't change a whole lot. At the end of the day, the problem is, the stall is who's moving where, and I have yet to see rural senators stand up and say, I volunteer. I have yet to see rural senators stand up and say, we pick this one. So no matter what map we draw, it doesn't-- you can't change anything. I could agree on Douglas and Sarpy County tomorrow and I have a hole of X because I don't know who's going to go there or why. That's part of the frustration. You've seen Senator Kolterman put up a fight for his district.

FOLEY: One minute.

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WAYNE: That was the district that was on the bill. You see Senator Hughes put up a fight for his district. That was this district that was on the bill. I have right here an amendment to eliminate Friesen or move Friesen. Then we're going to see ten senators get up and fight for Friesen. I could put up somebody else. I have bills for Groene. I have bills for anybody. But who's going to stand up and say, hey, I'm willing to work with everybody to get it done? So there is conversations that are going on. But until we get to that point, that point of where we know some certainty of what's moving, yes, we're going to continue to have eight hours of debate and continue to figure that out. That is a rural issue, maybe a little bit suburban, that we need your help on solving. I'm not picking for you. You know your district and your areas better than I do. If I had to move a east Omaha seat, I can help you. I might even vote myself off the island.

FOLEY: That's time.

WAYNE: Thank you, Mr. President.

FOLEY: Thank you, Senator Wayne. Senator Machaela Cavanaugh.

M. CAVANAUGH: Thank you, Mr. Lieutenant Governor. Good evening, colleagues. So I appreciate Senator Wayne saying that my district will be fine. To clarify, he understands that how it is currently in LB3 is not fine. Losing 82 percent of my constituents for partisan politics is not fine, but I appreciate that he and others on the committee are working to change that. There's been a lot of conversation about-- actually, not conversation. That's the wrong term. There's been a lot of pounding of fists and raised voices about how, my interpretation of it is, Democrats need to get in line because we're in the minority in this body. And I've heard some of my colleagues who are Democrats talk about how we work together with everyone and how we get things done as a result. I have voted for-- with the exception of two senators who have just returned to the body, because I don't think we've had a-- a bill of theirs on Final Reading, I have voted for a bill for every single senator in this Legislature, and at least a dozen of you have never voted on one of mine. And I don't expect it. I expect that I always will get 25 to 26 votes for my bills because they're my bills and for no other reason. I vote for bills that support farmers, I vote for bills that support conservation, I vote for bills that support economic stimulation, and I fight against things that I think are going to harm Nebraskans. We don't need more rural representation in this body. We need people in this body who care about getting things done for every Nebraskan. And what I hear today is that all you care about are farmers, not even the people that live in the towns, just farmers. One person, one vote, but not if you own too much land; then,

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you're more important. You're more important than the people that live in my district. If-- if you were so important, and I've said it before and others have said it, you would vote for policies that lift up people in your districts, that support them, that make it possible for them to build a family and a life in your district. Getting a college education does not automatically equal leaving rural Nebraska. We have had people come in front of the HHS Committee that want to be on the Board of Health, who went to medical school and went back to their communities because they wanted to be in their communities, because they saw a need that they could fill. And we should be seeing more of that. But if the conversation is we need more farmers represented in this body, we're never going to get more farmers represented in this body without it being at the cost of one person, one vote. And that's just inappropriate and wrong. You are saying to the rest of Nebraska that a farmer is more important than any other individual and that is wrong. That is wrong to say-- send that message to the families in Omaha, in Lincoln, to the families in Grand Island--

FOLEY: One minute.

M. CAVANAUGH: I'm sorry?

FOLEY: One minute.

M. CAVANAUGH: Thank you-- to the families in Grand Island, North Platte, Kearney, one person, one vote. Just because you live in a population-dense area doesn't mean you are less important, doesn't mean you will contribute less to the state. I don't know what the problem is with LB4 because nobody will tell me a real problem that they have with LB4, except for losing Senator Hughes's district in the western area, which is unfortunate. But a reality is that you have lost population in western Nebraska so you have to lose a seat, or you should. I'm sure you won't because we won't get out of here unless you all get disproportionate representation in this body, which I think should be criminal, but there we have it.

FOLEY: Thank you, Senator Cavanaugh. Senator Matt Hansen.

M. HANSEN: Thank you, Mr. President. And good afternoon again, colleagues. Colleagues, one thing I just do want to clarify, just for the record, because there's been some pretty strong allegations of this. I saw the map that was Senator Kolterman's amendment. Senator Kolterman's amendment referenced specific maps, which I had seen. I don't have a complete copy of all of them. I have a copy of the Lincoln blowup area that shows functionally all the changes, or at least all the changes that I was worried about. I was basing my

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knowledge on a real map that exists, that was in this room. This was not just words on a page. This is not a wink and a nod. This was a real map that a lot of people worked on for a long time, not myself. I'll be fully honest. I have not stepped on the map room; my staff has not stepped in the map room yet. But I can look at a map. I have talked with a number of members of Redistricting Committee. I've seen members of the Redistricting Committee kind of get gray hair in front of me talking about the map room. I understand. But again, AM27 exists and if it's not in all of your hands or you didn't see it, I understand, but it's not that we were all blindly led looking at words on a page. I-- I-- not going to hold it up for the cameras, but I'm physically touching a map of it right now, right here. It exists. The second thing I want to talk about is I really appreciate Senator Wayne's point on sacrifice or people having to give and take. I have mentioned it earlier today that both being term-limited and the kind of the current state my maps are in for my district-- and I understand it's not my district, it's the people's district, the people's district of northeast Lincoln, District 26. The maps as they exist cut out, I think, one, if not both, of the declared candidates to be my successor. There are people who care about my district, who live in my district, who are waiting to decide if they can run for it or not, thinking that they might be able to. And I'm not up here advocating to redistrict their neighborhood in because I would have to do a weird zigzag into what is either Senator Geist or Senator Hilgers' district, depending on the map, because they live at the very corner of a district. And I don't think it'd be appropriate to go out and demand, you know, five city blocks to go get somebody's house for political gain. That's the reality I am weighing with this. There was a desire to make-- on every map, there was a desire to take my rural areas and allow for stronger rural districts in Lancaster County, and my district got much more urban. I am now entirely inside the city limits, which I wasn't prior. And in exchange, I lost some of my edge of the city of Lincoln neighborhoods, and it is impacting real people who are making real decisions about whether or not they're going to be-- want to or be able to come into this body in the future. That's the kind of things that are weighing on me, and that's the kind of things that I've been OK with, say, voting for the Kolterman amendment, voting for my own amendment, Senator Wayne's map. This has implications and things that are weighing on me and are things that are impacting politics and people I know. OK, we've established that Senator Hughes doesn't want to move his district, that he apparently has enough people standing by him, that that district is unique enough or area is unique enough that they cannot be served by another senator or another district. OK. To Senator Wayne's point, somebody has to point out who or what or where, and it matters. And it matters. And

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similarly, I think Senator Kolterman has made a great point about his district in terms of his district grew. His district has to shrink a little. And instead it's getting-- it's getting nuked as opposed to a district that fundamentally cannot sustain and continue to sustain. I'm appreciative that we've spent time. I'm appreciative that I'm sh-- be getting the ability to share things about these maps. I'm appreciative that--

FOLEY: One minute.

M. HANSEN: --thank you-- that you can all listen, and I do feel that people are listening to me as I give this speech. These are things that are weighing on me, and I would love to know just what it is that we have to-- to do to-- to make it work. I've-- I've tentatively agreed or given a thumbs up to a variety of different maps for at least my area, my Lincoln area. But I don't know what the deal-breakers are anywhere else in Nebraska. And outside of we need more-- as many rural representatives as possible, I've not really heard anything clear. That's-- that's where I'm standing and that's where I'm at, so thank you, colleagues, and thank you, Mr. President.

FOLEY: Thank you, Senator Hansen. Senator Hughes.

HUGHES: Thank you, Mr. President. Good evening, colleagues. We're about two hours away from our eight-hour limit. So in having conversations with my colleagues, it's-- it's interesting, the process that we're going through, so I was wondering if Senator Lathrop would yield to some questions.

FOLEY: Senator Lathrop, would you yield, please?

LATHROP: Yes, I will.

HUGHES: Senator Lathrop, previously, just now off the mike, we were talking about you have gone through this process before. So ten years ago, can you give us a little of the flavor of what transpired then versus now? Is it-- is it really-- is it similar that we're-- I'm-- we've got to come to a-- to a resolution at some point. But during this process, is this kind of the same thing that happened ten years ago?

LATHROP: Well, OK, so ten years ago, I was not on the Redistricting Committee. I was on the Exec Board at that time. And remember, ten years ago, it was in a long session, so that committee had the whole 90-day session to meet. They didn't have to meet twice a day or some of the things that we've done to try to expedite this. It's really

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hard to make a comparison, but there is something transferable from that process. And that is this stuff-- this stuff ultimately, I mean, we can, and it is-- there is value to being on the floor and listening to our colleagues. But at some point, people need to sit down and go, OK, if we move this line here, can we move that line there; and if we do this with one district, can we do this with the other? I think that process has to happen. And as much as I'd like to see it done transparently, this is a hard place for that to happen in the debate process with an amendment on the board and trying to do it as we have been.

HUGHES: So do you recall the-- the bills that were reported out by the Redistricting Committee? Did they come out unanimous or were they, you know, 5-4, 7-2?

LATHROP: I-- I don't remember. I'd be surprised if they came out unanimously, but I don't remember, to be honest with you. I know that once they got to the floor, you know, they just kind of went one way.

HUGHES: I-- I-- before, as part of the Exec Board and looking at this process during last session, I did visit with the senator who was Chairman of the Redistricting Committee ten years ago. And he did share with me that all of the bills that came out, came out 5-4. So I don't know that the process that we're doing this-- this time around is probably that much different than what it was ten years ago. Now I don't know who was there 20 years ago, but just as some-- some information, background for myself when thinking about, quite frankly, whether I wanted to be on the Redistricting Committee. And in retrospect, I probably should have. I may have been able to talk Senator Wayne out of eliminating the 44th district right out of the chute. But I guess my point is, even though the bills, the two bills that have come out of Redistricting to this point, have come out 5-4, and that is not unusual. You know, it is a very political process that we are going through. It's-- you know, thank goodness it probably only does-- happens once every ten years. But the challenge we have is to get through this process till we get to the point where we can sit down with people on both sides and come up with a map that is acceptable. You know, clearly the 5-4--

FOLEY: One minute.

HUGHES: --coming out of committee is not acceptable. Unfortunately, I do believe that the tone and the tenor of the Legislature is probably a little more caustic than it was ten years ago, that the lines may be drawn a little harder between right and left, but that's something I think we need to overcome. That being said, I'm going to fight as hard

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as I can for my district. You know, I-- I admire Senator Kolterman. I mean, he's made a lot of good arguments. I don't necessarily agree with all of them, but he made them very well. So I guess the bottom line-- and thank you, Senator Lathrop, for giving us that historical background. But the bottom line is we will get through this process, one way or another. Thank you, Mr. President.

FOLEY: Thank you, Senator Hughes. Speaker Hilgers.

HILGERS: Thank you, Mr. President. Good evening-- good evening, colleagues. I wanted to give you a brief update as to schedule tonight and then tomorrow and most likely Wednesday. So this evening, just to be clear, we will get to cloture, it looks like. That will be at 8:12, at 8:12. It's important for us to get through this eight hours so that we can get this in the can, hear from everyone over the-- over the course of this debate about their concerns, and then over the next couple of days, a lot of real work will take place away from the floor where we can have maps, we can have everything in front of us, and we can have one-on-one conversations. So to-- in order to facilitate that, tomorrow morning will be a short floor day, will not be a very long floor day. So what we intend-- what I intend to do tomorrow after speaking with the Chair and Vice Chair is, we have PSC and judicial maps on the floor. We will take those up tomorrow morning, probably some noncontroversial confirmation reports. I don't anticipate that the debate tomorrow will go very long, so our floor work tomorrow will be short. Our work beyond that, though, will be long. I intend to be in my office with the Chair, with the Vice Chair, as long as it takes tomorrow night to make sure that we have as many conversations as we need to have with small groups, with other people who might speak for others, with any individual who has not had a chance to speak, has-- or it feels like they want to reinforce their concerns or the things they do like or the things that they don't like. Any and all of you who have any interest in these maps, please, not-- when we leave the floor tomorrow, come to my office, come talk to us, talk to others, socialize your concerns so we can, so we can work through those issues. I anticipate Tuesday will be a very long night. Anyone who cares about these issues and really wants to engage on it should be here at the Capitol and should be prepared to work. Wednesday probably will be a similar day, depending on how much progress we make on Tuesday. In other words, a short-- a small, short window of floor time in the morning with a long working session with the computers and with maps in the evening. I will have more to say tomorrow as to the, the greater timing. As you know, we are under the gun. We've been pressured by the delay in getting the census data. We are also pressured by the deadlines that have been given to us from our

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election officials. I will have more to say on that tomorrow. But every one of us should feel urgency, urgency to work together, urgency to make sure your concerns are heard. And, and also, I think, some willingness to really focus on the things that matter most to each one of us. There are hundreds of issues here. Not all of them are the ones that we're going to be able to address with the time that we have. So tomorrow morning, we will start at 9:00. It won't be very long, I hope, and we'll do a lot of work after that. Thank you, Mr. President.

FOLEY: Thank you, Mr. Speaker. Continuing discussion. Senator Friesen.

FRIESEN: Thank you, Mr. President. So Senator Wayne wants to know which district we should get rid of, and, and the question was asked in the hearings several times of people who are defending their districts, if not your district, whose should go. No one answered the question. No one took that challenge and said, oh, district such and such should go. And I-- when he, when he did that, I sat in the hearing and I didn't testify, but I was listening and I thought to myself, whose district should go? Should it be District 34? How was I going to make that decision on, on my part of what is best for, again, rural Nebraska. And that's how I kind of set my path and how I was thinking of this process. And, and if that's what we need to do to discuss here, that's what I'm going to do. So I, I looked at it like some of the areas out there are so large and I know we've had a population loss. And I'm not saying that the deviation number should be where it's at. I'm not-- we lost population. We're going to lose a senator. I get that. I'm not arguing that. But if I look at the areas that I would be willing to give up to help at least make people in rural Nebraska feel like they're not losing so much representation, I pick those districts closest to that Lincoln, Omaha market that are already kind of communities of interest. They're, they're bedroom communities of Lincoln or Omaha and, and would fit well because that's how they're growing. They're, they're basically bedroom communities of the bigger cities. And so when I look at rural Nebraska and how I want to make my decisions that's based on how can I protect their voices the most and those are the ones clear out west who feel already that we don't address their issues. We have not addressed the school funding issue. We have not addressed numerous things out there. And we're still seeing that population loss and we may continue to, but we're still the number one industry in the state. And so when you look at the trying to limit the damage and I, I don't have anything against Senator Kolterman, but his district is closest to Lincoln. It's closest a community of interest. Most of, most of his constituents in Seward probably go work in Lincoln. They fit together more. But when you take a, a district like Senator Hughes's from clear out there and

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just get rid of it and move it over to Sarpy County or wherever, you've now just increased the size of that exponentially. And I get that, we don't have the population. But are there better ways to do it so they physically can be represented yet in a fair and equitable manner? And which is the best way to do it in the interest of the state? So that's how I'm setting my criteria. And I, and I, I, again, when it comes down to it, something's going to happen. I get that. Senator Pahls, would you yield to a question?

FOLEY: Senator Pahls, would you yield, please?

PAHLS: Yes.

FRIESEN: So I, I think you were here previously also during redistricting. Can you kind of tell us what it was like and, and how that process worked?

PAHLS: Yes, I'll give you the Reader's Digest. I was very fortunate because I was, was with Senator Lathrop, Senator Aguilar, Senator Flood, and Senator Lautenbaugh. It was a totally different thing in many ways. But the thing we had going for us, we had much more time. So they talked to us. And I'll just give you an example. They talked to me because they knew I was--

FOLEY: One minute.

PAHLS: --term limited. So Scott says, hey, Rich, we may be doing some things with your district. And I said, OK, be gentle. He said he would be. Well, if you know Scott Lautenbaugh, his concept of gentleness and mine are two different things. The reason why, because I used to stand up and say, Rich Pahls, senator from Millard, Nebraska. Well, he took the Millard, Nebraska away from me. And, and like a lot of you in small towns, the water pipe, you know, the big stand, well, when it was Millard, it had Millard. When Omaha took it over, they, they took Millard off. So a number of us have been trying for years to get Millard back on. And we did do that. So I had a lot of ownership into that. But we spent late nights-- so I'm saying one thing, if somebody says would you mind doing this, and Lautenbaugh is a friend of mine,--

FOLEY: That's time. Thank you, Senator Pahls and Senator Friesen.

FRIESEN: Thank you, Mr. President.

PAHLS: Thank you.

FOLEY: Pause, pause the debate for a moment. Mr. Clerk.

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ASSISTANT CLERK: Mr. President, Committee Reports from the General Affairs and Business and Labor Committees concerning certain gubernatorial appointments. That's all I have at this time.

FOLEY: Thank you, Mr. Clerk. Senator Hunt.

HUNT: Thank you, Mr. Lieutenant Governor. Good evening, colleagues. Good evening, Nebraskans. For what it's worth, I don't think that there's a single person in Nebraska who feels like this Legislature has addressed their issues. Whether you're rural or urban or you're a Republican or a Democrat, I'm sure that there are plenty of things on your policy wish list. And so that is not a uniquely rural problem to be sure. I haven't spoken yet today about my feelings about LB3 or LB4 or about this process because my opinions about this process are pretty uncomplicated, honestly, and I'm ready to vote for the stuff on the board. I oppose LB3 because it's a partisan map that's designed to increase Republican power. Just say that, it is. I support LB4 in the form of AM26 because it was created with bipartisan support and there are people of all political stripes who are working on that to find compromise as evidenced by AM27 from Senator Kolterman. AM26 as LB4 is the bill that people are working on. Nobody wants to work on LB3 because nobody likes that map. People in the Legislature don't like that map and the vast majority of people in Nebraska don't like that map. And what's happening with AM26 and AM27, that's the process that I value, that's the process that my constituents in LD8 value and that's the only starting point that's acceptable to me. And for my time, it doesn't take eight hours to come to that conclusion. For District 8, my map comes out fine either way. I don't have any complaints to get up here on the mike and talk about in terms of how this works out for me. Looking at this, I get Lisa's Radial Cafe, which is great, I've wanted that from District 9 for a long time because it's the best diner in Omaha and it's a place that is dear to me. I have a lot of memories in my late teens and early 20s recovering there from the night before. And Senator John Cavanaugh is shaking his head at me because he knows I'm right about how great it is. I get Governor Pete Ricketts' house, which I've wanted for a long time. I lose UNMC, which kind of sucks because I was really proud of representing UNMC. But it's not like there's anything special about me that they need me to be their senator. They're going to be in good hands no matter what. So that's fine. My district is fine. LD8 is just fine. But I oppose LB3 because I stand in solidarity with my colleagues like Senator Brandt, Senator Dorn, Senator Day, Senator Wishart, Senator Cavanaugh, Senator Kolterman, who say that LB3 doesn't work for them, who say that it isn't right for their constituents. Regardless of how the map looks for my constituents, I

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know that my constituents want me to stand with my colleagues and make sure that their communities are taken care of as well. So when I look at these maps, I can't just look at my district. You know, I have my little wish list like we all do, but I can't be possessive about anything in my district. All I ask is that the district be drawn fairly. It would be really great if I could get drawn into my own district, which I am, thankfully. I want Dundee and Bensen because that's the core of my community. And other than that, you know, give me Lisa's Radial, give me Governor Ricketts, take away UNMC, like, it's all fine. Whatever has to happen to make the population right, that's what I want to happen for everybody. But that's not what's happening for everybody under LB3. And for that reason, I oppose it. Thank you, Mr. Lieutenant Governor.

FOLEY: Thank you, Senator Hunt. Senator Kolterman.

KOLTERMAN: Thank you, Mr. Lieutenant Governor. I guess it's evening. Good evening, colleagues. Wanted to talk a little bit about what has transpired thus far today. And first and foremost, I want to thank the 26 colleagues that supported AM27 to advance it. I have no problem whatsoever with Senator Hughes putting up a motion to reconsider. More than anything, I'm just tickled to death that the point has been made that we can all negotiate in good faith. And I think that's what our attempt was with AM27. So let me tell you how that all came about. As soon as I found out that my district was on the chopping block, so to speak, I didn't like it, which is exactly what every other senator in here would probably say if they told them they're going to eliminate your district and somebody else was going to represent you for two years. In two years, you can, you can have somebody run for District 23. I didn't like it. And so I decided, OK, I'm going to, I'm going to go find out who's going to stand with me, who's going to oppose it. And so I did what every senator in this room has done in times past, they went to their colleagues and they've said, can you support me on this amendment? Can you support me on this bill? And I found some real common ground with Senator Brandt and Senator Dorn, a couple of rural colleagues of mine who at the same time were told that their districts were going to be cut in half, so to speak, their rural districts were going to be split up and they weren't going to be able to represent those people that they'd represented in the past, not to the extent that they have. Now I will tell you Senator Dorn was a county commissioner in Gage County and he's done a tremendous amount of work for Gage County. And if I was Senator Dorn, which I'm not, but he agreed with me, I don't want to lose Gage County. But I think Senator Dorn, Senator Brandt, and I were also willing to take away some of our district, we're always willing to negotiate. So we sat down and we

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thought, well, what if we pull the Lincoln senators in because they're affected as well with what we're trying to do. And so we reworked the maps. And by the way, the maps are going to be online. Anybody can look at them. And I've got a copy or two over here. They're going to be passing them out to you. But my point is we didn't operate in a vacuum. We did what everybody in this body would do. When your, when your back's against the wall, you fight hard to find common ground. And we did find common ground. And Senator Lowe you said it was a ten-person deal. No, it wasn't. There was ten different senators involved with how it was affected. But the reality is, it was 26 senators, 26 senators supported AM27. And I never broke anybody's arm to get that done. I just cordially asked them, would you support me not losing my district? Would you support Senator Dorn? Would you support Senator Brandt? Would you support the ten or eight, seven senators in Lincoln? And they said, yeah, I, I think we can do that. So we used every tool in the quiver to help us get where we are today. Now am I smart enough to think that AM26 is going to advance? I don't know where that's going to go, but we started the dialogue. If we don't talk to each other, nothing happens.

FOLEY: One minute.

KOLTERMAN: And if people aren't going to listen to us, at least now they have to take us seriously. Because the reality is, we did have 26 votes. That's a lot closer than we've been on anything else that we've done in here. If you don't like it, get up and talk why you don't like it. That's all we did, we talked about what it would do to our rural districts, and we fought hard for that. So if I did something wrong, I apologize. But the reality is, I don't think I did a darn thing wrong. And I'm still smiling and I'm still taking deep breaths. So if we vote on MO5, Senator Hughes, and it does get reconsidered, the point's been made, we had 26 votes that said that we need to negotiate, we need to talk to each other, we need to communicate, and we need to ask for each other's opinions. That's what this is all about, and I'm convinced we're going to get it done.

FOLEY: That's time, Senator.

KOLTERMAN: Thank you.

FOLEY: Thank you, Senator Kolterman. Senator Lathrop.

LATHROP: Thank you, Mr. President. And good evening, colleagues. I'm going to take the Speaker up on his invitation to use this as an opportunity to share your concerns because I have some. The only map that we've let out of committee dealing with the Legislature is LB3.

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And so I'm going to talk about LB3 and my specific concerns so that you can hear them and know them. And I will be participating in the process, as I've been invited to by our Speaker. So the first concern I have is that when I look at the statewide map, we have used the deviation in greater Nebraska, most of these districts are minus four or in that neighborhood. That's a concern to me. That is a deliberate attempt, in my judgment, a deliberate attempt to use smaller numbers in these districts so that they represent 36,000 people and in urban areas or, or whatever the number turns out to be. I have other concerns and I want to talk about two in particular or two specifically. I have a concern if when we draw maps and we bring them to the floor, we are deliberately making a senator's-- an incumbent senator's district more difficult. I think that is happening in Senator Wishart's district, which she described this morning. The map that we have in front of us, LB3, takes 10 of her 14 neighborhoods out of her district. It changes her district dramatically and makes that a more difficult district. That makes it a more difficult district unnecessarily. Likewise, in LD10, Senator DeBoer's district, that has become, through a process of a bunch of lines that you can see on this map, it has become, for one of our colleagues, a far more difficult district. And I think that's intentional. I also have a concern for what's happened in the eastern part of Douglas County and specifically in Senator McDonnell's District 5, we've packed in 105 percent of the average, which forced Senator McDonnell into Field Club, which forced Senator John Cavanaugh into 20, into McCollister's district. That's an attempt to change the dynamic, change the voting leverage that certain constituencies have pushing, pushing McCollister's district further to the west. I think that's intentional and that is a problem for me. Senator-- LB3, I think, also moves Senator Day out to the western part of Sarpy County and it would be better suited where it is found in the map offered by Senator Wayne, which is AM26. Those are my specific concerns. My own district, pretty much we're the same, although we, we add a nick on there that makes it more red or more conservative and takes me over the deviation rather than under which Wayne's map does. But to accomplish this, if you look at, if you look at LB3, and specifically in Douglas County, you see some pretty strange looking districts. These aren't compact and contiguous. You can see in District 6, I don't even know how to describe that--

FOLEY: One minute.

LATHROP: --how to describe that other than it certainly is-- yeah, I don't know how to describe it, you can see it for yourself and try to come up with a description. I think that's an effort also to play with that district and make it less competitive for one of our colleagues.

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I don't think we should be sitting on the floor, it's one thing if we can't put maps together that don't do some things because there is no choice, but I don't think we ought to be making things more difficult for our colleagues in a partisan manner. And I believe that the things that I've indicated about Douglas and Sarpy County in that map are my concerns as well as what we do with the deviation. And I've spoken about that on a number of occasions. So those are my specific concerns for those of you that are listening, trying to take into account what the senators' concerns are with these maps and specifically with LB3. I don't think those things happen with the LB4 and what we've generally referred to as the Wayne map. Thank you.

FOLEY: Thank you, Senator Lathrop. Senator Flood.

FLOOD: Thank you, Mr. President. Members, I haven't spoken yet on redistricting, but I wanted to talk about the rural districts. I look at the urban districts and I really must defer to a lot of our urban colleagues because the neighborhoods in Omaha and Lincoln and in Sarpy County are not super familiar to me. So I'll be listening as a member of the Legislature to my urban colleagues. But when it comes to the rural districts, let me tell you what I'm going to base my vote on since we're in a posture of listening tonight, which I think's positive. I think that the economic development future for our state relies on hub cities. I think that hub cities have a responsibility to provide leadership for and opportunities and resources for the areas around it. When I think about my district here, Norfolk, it's entirely acceptable to me to take in northern part of Stanton County. That's our trade area. That's Highway 275. If I could have my way, I'd take the other half at Tilden, which, by the way, is bisected right on the county line down what is also called Center Street. But if I had to pick a district that we had to eliminate and move to Sarpy County, I would, and I've told Senator Williams this, I agree with moving Custer County into the 43rd Legislative District. I agree with that because Broken Bow, in my mind, is an absolute rural Nebraska leader. The people in Broken Bow are bucking the trend. They're doing things that are innovative. They have benefited greatly from Senator Williams' leadership, bringing Custer and Dawson County together. But in 2011, I remember former Senator Howard Lamb and others were in the Rotunda and they objected vehemently to Custer County going with Dawson County. Now only because of Senator Williams' leadership do those two counties stick together, I think, in a lot of ways. But I think that the 43rd Legislative District will benefit from having Broken Bow as a part of it because they are exceptional leaders. It's terrific in my mind that Dawson County has 25,000 people, a history of strong leadership. Is there a way that we could tie the leadership of Dawson County south

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and west around the Lincoln County area and preserve a nice district for that southwestern panhandle and then, of course, Dawson County as, as an anchor? I agree with Senator Hughes, we don't want to make that district much smaller out there because that is ground zero for where the South Platte flows in from Colorado. And friends, Colorado is taking our water. They're diverting it to Denver. And if we don't have a leader that comes from this part of the state in the next eight years, they will be drinking our water in Denver with pipelines straight out of the South Platte River and it will be gone. To me, strategically as a state, we need leadership in southwest Nebraska because it is on literally the front range of a major 20-year fight that this state is going to have with the state of Colorado. So that's important to me. I'm familiar with southeast Nebraska. I think Senator Slama's District 1 is wonderful that it could have all of Otoe County because before Senator Clements was in there and Senator Slama was in there and the people in Nebraska City had a, had a line through town. That was something that got fixed from 2011. If I could write the next chapter, I'd like to see Senator Dorn have as much or all of Gage County and then into Lancaster County.

FOLEY: One minute.

FLOOD: Gage County is its own thing. They, they have a trade area that comes up from Marysville, Kansas, and into Gage County and then on into Lincoln. And then I think of that Jefferson County west and I think of towns like Fairbury, Geneva, and the trade centers there, the leadership already exists there. And honestly, I would keep York and Seward Counties together. Now I didn't vote for AM27, and I'm not going to vote for any piecemeal solutions. And if anybody thinks that that vote did anything to advance the cause, it makes some people feel better. But it tells me that we're a long way from 33. So we can rearrange the deck chairs on the Titanic, it's sinking. Let's talk about how we're going to get from where we're at to 33 votes. And that's what it's going to take. And for me, it's pairing hub cities with the regions to make us stronger together. Thank you, Mr. President.

FOLEY: Thank you, Senator Flood. Senator Hughes.

HUGHES: Thank you, Mr. President. Would Senator Flood yield to some questions?

FOLEY: Senator Flood, would you yield, please?

FLOOD: Yes.

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HUGHES: Senator Flood, I do apologize to you. Generally, I try to talk to my colleagues before I ask them questions on the mike. But I guess similarly to the conversation I had with Senator Lathrop on my last time on the mike, the same thing I would like to ask you the same questions of do you remember how the votes were coming out of the Redistricting Committee ten years ago?

FLOOD: Yes, actually, I had pulled that information and I have different-- there were different votes. There was a, a cloture situation where we ended up going to 33 votes. And it really came down to Senator Karpisek of Wilber objecting to moving Saline County into the 3rd Congressional District. That's where-- do you want to talk about the legislative or the congressional maps?

HUGHES: I, I think both would be good information for the body. So the congressional, yes, since you started on it, that'd be great.

FLOOD: So the congressional map, the issue was Saline County, traditionally a largely Democrat county in terms of a majority of the population, Senator Karpisek really resisted the idea of going into the 3rd. It was a function of how the 3rd was going to be drawn in relationship to the 1st. And it went to, it went to cloture, I believe, more than once. And there were exactly 33 votes to get there. And it was a policy decision the Legislature made that caused Senator Karpisek, Karpisek--

HUGHES: Karpisek.

FLOOD: --a lot of concern. And he was very upset about it. And in fact, I met him in the hall today. He's still very upset and concerned about it ten years later. On the legislative map, what we did was essentially the rural senators sat down and figured out which district would be eliminated. And Senator Louden's district was the one that was eliminated. And he wasn't happy with that. Neither was Senator Harms from Scottsbluff. But the population was such that that's what occurred. And as part of that, we had the pairing of Custer and Dawson County, which, you know, ten years later I'd like to put back. That was not filibustered, if I remember correctly, on Final Reading, it may have been on General File.

HUGHES: So do you remember what the, the makeup of the Legislature was at that point as far as Ds and Rs?

FLOOD: There were 15 Democrats, there was 1 independent, Senator Chambers, and the balance were Republicans.

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HUGHES: So the Republicans had 33 votes to do whatever they wanted. Is that a, is that a fair statement?

FLOOD: By number, yes. I don't think it worked out that way, though.

HUGHES: So there was a bipartisan filibuster.

FLOOD: Yes, absolutely. And, you know, when, when I talked the other day about organizing along party lines or, or the comments I made, the reality is that there's only 32 Republicans in this body. By nature, there's going to have to be compromise. There should be compromise. There will be some compromise. I think right now there's more tension between maybe rural senators than there are among even urban senators. But the minute I say that, I can think about some urban senators that are upset right now, but.

HUGHES: OK, thank you, Senator Flood. I appreciate that, giving us that historical context to the challenge of doing this job every decade and with no institutional knowledge,--

FOLEY: One minute.

HUGHES: --and I, you know, and I appreciate the fact of, of Senator Lathrop and Senator Pahls and Senator Flood, the perspective that they bring to this job helping us get through this process and understanding how difficult this process is. Thank you, Mr. President.

FOLEY: Thank you, Senator Hughes. Senator Murman.

MURMAN: Thank you, Mr. Lieutenant Governor. I haven't spoke to this redistricting yet today, so I think it's high time that I let my opinions be known. I do want to thank the committee for their hard work in coming up with the, the map and, and also the alternative map. And no matter-- you know, they have a difficult job because like it's been mentioned many times today, you need 33 votes, not just 25 or 26. And I think whatever map they came up with wouldn't, wouldn't have gotten 33 votes. So it's hard for me to see right now how, you know, how we can accomplish that. How are we going to get 33 votes? I didn't vote for the last amendment because, you know, it's pretty easy to get a group of senators together and-- or relatively easy at least, to make some improvements to their-- the districts they represent and then have the support of the balance of the body to, to get the-- half the votes. But to get 33, that's going to be a lot more difficult. Specifically to District 38, I like LB3 much, much better than AM26 because I can represent the district much better the way it's drawn in LB3. It puts my home relatively close to the middle of the district.

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It's, I think, less than 50 miles to any point in the district. And the district is flatland in general, irrigated corn, soybeans, small towns. It's all in-- pretty much all in the trade area for Hastings especially, but also Kearney and Grand Island. And, you know, it's my neighbors. I can-- I know their concerns. And that is kind of the heart of the area that I campaigned in. Of course, District 38 will probably change a lot no matter what map we, we end up with. I hate to lose most of Phelps County. Most likely I'll do that, probably all of what I represent in Buffalo County. In AM26, I will lose Kearney County and that's-- those are all kind of the population centers of the district. So it's going to really hurt how I can represent or the, the people that elected me to represent them. And also with AM26, it-- you know, I'll do the best I can, but it makes it really difficult for me to represent well the western end of the district, it adds about a hundred miles on to the western end of the district. To be honest, I've only been out there about twice in my lifetime and I'm not a young man. So not that I can't learn how to-- learn the concerns of that part of the state, but it'll-- I'll have to kind of start--

FOLEY: One minute.

MURMAN: --all over again out there. And remember, with LB3, I said I was within 50 miles of any point of the district. And again, with AM26, it'll add over 100 miles onto the western end of the district and I'll be somewhere between 150 and 200 miles from the western end of the district. McCook is out there, one of the-- would, would be one of the bigger populated, might be the biggest town in the district according to AM26, so it would be difficult to represent them. So with the amendment we passed, that's not a complete map, it does change how LB-- or District 38 would be configured, and that's why I couldn't support that amendment. We have to look at the whole picture. I do feel LB3 does improve somewhat the disenfranchisement of rural Nebraska.

FOLEY: That's time, Senator.

MURMAN: Thank you.

FOLEY: Thank you, Senator Murman. Senator Slama.

SLAMA: Thank you, Mr. President. And good evening, colleagues. I, I left for class and things seemed to escalate quickly after I left so I came right back. I'll be on the mike for a few times. I'll ask a few colleagues questions. First off, Senator Clements, would you yield?

FOLEY: Senator Clements, would you yield, please?

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CLEMENTS: Yes.

SLAMA: All right, Senator Clements. So for the amount of time that we've been in office together, we've, we've shared Nebraska City and I think we've had positive experiences with that, right?

CLEMENTS: Yes, very much so.

SLAMA: And it's been great. Just to give a little bit of context to this, Senator Flood referenced it earlier. I-- Senator Clements and I share the community of Nebraska City, and that's, that's worked out well for us. We can attend events together, share our thoughts as we leave. We can take shifts if there happens to be an event that one of us can't go to. We always make sure that the other can be there. And it's been a positive experience. How do you feel about losing your part of Nebraska City, Senator Clements?

CLEMENTS: I've been very pleased with representing Nebraska City. I saw the mayor at the parade Saturday, spoke with him, and you and I have both talked to the school district, the superintendent, and none of them have ever expressed a concern that their city is split. I think they've expressed that they like having two senators represent their city. Now as far as losing that, I, I saw on the map early on that your district is short of population and that's a reasonable, logical place for you to add citizens because otherwise you have to go across the county line somewhere.

SLAMA: Sure, but personally you would consider that as being a tough loss for you because Nebraska City is a wonderful community.

CLEMENTS: Yes, I've, I've been happy to represent it and only giving it up because of the numbers. Correct.

SLAMA: Thank, thank you, Senator Clements. Senator Lowe, would you yield to a question?

FOLEY: Senator Lowe, would you yield, please?

SLAMA: Senator Lowe.

LOWE: Yes.

SLAMA: Thank you. Do, do you want to lose your district?

LOWE: I don't have a district, the district has me.

SLAMA: That's, that's a wonderful answer.

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LOWE: I, I don't believe they would like to lose me at this time.

SLAMA: Yeah, you're, you're pretty popular around that neck of the woods, so I hear.

LOWE: I do OK.

SLAMA: So if, if it were to happen, the, the maps would be redrawn to where you lost a good chunk of what your district looks like now. I mean, you even got moved to a district, say, towards the east like Omaha. Would you go around and try to lobby a majority of your colleagues to keep that from happening?

LOWE: Yes, I would.

SLAMA: Yeah. Well, thank you.

LOWE: I definitely would because I know the people, they know me. I believe I represent a good majority of the people. It-- it's been a pleasure representing the 37th District.

SLAMA: I, I think they're, they're very well represented in here. Thank you, Senator Lowe.

LOWE: Thank you.

SLAMA: So my point here is, and, and normally I don't go off on these lines of questioning, is that no one wants to lose parts of their district. No one wants to lose all of their districts. We're politicians. We get elected in popularity contests. We have these relationships. We have great relationships with our districts. That's how we got a majority of--

FOLEY: One minute.

SLAMA: --those voting in our district. Is that time? Oh, thank you, Mr. President. That's how we got a majority of those voting in our respective districts to send us here to Lincoln to make policy. We can approach this. And if I would have been on the floor during the vote on AM27, I would have opposed it. As such, I am in favor of Senator Hughes's reconsider motion because we can't approach redistricting in a piecemeal approach. We'll play musical chairs and the person left hanging will be the Nebraska people. The losers in all of this, it might come down to one senator having a chair not open for him in a rural district. But at the end of the day, Nebraskans lose by us fighting over a piecemeal approach. So please, I hope we can regroup

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and have some more constructive solutions than a piecemeal approach in the days to come. Thank you, Mr. President.

FOLEY: Thank you, Senator Slama. Senator Erdman.

ERDMAN: Thank you, Lieutenant Governor. Good evening. I was listening to Senator Lathrop and his explanation about the districts and I don't see him on the floor here. I was going to ask him a question. He had made the comment about it makes a district more difficult. I'm not sure exactly what more difficult means, but let me share, let me share this little tidbit with you. In 2019, in November, I asked my legislative assistant, Joel Hunt, to join me in the district for town hall meetings in each one of my district towns. And so he did. He came out on a Sunday afternoon and so Monday through Friday we made a trek across the district and had a town hall meeting in each community. At the end of the week, I had driven 957 miles and never left the district, 957 miles. So I don't know whether Senator Lathrop was referring to the difficulty getting around your district or if it was he was referring to the difficulty of the people in the district. I'm not sure how it could be difficult representing 40,000 people in a six-square mile area or less, but maybe he had some connotation there that I don't understand. So difficulty can be described in many ways. But I would say that Senator Brewer probably has the most difficult district in the state. He probably has 4,500 square miles, 300 miles from one end to the other east to west, and 150 north or south. Now that's difficult, and I don't know how you can get much more difficult than that. So as I said earlier, I don't care where my district is as far as the relocation with the six counties or ten counties, because I'll continue to represent those people who have an issue-- issues and needs that need to be represented. But Senator Flood had made some comments and suggestions about how we go about fixing the map. And I think we need to listen to those kind of comments because he's offering solutions to the situation that we find ourselves in. And so instead of throwing up a AM27 with a map that may come later, and I think maybe he has submitted one to us, we, we need to have a discussion about those kind of issues Senator Flood brought up. And so as we proceed forward here and I think it's been mentioned several times, there's not 33 votes to advance anything. And unless we do something today or at the latest tomorrow, we will not get out of here this week. So I think the Speaker kind of gave us a hint on that. And so if you want to be here over the weekend until next Monday, Tuesday, Wednesday, whatever it takes, just allow this to continue. But we need to sit down and have a discussion about how we draw the maps so it makes common sense. Thank you.

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FOLEY: Thank you, Senator Erdman. Senator John Cavanaugh.

J. CAVANAUGH: Thank you, Mr. Lieutenant Governor. I haven't talked in a while, but it's been really interesting to listen to everybody. I, like Senator Lathrop, just want to take this opportunity, and I think Senator Hunt before me, to discuss what specific problems I have as it pertains to the district that I've been elected to represent. As Senator Lowe adequately points out, it's not my district, but I've been chosen to represent the interests and the, and the desires of the people in the current District 9. And in that capacity, I sat through the hearing here in Omaha last week and I heard several people from District 9 come and testify that they were not happy about the Field Club neighborhood being moved out of District 9 and into another district. So District 9 is generally bounded by 480 on the east and 72nd on the west in the current iteration, which includes the Field Club area, which is on 32nd & Center and historically has gone as far east as the river when it was bounded by the river on 36th Street. And both of those times, from that time to now, Field Club has been a part of District 9. And as the testifiers testified, the, the neighborhood association, they call it, the Homeowners League in Field Club, has put in a great amount of effort to build relationships with their elected officials. They've invited me to many events and I participated in many of them, but they've worked hard to build a rapport and relationship with the other neighborhoods. My district, the district I represent, has a strong neighborhood organization. I know a lot of folks here talk about their towns, but midtown Omaha, we talk about our neighborhoods and we have Field Club, we have Blackstone, we have Morton Meadows, we have Aksarben/Elmwood Park, we have Joslyn Castle, we have Gifford Park. And currently we have part of Bemis Park. We have part of the Beals Neighborhood Association. We have part of Hanscom Park. And so there's a lot of these neighborhoods and they all-- and Leavenworth Neighborhood Association. Sorry, I couldn't forget Leavenworth. And all of those neighborhoods work together in terms of their engagement with the elected officials, engagement with the city, engagement with the state, and for activities like neighborhood cleanup that we're having coming up on, I think, on October 23, at least in part of District 9. So generally, that's the, you know, consensus of the people in District 9 is that they would like to stay as contiguousness as possible and have had that conversation. And I agree with that sentiment. I-- my biggest issue, though, with these maps are similar to, I think were articulated by Senator Hunt, is that-- and by Senator Lathrop, that District 9's deviation is 4.98 percent, which is a population of 42,023 people. Whereas, say, a district out in District 48, which is a negative 4.35 percent deviation, which means essentially that the

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people in District-- there are more people in District 9 than there would be in District 48. And I would say Senator Erdman just, you know, accurately, I think described some of the challenges that are faced by people who are chosen to represent much larger geographic areas. And I have talked about this many times today and I will continue to talk about it as we go through this process, but there are challenges associated with larger territories. But fundamentally, the constitution charges us to get as close to one person, one vote as possible, and that the size of the territory is not one of the things we can consider. So in Reynolds v. Sims in 1964, the Supreme Court said "Legislators represent people, not trees or acres. Legislators are elected by voters, not farms or cities or economic interests." And it goes on to say: And if the state should provide that the votes of citizens--

FOLEY: One minute.

J. CAVANAUGH: --in one part of the state should be given two times or five times or ten times the greater weight of citizens in another part of the state, it could hardly be contended that the right to vote of those residing in the disfavored area had not been effectively diluted. And so what I'm here to do is to represent the rights of the people in my-- the district I've been elected to represent, as well as the other people in the state of Nebraska, and say districts that unnecessarily dilute the vote in any district is not going to be acceptable. And so those are the maps that I'm going to be looking at going forward when we're negotiating this, not just the bounds of District 9, but the overall deviation and the reason for it. Thank you, Mr. Lieutenant Governor.

FOLEY: Thank you, Senator Cavanaugh. Senator Williams.

WILLIAMS: Thank you, Mr. President. And good evening, colleagues. Everybody's got an idea of how to solve this problem as long as it doesn't involve their legislative district. I've heard from a number of my rural senator friends and colleagues that if they are asked about it, their answer is simply: not mine. Heck no. I'm here to tell you I'm willing to talk about my district. I'm willing to consider alternatives, and we've been working on some things with that. But there are some things I also want you to know when, when a colleague that I have great respect for, Senator Flood, gets up and talks about my district when he doesn't understand my district, then I think we need to set some record straight. I was fortunate or unfortunate to acquire a legislative district that included all of Custer County when for many years Custer County had been part of the Sandhills District, District 43 currently served by Senator Brewer. I worked really hard

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to be sure that they understood that our job as a senator is to represent them and to do those kind of things. And last week when the hearing was held, a fairly large contingent of people showed up supporting keeping Custer County into what is the district that I'm honored to serve. Here are some differences that you might not know and that I hope Senator Brewer recognizes if he acquires Custer County. There are over 100 wind turbines in Custer County, and Custer County is very supportive of wind and solar energy. In addition to all of those wind towers, there are at least five solar arrays. How does that fit with the representative that will represent them if they become part of the Sandhills District when that senator has clearly been opposed to any growth in that kind of industry? The R-Line that has been discussed many times is strongly supported by Custer Public Power, which is located in Broken Bow in Custer County. There again, how's that going to fly with people? School safety, last year we had a bill that was supported by all 13 school districts in my legislative district supporting the school safety. Senator representing that district voted against that bill. School choice, something that we've talked about over and over. Every school district in my legislative district has contacted me to not support school choice. Senator they will have now supports school choice. The hospitals in my legislative district, we work tirelessly to work with them with managed care and how that has affected their collections, especially the reimbursement from Medicaid. They're in lockstep because they have a unified voice on that issue. The senator will find there is a great distinction in the brand laws and how those are interpreted in Custer County--

FOLEY: One minute.

WILLIAMS: --versus the rest of the Sandhills District. Custer County is a very diversified ag district. It has large production facilities with cattle, hogs, corn, beans, and it has a slaughter facility just about 30 miles south of Broken Bow where Adams Land and Cattle is located. So it may look like to some that are not acquainted with the details of boots on the ground that it doesn't fit. I'll tell you it fits and the people of Custer County believe it fits. The other thing I would tell you, not all of the Sandhills District would like to have Custer County back because Broken Bow and Custer County are the big dog and they should be in that district. I am certainly willing--

FOLEY: That's time, Senator.

WILLIAMS: --to talk about my district.

FOLEY: That's time.

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WILLIAMS: Thank you, Mr. President.

FOLEY: Thank you, Senator Williams. Senator Pahls.

PAHLS: Thank you, Mr. President. I'm glad that I had a chance to hear you, Senator Williams. You're the prime example that the senator should not fit the district, it should be the other way around. And if that-- anything does happen, I hope you'll be the mentor to the new senator because it's-- you gave an awful lot of information that I did not know about that county. And it sounds like you're invested in that. Other than being a banker, you've quite invested into that particular area. And I appreciate that. I hope all of us have-- can describe our own county as well as you did. Earlier when Senator Flood was speaking about what it was like in the past, and I don't want to dwell too much on the past, but one thing that caught my attention, and I think this may be a direction that we ought to be thinking about going, he said the rural senators sat down and they decided, they, it wasn't urban, it wasn't Rich Pahls or other urban senators who decided it. They did because they know their area better, like I had no idea what's going on in the area that Senator Williams described. And I have a feeling he probably doesn't have an awful lot of ideas that, hopefully he doesn't, about what's going on in the district that I represent. He has some, but it has some different characteristics. So the idea of having a group of you, and I call-- you're friends, look at each other eyeball to eyeball and say this is the way we should do it. I also think in the urban areas, it ought to be an eyeball to eyeball to those senators who are living in the urban areas. Why should a senator in the rural area be telling the senators in the urban areas what it's like? Because I'm sure many of you do not-- if I talk about the midtown parts of the Old Market, the Benson area in Omaha, you probably-- I'm assuming many of you would not have as detailed information as those of us living there because it's very unique settings. So why not have the urban senators eyeball with the urban people on the committee. We have a couple senators on the-- from the urban areas on there, they can make that decision. They take a look at the map. This really makes sense. This neighborhood really fits here. I should stay out of your area when it comes to making decisions with and vice versa. I have a feeling if we look at each other sincerely across the table, it could be done. I don't mean one or two, several, and I don't mean just the committee. Spread it out a little bit, that way you get support. One reason why I had a no vote on the first time around in a congressional district, because I used to work down here with Scott Lautenbaugh, and I'm telling you, Scott Lautenbaugh knew how to do it. Whether you liked it or not, he knew how to make things happen. As I said earlier, how he sort of talked me

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in my old district and he had me smiling as he whittled away at it. We need somebody to stand up and say, hey, this is the way it should be. But what he caught my attention when we were looking at the congressional district, Scott Lautenbaugh drove it--

FOLEY: One minute.

PAHLS: --home that Douglas County was the core of District 2. That's one reason why I didn't vote for that, didn't vote yes or no, because I needed more information. But I also liked the idea because I have a little bit of that kind of a background, look at it mathematically. Take the emotion out of it. Take a look at what the figure's like, then it doesn't become an us and them situation. That can be done if we take a look at that information, involve the senators so they feel comfortable, so nobody feels like they're going after them. I feel OK with my District 31 because it's just gotten a little bit larger, basically looks the same. So I mean, hey, that's great. But somebody else, you may have played with theirs and they feel violated whether they have been or not. But if we get together, rural take a look at rural. You know your clientele better than we, and then--

FOLEY: That's time, Senator.

PAHLS: --urban. Yes, thank you.

FOLEY: Thank you, Senator Pahls. Senator Groene.

GROENE: Thank you, Mr. President. I appreciate the Speaker raising his voice because there was a lot of partisanship going on. I try to be a realist and you start with this, one rural district has to disappear. Which one is it? And I look at this map, I keep looking at this map, I think I'm safe. I got 35,000 people in my county. I just need another three to four so-- and as Senator Flood said, it's a, it's a trade area. So is Alliance and so is Broken Bow and so is Grand Island and Kearney. There are a lot of smaller-sized communities in between. So I look at it and say, which ones make more sense? And I've got to say, it's-- I don't care who represents it, the district of, of Senator-- where Senator Kolterman is makes the most sense without disrupting the people. York and Polk County fit right in to who Senator Friesen is. Same rich farm ground, you can't tell the difference between Hamilton and, and York County. You can't tell the difference between Aurora and York. Same interest. Polk, same way, fits in there with Merrick without much disruption. You go further east, you look at Seward and Butler, pretty good match, Saunders bordering on the larger metropolises, people commute. It fits, it fits without a lot of disruption and it's able to fix the whole rural thing north, east--

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north and west and south. All right, so that don't work. Where do I go next? Now remember, you got to have a district that's got a whole bunch of needy districts around it, that you have to split it up. The next obvious one is District 36. It's the most obvious one there besides 24, because you can take that, you can take Custer up north. Now Custer County lost 3.6 percent of its population, too. Broken Bow's been trying to grow. So is North Platte. So is, so is Gothenburg, Cozad, all of them has lost population. Some a little less than others, Lexington's booming because of the cattle, the, the slaughter plant. But it fits putting Dawson and Buffalo, keep them together and add a little bit of Phelps into it. It fits. Custer goes that way, Lincoln County goes south to Frontier and Gosper, there's better. I really like Senator Wayne's map better because it fits in the trade area going to two counties to the north, McPherson and Logan, newspaper covers that area, their TV station does. That's a trade area for those folks coming into North Platte. Now all right, so we're going to vote that one down. Where do we go next? Then we go look at Senator Friesen's existing district. That doesn't make-- oh, somebody would say that makes sense. Start pulling that further west into Hall County and Merrick and moving into Howard, Polk. I don't know if, if I had to draw a line where I thought the dryland started and the irrigated--

FOLEY: One minute.

GROENE: --I mean, it's a whole culture. It's not just ag by the way, my district is most-- Senator Cavanaugh, this isn't ag verses urban. All of these community-- every one of these districts have more people living in town than they have people living in the rural districts. But the whole culture, the whole economy circles around the number one industry in our state, agriculture. Senator Friesen has by far two to three times as many urban people as he has rural. I am the same way. So is every, every rural senator in this body. But it's trade areas, I like the way Flood said it, of interest. That's the only one. Then you go to Friesen's, then you go to Senator Gragert's far off there. Twenty years ago I talked to the Lieutenant Governor, they took the northeast one, Cap Dierks's District 39, fought tooth and nail, filibuster and everything. He was a sitting senator because-- before term limits. He fought tooth and nail and he--

FOLEY: That's time.

GROENE: --lost in the election and he lost his district, too.

FOLEY: That's time.

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GROENE: There's reason people fight.

FOLEY: Thank you, Senator Groene. Senator Dorn.

DORN: Thank you, Mr. Lieutenant Governor. Thank you for the conversations we're having here on the redistricting or whatever. Some of the comments have been made, they sure make you, I, I call it, think for a minute about what's going on or maybe what-- why certain things are happening the way they are. Want to refer back to a couple of things Senator Lathrop mentioned about the over 4 percent and the map that Senator Linehan passed out here this morning. And this is just a map of Nebraska, this doesn't break down Lincoln and Omaha senators. There are 5 people that have districts on this, out of 29, 5 have over 4 percent. So I also went and looked at Senator Wayne's map. And again, it does the same thing, it doesn't-- Senator Linehan's map had a couple more out of Omaha, but it, it has 26 numbers on here, rural areas. Basically, that's what it is. Well, guess what? It also has five out of all of these listed here that are over 4 percent. Now I'm not, I'm not pointing that out to make a problem with that or nothing. That's part of I call it the redistricting. You know, we can pick out certain areas or certain maps and really dwell on those and go, hey, this we can solve or we can adjust this or change this. But these maps are pretty much in that respect what they are showing, they're the same. Now I want to point out again, because Senator John Cavanaugh brought up the point that in District 9, on the one it's over 4 percent. Well, on one of these maps, it doesn't have that one on there. So it doesn't bring out the Lincoln and the Omaha senators into this equation, but they both have 26 and 29 districts. The other thing, when you look at the statewide maps, because when we had the amendment there earlier today, part of what the discussion has been on, you can't just correct one or come up with a solution to one part, you still have to have the statewide map. When you look at these two maps and set them side by side and look at those and you see the different lines where they're drawn, yes, there's a difference. But one of the, I call it the most glaring thing, and Senator Brewer isn't, isn't commenting on this, but you look at his district or that district and you see the size of that, it's almost 20 percent of the state. It's huge. And yet then we also have to realize that we have Lincoln and Omaha districts that, I don't know, they might be 10, 15 blocks by 15, 20 blocks or whatever. So we're trying to make this fit all of those different areas. And I-- yeah, Senator Erdman, would you yield to a question?

HILGERS: Senator Erdman, will you yield?

ERDMAN: Certainly.

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DORN: Certainly. Thank you. You're, you're, you're the district way up in the northwest corner.

ERDMAN: Right now, yes.

DORN: Right now you are. And I think you were the district with one of the greatest need for, I call it, more population moving into your district or changing it. OK.

ERDMAN: Yeah, close. Yep.

DORN: Because you're along, I call it, you have a north boundary and you have a west boundary. Where are they going to go to get your population?

ERDMAN: Well, according to LB3, they're going to move me south to the southwest corner. I get four more counties, five more counties in the southwest corner and LD-- LB-- excuse me, that's LB4, and LB3 gives me--

HILGERS: One minute.

ERDMAN: --ten counties-- or six counties and it extends me down a little further so it doesn't make a difference to me. I have a district that's enormous and, and I'll represent whoever it is. So whatever you give me, that's what I'm going to get. I mean, I'm not here whining about what they're giving me.

DORN: Yeah, but-- thank you, but what I wanted to point out was there you only have two directions to move east or south.

ERDMAN: Correct.

DORN: You don't have four. You pick some of these districts in the center of the state. Now we can adjust those, I call it, four ways, probably won't or whatever.

ERDMAN: I live closer to three state capitals than this one.

DORN: Yes. Thank you. And the last thing before-- I'll, I'll make one quick comment, listening to Senator Murman there and he made the comment about how driving 100 miles would be a challenge. I'll just make this comment to Senator Murman. I really admire him for one thing, anybody that's going to climb Mount Kilimanjaro, I think you can drive 100 miles. Thank you.

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HILGERS: Thank you, Senator Dorn and Senator Erdman. Senator Linehan, you're recognized.

LINEHAN: Good evening, Mr. Speaker. Good evening, colleagues. I was down in my office and I wasn't going to come back to the floor but, and I'm not even going to mention names, but I think anybody who gets up on the floor and says this whole problem is a lack of leadership is doing the body a disservice. And it's offensive to me, and I assume-- well, I don't even have to assume, I'm pretty sure it's offensive to Senator Wayne. I made a mistake, clearly, when we looked at the numbers. And I didn't find Senator Kolterman and drive to him. I did call him before I talked to anyone else. I didn't call, like, 25 senators and say, let's go do this. I called him. Then-- well, I can't even remember, Thursday, we had a hearing in Omaha, which people were sent to with talking points, whether they were tweeted out. Well, first of all, a great number of them had the wrong maps because maps were tweeted out that weren't the official maps. But it was their turn to speak, and I didn't argue with people. I didn't like being called a racist again and again when the maps I drew had all, not all, obviously, but the majority minority districts in my congressional map. And then today, I sat here and heard several senators say that I am purposely messing up their neighborhoods. Senator John Cavanaugh, would you answer a question?

J. CAVANAUGH: Yes.

LINEHAN: Have you and I talked about your district and how it relates to Senator McDonnell's district?

J. CAVANAUGH: Yes, we did talk about that.

LINEHAN: And did I tell you I don't care where your line is?

J. CAVANAUGH: You did say that.

LINEHAN: OK, thank you, Senator Cavanaugh. Not only have I said that today, but in meetings, I think, with the press present, because we never did go into Exec Session, I told the Democrats, I thought the place we could start would be in Douglas County. Because we have, I think, six or seven districts represented by Cavanaugh, Cavanaugh, Hunt, McKinney, Wayne, I'm going to forget somebody, McDonnell, that I don't know those neighborhoods. You guys draw those districts. I said it several times. But doing that wouldn't fit the narrative that has been planned out before we ever got here. Going back to the narrative that we were going to somehow split Douglas County and divide up the minority and weaken the minority voice. So, though, we didn't do that,

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that still was the talking point. We had multiple hearings where there's been a motion to go into Exec. And the whole time I've been here, and I've not been here a long time, I welcome Senator Flood's comment or Senator Pahls's comment, we couldn't go into Exec. Well, they wanted to go into Exec, but they only wanted the five Republicans to vote into Exec because the Democrats wouldn't vote to go into Exec. So there's been a whole narrative played out here that doesn't fit with the facts. I, I don't care where--

HILGERS: One minute.

LINEHAN: --Megan Hunt and Machaela Cavanaugh's district meet. I never have. I never intentionally put anybody out of their district, though it was tweeted that I did. So I'm a big girl and I can take a lot of punches, but I would like them to have some connection to what's really going on. Thank you, Mr. President.

HILGERS: Thank you, Senator Linehan. Senator Erdman, you're recognized. This is your third opportunity.

ERDMAN: Thank you, Mr. Speaker. I appreciated what Senator Linehan said. Thank you so much for that. I'm going to refer back to some comments that Senator Williams made about my friend Tom Brewer, Colonel Brewer. So he is of different opinion than Senator Kolterman, so we can't put Custer County into a different district because he's not for wind energy, he's not for solar energy, and he's on the wrong side of the brand committee issue. I don't know if Senator Williams realizes this, but there could be somebody elected to replace him that has exactly the same opinion that Senator Brewer has. Unless he is going to name his successor, he may not be able to control who that is. So I'm quite sure that if that transfer happened, that the wind towers would stop turning and the sun would stop shining and all of the brand committee issues would actually fall apart. And I want to tell you, I've been to some of those workshops that the Ag Committee had on the brand committee. I attended the hearing that they had on the brand committee and I've never been exposed to such arrogance as I did from the Darr feeding company. They had the gall to stand up at the hearing, sit down there and say the brand committee should be paying us, we shouldn't be paying them. And he said it twice. So there are issues that need to be dealt with, and just because Senator Williams believes he's on the right side of all those issues doesn't mean necessarily that the next person is going to agree with Senator Williams. So we'll see who gets elected. We'll see what we do there. But I think it makes sense to make that change and we'll see what happens going forward. So I dis-- I, I dislike the fact that because Senator Brewer has a different opinion, he shouldn't have that

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district because they wouldn't be represented. Senator Brewer will represent them to the best of his ability. Thank you.

HILGERS: Thank you, Senator Erdman. Senator Machaela Cavanaugh, you're recognized.

M. CAVANAUGH: Thank you, Mr. Speaker. Colleagues, I forgot to mention this before and it keeps coming up so I think it's kind of pertinent to say. Yesterday was Mike Boyle's funeral services in Omaha. And the night before was sort of what we called an Irish wake at a bar to celebrate his life. And the story that I heard multiple times that is applicable today is Mike would always say, if you say something three times, it becomes true. Now most of us, all of us get three times on the mike and I've heard so many people create elaborate fiction in the remarks on the floor today. So I guess that's the rule, that it's true once you say it the third time. I wanted to speak to the fact that I've heard it multiple times now from individuals in this body that are disparaging about public comment. I value the public's comment and I want the public to know that. I read your emails. I read your letters. If I'm on a committee and you submit a letter electronically, I read it. When I'm in Executive Session, I look over all of the documents that people have sent to see where the people are on an issue. I am here to represent the people of Nebraska and I will not diminish your voice. I will listen to you. I will take in what you have to say. And I will not say that you are saying something that I disagree with is because you were spoon fed it by somebody because you were giving talking points. I know that people show up to hearings for bills with talking points from different advocacy groups. Sometimes I agree with them, sometimes I don't. But I would never have the audacity to tell the people of Nebraska that just because they came to me with somebody else's talking points that they weren't real, that they didn't care about them. I find that very disturbing. And it has been said multiple times by multiple people in this Chamber tonight. The people of Nebraska deserve better. They take the time to write you a letter if they can't come or they take the time to show up in person. And you say that that doesn't matter. Then why, why do it? Why even show up yourselves to listen? Don't show up to a public hearing if you don't care what the public has to say, that is disrespectful. That is the height of disrespect to the people of Nebraska. I just want to end with there's been a lot of discussion about the shape of my map. I think Senator John Cavanaugh called it a salamander. There's been some discussion over what it looks like, perhaps a drill or a grappling hook. I think the grappling hook is the closest one. If anybody wants to come and see what my district looks like versus what it looked like, I have it sort of drawn out here on my page. The--

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that 17 percent that I would continue representing of my district, the other-- the, the new 83 percent, 82 percent is all from Senator DeBoer's district. All of it. Every last person is from Senator DeBoer's district. So don't tell me that that wasn't intentional. And I noticed that Senator DeBoer was not one of the districts mentioned in Omaha that we didn't care what it looked like. Thank you. I yield my time.

FOLEY: Thank you, Senator Cavanaugh. Senator Pahls.

PAHLS: Thank you, Mr. President. I do hope that after listening to Senator Linehan and the feelings that she has that she's getting from some of us and from the public, for that, I do apologize. If I have said anything or even if the body has anything that's extremely negative, I apologize for that. Mine in no way was any attempt to belittle anybody. I just thought that by having the urban senators take a look with the committee, take a look at the urban areas, it would cause less feeling of, of whatever's out there. And same way with the rural areas. If the senators there feel like they have input and not just on the committee, we wouldn't have some of these amendments that have been brought forth. Because I think it's a feeling of frustration, not out of anger, but just frustration because, because they want to be part of that process. And to be honest, when it comes to the rural, urban area, sometimes that really affects me because there are I know some of us in the urban areas were born in the rural parts of the country. In fact, when I go to my hometown, you almost-- there's an aching because you see a town that is slowly dissolving. When I was a kid, it was a bustling little community. And I can tell you some of the reasons why it's not. But that's not what I'm going to go into tonight. But I have no joy in going to a small town and seeing it slowly dissolve. But I will say one thing, this summer as I went through a town that I had lived for several years, Atkinson, Nebraska, now they must have some new things happening in that town because that core of that small town, no, it's not Omaha, but they had a lot of neat little things going on. So I attribute that to the leadership of that town. And I think that's a lot of those little towns like O'Neill that I'm familiar with, I think happens to do somewhat with the leadership that's caused those things to happen to make young people want to come back to their town. Now I'm going to speak to Senator Friesen if he's still up here, because I am trying, to be honest with you, and he knows this, I'm trying to find some way to help those schools get additional state aid who are not receiving equalization aid. And he knows that. Now whether we'll get it done or not could be another story. But in fact, I talked to an ag economist for the University of Nebraska and he gave me some data

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and I'm just going to throw this out at him, I thought was interesting, because we're always stating this. We know agriculture is a pillar of the Nebraska economy. Now here's something I think we ought to think about when we talk about property tax, even though this is not property tax, but it's an indication something may be awry. Nebraska, Nebraska's total net, net farm income has an-- is-- has been an average of little over 5 percent of the state. That's the income of the state's total personal income and about 7 percent of the state's gross domestic product in recent years. So as I read it, if you are just responsible for 5 percent of the total personal income and 7 percent of the gross product--

FOLEY: One minute.

PAHLS: --thank you, now that's just direct farm services. I'm not including all the other things that come in after that, like the hauling, the taking care of the cattle, etcetera, etcetera. So as I looked at these numbers and you're saying your property taxes are too high, you may have a point there. Because if your income is only 5 percent of the total farm and gross is only 7.5 percent, I mean, there's-- the numbers don't seem to jive if we're-- if we are really forcing you to pay higher property tax. So I may have to take a look at, you know, what's happening here. So maybe you're not quite the bad guy I think you are or I thought you were. But anyway, I'm just trying to show you I am trying to dig into some facts so we can help each other out. Thank you.

FOLEY: Thank you, Senator Pahls. Senator Matt Hansen. And this is your third opportunity, Senator.

M. HANSEN: OK, thank you, Mr. President. I do want a continue to rise and say there is so much criticism of LB3 that is warranted and valid. I understand why it's difficult for members of the Redistricting Committee that liked it and worked on it to feel disappointed about the criticism. But there are so many of these criticisms that just simply do not pass the eye test. Again, going back to Senator Cavanaugh's district, climbing axe, staple gun, it really shifts Senator Cavanaugh's district into Senator DeBoer's district. Now I understand this is absolutely the people's districts, it's not our senators, I get that. But you can't deny the fact of when you have multiple first-term senators who are eligible to run for reelection and you're jumbling and trading neighborhoods back and forth, that that's going to at minimum raise some suspicions. Similarly, in Nebras-- in Lincoln, we've talked over and over and over about how we want these rural districts and we need ag districts and so on and so forth. And instead, LB30 [SIC--LB3] comes all the way up to 56th & Old

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Cheney in Lincoln. And instead, Wishart's, Senator Wishart's District 27, which hugs the side of town but is almost entirely urban, instead goes most of the way out to the town of Denton and captures significant amount of farmland and rural housing. Maybe this was all a mistake, maybe this all wasn't very thought out. I can buy that. But the fact that the Kolterman amendment is being so fiercely opposed, both when we proposed it and both when we passed it, indicates to me that at least in Lincoln, that these things are intentional. You want much of south Lincoln to be split into varying districts that go all the way to the Kansas border. Somebody does, and maybe that's the Redistricting Committee, but somebody does because it's being defended fiercely by a huge group of people. That's what I'm left to interpret from the facts. You know, I'm trying to weigh what we've heard from the Chair of the Redistricting Committee and the Speaker, because I think they had different ideas for how this was going to turn out. I think it's unfortunate that maybe the two of them didn't communicate. And that Speaker Hilgers likes this debate and likes that people are kind of airing the problems with the map and Senator Linehan doesn't. I don't know if somebody got left out to dry or what, but this is not-- I'm not going to say it's a waste of time, I do think it's been very productive. I think adopting the Kolterman amendment has been productive. I think talking about the districts in Lincoln have been productive. I think talking about the districts in Omaha have been productive in the sense of it's moving the discussions forward in a transparent way. I think we all realize this is a bit of a house of cards that's going to collapse in about, what, 44 minutes and we'll have to start over from scratch. But that's where we're at and that's where we're left to think that, for example, if you're intentionally taking senators-- or let me rephrase it, regardless of intent. But Senator Wishart is no longer in her district and no longer her in her district by like 30 blocks. And her district goes from being a very urban district that borders the side of town and grabs a little bit of West A and south Lincoln to instead grow up to, frankly, where I grew up and where my parents live well outside of city limits. And that's not some sort of intentional goal, I don't know what that is, especially when there's various other maps. We've drawn several, we've introduced several that have compact and contiguous Lincoln urban districts. Those are an option available to us. Those are things in front of us. And we know they're possible. And so to hang on that some of this if it's de facto or we don't care, or we don't care, but we're going to fight you tooth and nail to prevent any changes, all of these statements don't line up to me. I don't think they line up to the public. I hope they don't line up to the media because they seem to continually contradict.

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FOLEY: One minute.

M. HANSEN: And for me, trying to figure out what my role is as a senator to advocate for fair maps or just maps or acceptable maps, I'm told all of a sudden a piecemeal amendment isn't acceptable. I should have drawn a map to begin with, but I'm also told that drawing a map to begin with is offensive to the Redistricting Committee. But I'm told the Redistricting Committee wasn't negotiating until tomorrow. I don't know where I am officially supposed to start other than just airing some grievances on this microphone and hoping for the best. So we're going to-- I'm not going to speak again it looks like. So with that, we'll try again with new maps at some point. Thank you, Mr. President.

FOLEY: Thank you, Senator Hansen. Senator Groene, you're recognized. Your third opportunity.

GROENE: Thank you. Just trying to help get this to where we need to be. I will admit I really didn't know-- quite frankly, I didn't, until I got down here, I really didn't care where La Vista was, Papillion was, Bellevue was in relationship to the whole metro area. Really didn't know, didn't care. And I've lived here all my life. Most you probably don't know where Wellfleet is in urban Nebraska, where Wellfleet, Nebraska is, or even Bayard is. But, but looking at these maps, I see some changes had to be made to District 8, don't even know who serves there, has a 8 percent deviation so right in the heart of Omaha and it needed to take something from somebody else. And it looked like it needed to take it from 10, which had 12,000 extra people. I never even compared this old map to either one of the proposed bills. I can see where the old map-- by golly, if you look at the old map prior to redistricting, had some very odd-shaped districts. Very odd shaped. If you look at 11, it's got some squiggly lines, you've got 8 even had some squiggly lines, so does 9, 5. So I wonder if there was a huge argument back then about those squiggly lines. Because it's hard to draw a straight line in an urban area. Senator Williams, I will defend Senator Brewer, too. As you know, I have a place up in your district up around the Calloway area. I will guarantee you all my neighbors, if a race between me and you, I would get their votes in Custer County. We all have different constituencies that elect us. Apparently, what you mentioned was all the establishment, the public entities. But that farmer out there in the field and the rancher would vote for Brewer. I would guarantee you they would if it was a head-to-head race. In my district, I got the blue-collar people, which were the majority. The hospital people probably didn't support me, not publicly. A lot of nurses and doctors

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did. We all build a constituency that elects us. So to say Brewer wouldn't fit the district, he would fit the district. Head to head, I would think he would beat me or Senator Williams in that strongest conservative district county in the state. Broken Bow, Custer County, I believe, has more registered Republicans than any, and they are rural and they wear guns. I tell you, they do. I've gone to meetings where they had open carry. They would vote for Senator Brewer and they would gladly have him represent it. And as they do Senator Williams now, I'm sure a constituency appreciates him. But to say-- to wrap everybody up as one in any American entity, town, county, you can't do that. Custer County fits with Senator Brewer's district, pure and simple. That's where it belongs. That's where it was. And no, Senator Hansen, we're not going to start from scratch. All the work that the, the committee did, they might tweak LB3. I've got some red lines in the sand, too. You take a district west of, of North Platte or so and you disappear, I'm, I'm, I'm fighting words. You take away Senator Hughes's district, we've done it too often. I really don't want Senator Williams to disappear. It's time eastern--

FOLEY: One minute.

GROENE: --Nebraska took a hit, rural eastern Nebraska. Western Nebraska did it, northeast did it 10 years ago, western Nebraska did it, no, northeast Nebraska did it 20 years ago, western Nebraska did it 10 years ago. Maybe it's time for the center of the state to take that hit. They've lost-- those counties lost population, too. All of rural Nebraska did, unless you happen to have a packing plant come in or a major manufacturing and my district lost money because the railroad got more efficient, period. They just got more efficient, product-- productivity increased. And we're trying to fix that with a packing plant, with a rail park, which a lot of you senators, urban and rural, helped pass. All of you did, actually. It was a 49 to zero vote. But that's how you work together, grow all the state, grow rural Nebraska, too. Give us a shot, give us a pause, let us have some representation--

FOLEY: That's time.

GROENE: --and help us grow the next ten years.

FOLEY: That's time. Thank you, Senator Groene. Senator Slama.

SLAMA: Thank you, Mr. President. And good evening, colleagues. Since it seems we are in the waning moments of debate here, I really do want to make a few points. Senator Cavanaugh, a lot has been made about District 6 and the shape of it. I'd encourage you and anybody else who

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has questions about how this district was drawn to map out where your colleagues live because Senator Linehan has worked tremendously hard to ensure that you're not in the same district as one of your colleagues and you live very close to Senator Lathrop, Senator Hunt. And if you look at the map, it's very difficult to create a district where you're not in the same district. So I'd encourage you to examine that. And I do want to point out here before we close debate tonight, because it has-- it's gotten to the point to where it needs to be addressed. It needs to be verbalized. Like, Senator Linehan has done an outstanding job of leading the Redistricting Committee and to undermine that with comments of maybe she didn't think this plan through. Maybe she just, maybe she just didn't think of that. It reeks-- reeks of the same stinking good old boys misogyny that undermines women to have leadership positions in this body. And Senator Linehan is going to be the first person who stands up and says that she doesn't need defending. But do you realize what her biography has? She helped rebuild Iraq during wartime. I can guarantee no one in this body has that line on their biography. And I know that conservative women aren't counted among women as feminists and don't deserve to be treated as much. But to hear these comments of, oh, maybe she just didn't think about it, maybe we just need to air our grievances because she didn't consider their perspective. How many of you have had Senator Linehan fail to reach out to you and ask you what your problems are? There's a difference between an airing of valid grievances that we can work to negotiate and purposefully trying to undermine the process. And I get that is hard to wrap your head around a female, much less a conservative female, being a leader on this floor. There's a reason why we haven't had a female Speaker and a female Executive Board Chairman. And it's because every single time a female is put up in a leadership position in this body, they are actively undermined by certain numbers of their male colleagues. And I hope, I genuinely hope there is a long list of senators who get in line after me to say, no, it's not because she's a woman, I just didn't like her maps. Because this whole thing reeks of the good old boys misogyny that keeps women like her from ascending to higher leadership positions in this body. Thank you, Mr. President.

FOLEY: Thank you, Senator Slama. Senator Clements.

CLEMENTS: Thank you, Mr. President. I've been listening most of the day to this, and I had finally decided I should make some comments about especially LB3. Senator Groene pointed out quite a bit earlier, the Constitution of the State of Nebraska has Article III, Section 5: One member of the Legislature shall be elected from each district. The basis of apportionment shall be the population excluding aliens, as

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shown by the next proceed-- preceding federal census. And that is something that we're not doing to start off with, is we're not excluding aliens. I think we all do know that we have some noncitizens in the census that have been counted and it's a violation of our constitution. But apparently we're ignoring that, that we should only be counting citizens. I think as I see it, there are probably more of those in the east than in the west. And I see that as a reason to justify some of the under population districts in the west. So the problem issues that have been mentioned with LB3 are the western deviations being under the average, but not all of them there are short. And I think it's reasonable they are within reason what those deviations are. And then it's been mentioned about crossing county lines. The deviation tolerance is pretty precise, just a 1 percent change is only 400 people. And it's difficult to get whole counties within the tolerance. And occasionally, if you need a few more people to get into your percentage, you need 400 or 800 people, you're going to go across county lines. Similarly with splitting cities is the same issue. There are cities out in the rural areas especially, and maybe in the north, you know, away from Lincoln and Omaha, that you can't keep the compact district because of the, the deviation, 1 percent is 400 people, 2 percent is 800 people. And, you know, if you have a city of 4,000, it isn't just going to fit in one district. My-- Nebraska City that now is split between Senator Slama and I is a good example. And I've-- but LB3 and LB4 maps both put Nebraska City together and there-- but there are, I think, other cities that are being split because occasionally it happens that you have to equalize the districts and cities become split. But if they are split this time, it may be temporary. Then in the future, maybe they'll likely get back. But if not, they'll have two senators to represent them. As Senator Slama and I discussed, Nebraska City has really enjoyed having two senators to represent them here. If we both can't come to one of their functions, at least one of us does. And Senator Hughes's district on LB-- I support LB3.

FOLEY: One minute.

CLEMENTS: Senator Hughes's district is very important. I really oppose LB4 because of wanting to keep Senator Hughes's district. The Republican River Valley runs through his district. And we've had water issues with Kansas and Colorado for years. And the people in that area, I believe, should be kept together. My last thing was about losing Nebraska City. I'm reluctantly willing to do that, but I'm going to be up for reelection next year and there's 2,600 people I'm losing. And I've knocked on probably 1,000 doors there and people-- gotten people to know me that are no longer going to be able to vote

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for me. And I'm going to have to find probably that many doors that don't know me in the new district I'm going to be getting a portion of.

FOLEY: That's time, Senator.

CLEMENTS: Thank you.

FOLEY: Thank you, Senator Clements. Senator Bostelman.

BOSTELMAN: Thank you, Mr. President. Like to thank the Redistricting Committee on the work that they're doing and continue to do, because it is daunting in a sense. You do a lot of work. You spend a lot of time. I understand that. And I want to thank you for doing that. I will speak a little bit to the AM27. We have the map now and, and the thing that I was talking about before is when you change something it affects the rest of the map. And specifically on when I look at the map that they have, I go to my district, District 23, it's a negative 4.79 percent so that deviation isn't acceptable. So in order for us to change that now, it's going to affect my district and surrounding districts. So it's just not a one piece that you can slide in to make that work. It affects several districts around there. It's not an easy process. So what AM27 did creates an issue then for District 23, which will then create an issue maybe for 22 or for 44 or, or some other district, because you've got to add in population there. So where are you going to get that population from? And that's kind of a little bit I think what Senator Clements was talking about on the mike just a minute ago was when we look at deviations and as we look to move across the state and, and affect county lines or cities and those type of things, it's populations that we're trying to find to fit within those deviations and meet the other requirements of, of the language of the LR. I do appreciate the work that they're doing with that and what, what they're trying to do with that is this is what I was talking about before when we originally voted on the AM was without seeing the map and without knowing now beyond this, where are we going to make up those, those numbers and how does that affect two or three other districts beyond? It becomes a little complex. It's not easy. It takes a lot of time, hours and hours of work to do. With that, I guess that's what I have to speak about the maps right now. I would like to ask Senator Friesen if he would yield to a question?

FOLEY: Senator Friesen, would you yield, please?

FRIESEN: Yes, I would.

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BOSTELMAN: Senator Friesen, we had a conversation with Senator Pahls. And I appreciate what Senator Pahls said to talk about on taxation just a little bit ago. I do appreciate that a lot. I'm just kind of curious. Could you explain to me a little bit more from your perspective, a little bit deeper on the taxes that he's talking about?

FRIESEN: Oh, well, I'd love to, Senator Bostelman. So, I mean, Senator Pahls brought up a, a good point, and that's something I've been trying to bring up for a long time, is that in rural Nebraska, we are so dependent on property taxes to fund our schools that it kind of gets out of whack. And so that's why maybe we're losing all this population. People can't afford houses there anymore and they're having to move out. But when we, when we talk about the gross domestic product and the, the profit margins of ag today, I mean, today things look pretty good. But as everyone knows, we go through those cycles that Senator Pahls was pointing to a little bit and, and the dependance we have now in our schools and, and how they have to fund themselves, the nonequalized districts. So it is a burden and it sure doesn't help us try to repopulate rural Nebraska.

BOSTELMAN: Thank you. It is an issue that in rural Nebraska and I guess that's really outstate Nebraska, it's not rural Nebraska, it's across the state of Nebraska. The thing, the thing that's really important to us, and that's that representation that we're talking about, especially with redistricting, that, that the representation stays in the area, stays in the, in the counties or in the cities where that really affects our constituents, our people so that--

FOLEY: One minute.

BOSTELMAN: --when we come to the floor, when we come for bills here, we have that background, we have that knowledge. And sometimes there's a misunderstanding until we provide whatever it might be, that aha moment, if you will, that says, OK, now I get it. Now I understand what you're talking about, because before when we talk about property taxes, it just wasn't quite clear to me as to how that affected you as a business, you as an entity, because each farmer, each rancher is a business and they have to act accordingly. With that, I guess it just comes back to finally back to the maps again. There is a, there is a real need to make sure that we have representation in districts across the state to cover all areas of the state and ensure that those areas are represented the correct way and in a way that, that reflects those areas of the state, not just one part of the state, but all areas of the state. With that, I yield the rest of my time back to the chair.

FOLEY: Thank you, Senator Bostelman. Senator McKinney.

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McKINNEY: Thank you, Mr. Lieutenant Governor. I rise again. Well, my first time today, but I, I oppose the motion by Senator Hughes. But I'm rising to kind of bring up the topic that our state is facing a staffing crisis in our state penitentiaries. We're also in a overcrowding crisis in our state. I bring this up because everyone keeps saying we need to figure out a way to develop western Nebraska. And I'll just say it, you don't develop western Nebraska proposing a \$230 million prison. You-- how are we attractive as a state when we're one of the only states in the country that's proposing building another prison? We're not attractive. We're not going to retain anybody if we just continue to just use outdated thinking and building prisons. I think we should be investing in people in western Nebraska and in north Omaha making sure that they have the skills and the talent for the modern economy. That's how you grow western Nebraska. You don't grow a state by focusing on building prisons. We-- it's, it's just not, it just does not make any sense. There's policy changes that need to take place to decrease the amount of people that are inside of our state prisons. There's also changes that the department needs to make to support their staff and make sure that they're not walking off the job. But instead, the department and the Governor would like to build another prison that will cost probably a quarter of a billion dollars to a half a billion dollars if, if you include the operational cost, that probably, that will probably come. You don't grow a state by building prisons. It makes you not attractive. That's our problem, that our state is so close-minded that we end up in these situations, like, oh, what do we do now? Well, what, what we should be doing now is focusing on how do we build our state for the future, but you don't build a state for the future by proposing outdated policy ideas because you would like to be tough on crime. Being tough on crime hasn't made my community safe. But if you would invest in my community, I, I would guarantee you that the public would be a lot more safe than saying, hey, instead of putting money into this community, making sure people have jobs, adequate housing, food on the table at night, this state would like to build a prison and it's just spinning, spinning our wheels. And it's just like a hamster wheel just keeps spinning and spinning. Like, oh, I don't, I don't know why north Omaha isn't growing. I don't know why the poverty rate doesn't change. Well, you're not investing in north Omaha. This state is investing in prisons. You're not investing in western Nebraska. You want to invest in prisons. You don't want to invest in the people in western Nebraska, because if you did, it wouldn't be a proposal on the table to build a quarter of a billion dollar prison, we'd be thinking about what innovative ideas could we put on the table to grow western Nebraska. That's what we have to look at, because in ten years, unless we change the way we think, western Nebraska might lose another

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senator. You have to open your minds here. That's, that's what we have to think about. And I know we can't necessarily do anything on it in the special session. But when we go back in January, I would hope everybody would open their minds and see what can we do to build the state and be sustainable long-term. And I would tell you one thing that does not build a state or make us attractive to anybody--

FOLEY: One minute.

McKINNEY: --is building another prison. Let's end this staffing crisis and let's decrease our prison population. And that's the only way we're going to grow our state. But if we're stuck in the 1950s, or whatever, trying to build quarter of a billion dollar prisons, I will just tell you, population will continue to, to decline. And in ten years, western Nebraska might lose another senator. Thank you.

FOLEY: Thank you, Senator McKinney. Senator Lowe.

LOWE: Thank you, Lieutenant Governor. We've got a great problem, our state is growing. That's a great problem. But it is a problem because it's mostly growing on the east. We're unbalanced. But today here it's been said that we have to start over from scratch when this goes down tonight. We have to start over from scratch because we haven't accomplished anything. Not true, not true at all. We have begun to build strong districts and the process is working. Did we want to take until 8:10, 8:15 tonight to discuss this? No. We had a bill up and it could have passed in the first 15 minutes, we all could have gone home. But amendments were added, and it's because of those amendments that we are still here. So it is the process, 80 percent of our districts, I think we can almost all agree on. I think we're pretty much there. It's the last 10 that we're fighting over. The process is working. With that, I'd like to yield the rest of my time to Senator Brewer.

FOLEY: Thank you, Senator Lowe. Senator Brewer, 3:20.

BREWER: Thank you, Mr. President. Well, I've kind of tried to stay out of the fray for a number of reasons. For one, the, the process I've had to go through with medical treatment hasn't necessarily made it that easy to want to jump in and get in the middle of, of the fray that we're having. But I think it's to the point where I need to step in. And first off, I'd like to thank Senator Groene and Senator Erdman for, for stepping in and at least watching my six a little bit. I've been working on a plan. It's, I guess, what you'd call my plan to, to look at how we could redistrict the legislative part of Nebraska. And to do that, it's a lot easier to do it other places then here on the

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floor. But I, I think I need to at least come in and talk a little about some of the comments that Senator Williams made, because if I could have climbed through the TV and expressed my emotions at the moment, I would have. But the, the fact that Custer County might prefer him over me, I think is ludicrous. Yes, they do have wind towers. It's either good or bad that they have wind towers. That's their decision. But I'll stack six people in opposition to wind towers for every one he stacks in favor of it. It doesn't mean I wouldn't represent them or do whatever I could to help them. And when it comes to brand inspection, I'll stand toe to toe with him and argue and discuss brand inspection. They are in the brand inspection area and I do not, for the life of me, understand how he has any advantage there. We have a mission to do here and maybe what happened here today will cut loose some movement to where we will get to where we need to be. But it would be a shame for us not to come to some type of a closure and figure out what these districts, districts need to look like. Tomorrow, I'll bring the plan that I've been working on. And ironically, and, and to some surprise, it will be the disintegration of Senator Williams' district. Not because I don't like Senator Williams, it's because his district sits dead center in the middle of a lot of districts that need to be adjusted numerically for population. That is why that district--

FOLEY: One minute.

BREWER: --thank you-- that's why that district is primed for that. So, you know, let's take a deep breath. We're almost to the end of the evening. Plan on coming in tomorrow. Take a look at all the options out there. Let's try and move forward to a solution that will get us to where we need to be. The idea of coming back in January and, and affecting our ability to do the legislation that we'll have then I think should force folks to try and come up with a solution. But with that, I'll close for tonight. Thank you, Mr. President.

FOLEY: Thank you, Senator Brewer. Senator Arch.

ARCH: Thank you, Mr. President. I have not spoken today, and I, I just wanted to have a couple of comments. One, sincerely thank you very much to the leadership of this Redistricting Committee. Senator Linehan, Senator Wayne have been working so hard and so long. And I'm, and I'm not saying this to the people in the room, honestly, because we all understand that. We know that. We've seen it happen. We see what's going on. I'm saying this to people who happen, who might be watching tonight because, because what is going on is a process and it's meaningful. And I agree 100 percent with Speaker Hilgers when he, when he talked about how this is an important process, what happened

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today. We've gone eight hours. We went eight hours on Friday, and we know where we're at now with each other and where, where we're at with these bills. And now we need to, again, call upon the leadership, because this isn't going to happen with a room of 49 senators. I mean, we'll all raise our hand and say, well, my district-- I know we've talked about my district, not my district, but the district that I represent, we'll all raise our hands and we'll fight for that district because it's important to us. But that's not how it's going to happen. And we know that changes are going to, are going to happen. We know that they have to happen in, in the state of Nebraska to respond to the census that we have now. But thanks very much to that leadership. Some are going to lead in this process. Some are going to follow in this process. We're all going to be casting votes, but we need to come to an agreement. I want to talk a little bit about my District 14, the district that I represent, because I want to, I want to kind of compare and contrast to what some of it has been going on here today, because we've been talking a lot about some of the rural districts and some of the needs in those rural districts and some of the vastness of territory in some of those districts. I, I have huge respect for those of you senators that represent geographic areas of hundreds of miles across. I will tell you that in my District 14, Papillion La Vista in Sarpy County is approximately three miles by three miles. Now to some of you, you would be stunned by that kind of a compactness of district. But, but that's what I represent, three miles by three miles. And you're measuring in the hundreds of miles for some of your, for some of your districts. I have two cities, Papillion and La Vista. They butt up against each other. I have one school district, Papillion La Vista Schools. I have one fire department. I have two police departments. But compared to some of your districts that are so complex and so varied in the, in the population that you serve, mine is very, very compact and I'm sure very different. But I say that only to say that all of those people in all of these districts are going to be represented in our votes. We know that. And again, I'm speaking really to the people that might be watching tonight, not to the people in the room. We know that. But it's-- but that's the challenge of what we have here in this Legislature. And we're, we're seeing it in spades right now with, with redistricting. We see that on all of our bills, varied interests and, and, and, and, and hugely diverse interests and diverse perspectives. But democracy calls for it, and it is the most beautiful thing. We are so unique in the world and, and, and Nebraska is strong in what it does where we do represent the people in our state. That's what our job is. You know, when I, when I ran, Senator Smith sat me down and said, well, here's, here's something you got to remember that you are representing District 14, but you're-- but

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because we're one house, you are called a senator because your focus can't--

FOLEY: One minute.

ARCH: --just be on your, on your district that you represent, but you really do represent the entire state. And that's a challenge because we sometimes vote in this body where, where those two don't line up. We may vote for something that is good for the state, but not necessarily directly impacting or in some cases there may-- we may have constituents that don't agree with us, but we have to vote for the state. And so here we are tonight, eight hours later, that's the challenge in front of us. We represent our districts and we represent the state. It's a challenge. And I-- like I say, I say that to the people that are watching just so you understand a little bit of the dynamics in the room. Thank you.

FOLEY: Thank you, Senator Arch. Senator Geist.

GEIST: Thank you, Mr. President. I, too, have been quiet today, listening a lot. So what really stirred me to jump in the queue was the criticism that the Chair has been taking. And she knows and many of you probably have already heard me take her, have her six, as my colleague, Senator Brewer says, both in committee and in public. And I do that because of my great admiration for her and because I know she's in a place I wouldn't want to be. And it's so easy to criticize when you're on the outside, but you're not willing to sit in that chair. And I just give her enormous praise and honor for the way that she's handled her chair, her post, the criticism day after day after day in the newspaper. Would you want that? Is that how you want to wake up every morning for a month? I don't think so. Most of us aren't willing to do that. I also have to say I was so moved at the post and the comment that the Vice Chair made when he just took a moment and said, do you realize who's Chairing and Vice Chairing this committee? It's a woman and a black man. And, you know, none of us really thought much about that in this body because they're the most well-deserving people to sit in those chairs, they deserve to be there. They have chaired the committee with dignity, with strength. They have led us through a process not perfect. It's the most probably imperfect redistricting process because it's so short. It's never been done like this before. There is no roadmap. There is no perfect way to do it. But I respect their leadership. I know it's hard for all of us, it's not been fun, but they've done a great job and I just give them huge kudos and respect and honor and tell them thank you for what they've done thus far. We're going to get this done. We will bring it home.

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And I think it's time for all of us to get together and figure this out. I think-- how much time do I have left?

FOLEY: 1:50.

GEIST: Oh, I'm going to take it. I have a-- I know many of you have probably heard this, but it reminds me of the leadership that we've watched. And it's called "The Man in the Arena" by Theodore Roosevelt, and I know you've probably heard it, but I want to read it because I like it: It's not the critic who counts; not the man who points out how the strong man stumbles, or where the doer of deeds could have done them better. The credit belongs to the man who is actually in the arena, whose face is marred by dust and sweat and blood; who strives valiantly; who errs, who comes short again and again, because there's no effort without error and shortcoming;--

FOLEY: One minute.

GEIST: --but who does actually strive to do the deeds; who knows great enthusiasms, the great devotions; who spends himself in a worthy cause; and who at best who knows-- who at the best knows in the end the triumph of high achievement, and who at worst, if he fails, at least he fails while daring greatly, so that his place shall never be with those cold and timid souls who know neither victory nor defeat. Thank you, Mr. President.

FOLEY: Thank you, Senator Geist. And Senator Pansing Brooks.

PANSING BROOKS: All I have to say is Amen. I think it's been wonderful to come back into the center to come back to-- I guess I didn't, that's not all I had to say, I'm sorry, but I, I really appreciate the comments of, of Senator Geist. Some comments by Senator Slama. The work, of course, of Senator Linehan and Senator Wayne. The efforts, I, I have faith that we will move forward. I have, I have hope that, that the hope that began with this committee will continue. We will find a way, Nebraskans, we will find a way to work through this. And it's not going to be perfect for anybody, but it will be a solution that, that most can live with. I have gratitude for each of you. I hope that we can remember that we are all here attempting to do the work of Nebraskans. And thank you for this evening.

FOLEY: Senator Clements.

CLEMENTS: Thank you, Mr. President. I wasn't quite finished with what I had to say earlier, but I wanted to also bring up something I learned from four years sitting behind Senator Chambers, Sisyphean.

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This is a Sisyphean task. And I remember he and Senator John Kuehn had a discussion about that word so I looked it up. In Greek mythology, Sisyphus was a king who was punished by being forced to roll an immense boulder up a hill only for it to roll down when it nears the top, repeating this action for eternity. And I think we have-- seem to have a Sisyphean task. Thank you for the words, Senator Chambers. But the point of what I had said earlier about we're excusing the violation of the constitution with not just counting citizens, that the criticisms for the deviations in some of the populations crossing county lines, which is not preferred, and the splitting of cities, those are not really violations. They're variations of what-- perfect would be in our proposals, but they're not violations. And so I hope that we're not voting on nitpicking those little things at the same time violating the constitution as I read it. And then back to for myself, I usually have 14 parades. If I lose my Nebraska City area, then I'll lose 3 annual parades, leaving only 11 parades a year and it'll save me having to buy some candy. But on the other part of my district, I enjoy representing Sarpy County. My hometown is closer to Lincoln than to Omaha, and I've been a lot Lincoln-oriented. But this district, Cass and Sarpy, have both been in my district, so I got more acquainted with Sarpy and I've been interested in learning more about Sarpy, the Offutt Air Force Base. The importance of that has become more real to me in the military influence that we have. I've been glad to be able to support bills that have helped the military. And then Cass County wanted to be connected with Omaha more with the Metro Area Planning Agency. So I introduced a bill to connect Sarpy and Cass in the Planning Agency. And finally wanted to thank Senator Linehan also and, and all of the committee members. I didn't ask to be on the Redistricting Committee on purpose, and I'm glad that I didn't. But I thank you all for all the work you've done in all the hearings you've had, the testimony you've taken. And I hope we're moving closer, hope we're moving closer to the end of today. So thank you, Mr. President.

FOLEY: Thank you, Senator Clements. Mr. Clerk, you have a motion on the desk.

CLERK: Mr. President, Senator Linehan would move to invoke cloture pursuant to Rule 7, Section 10.

FOLEY: It's the ruling of the chair that there has been a full and fair debate accorded to LB3. Senator Linehan for what purpose do you rise?

LINEHAN: Call of the house.

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FOLEY: There's been a request to place the house under call. The question is, shall the house go under call? Those in favor vote aye; those opposed vote nay. Record, please.

CLERK: 28 ayes, 3 nays to place the house under call.

FOLEY: The house is under call. All members please return to the Chamber and check in. The house is under call.

LINEHAN: Roll call vote in regular order.

FOLEY: Thank you, Senator Linehan. Senator Wayne, Senator Dorn, Senator Bostar, Senator Ben Hansen, please check in. All members are now present. The immediate question is whether or not to invoke cloture. A roll call vote in regular order has been requested. Mr. Clerk.

CLERK: Senator Aguilar voting yes. Senator Albrecht voting yes. Senator Arch voting yes. Senator Blood voting no. Senator Bostar voting no. Senator Bostelman voting yes. Senator Brandt voting yes. Senator Brewer voting yes. Senator Briese voting yes. Senator John Cavanaugh voting no. Senator Machaela Cavanaugh voting no. Senator Clements voting yes. Senator Day voting no. Senator DeBoer voting no. Senator Dorn voting yes. Senator Erdman voting yes. Senator Flood voting yes. Senator Friesen voting yes. Senator Geist voting yes. Senator Gragert voting yes. Senator Groene voting yes. Senator Halloran voting yes. Senator Ben Hansen voting yes. Senator Matt Hansen voting no. Senator Hilgers voting yes. Senator Hilkemann not voting. Senator Hughes voting yes. Senator Hunt voting no. Senator Kolterman not voting. Senator Lathrop voting no. Senator Lindstrom voting yes. Senator Linehan voting yes. Senator Lowe voting yes. Senator McCollister voting no. Senator McDonnell voting no. Senator McKinney voting no. Senator Morfeld voting no. Senator Moser voting yes. Senator Murman voting yes. Senator Pahls not voting. Senator Pansing Brooks voting no. Senator Sanders voting yes. Senator Slama voting yes. Senator Stinner not voting. Senator Vargas voting no. Senator Walz voting no. Senator Wayne voting no. Senator Williams voting yes. Senator Wishart voting no. 27 ayes, 18 nays, Mr. President, to invoke cloture.

FOLEY: The motion is not successful. I raise the call. Items for the record, please.

CLERK: I have nothing. I have a priority motion that the body adjourn until Tuesday, September 21, at 9:00 a.m.

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FOLEY: Members, you heard the motion to adjourn. Those in favor say aye. Those opposed say nay. We are adjourned.