

SEVENTEENTH DAY - JANUARY 29, 2021**LEGISLATIVE JOURNAL****ONE HUNDRED SEVENTH LEGISLATURE
FIRST SESSION****SEVENTEENTH DAY**

Legislative Chamber, Lincoln, Nebraska
Friday, January 29, 2021

PRAYER

The prayer was offered by Senator DeBoer.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Murman.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Speaker Hilgers presiding.

The roll was called and all members were present except Senators Clements, Dorn, Erdman, Geist, Groene, Hilkemann, Kolterman, McDonnell, Stinner, Vargas, and Wishart who were excused; and Senators Bostar, Briese, Day, Friesen, and B. Hansen who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the sixteenth day was approved.

REPORTS

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

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of January 28, 2021, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Patrick J. O'Donnell
Clerk of the Legislature

American Communications Group, Inc.
 Voices for Children in Nebraska
 Beasley, Daniel
 Home School Legal Defense Association
 Bydlak, Rebekah
 Institute for Justice
 Duncan, Drue
 Pfizer Inc.
 Gerloff, Jerianne
 Pfizer Inc. (Withdrawn 01/24/2021)
 Lautenbaugh, Scott
 Stride, Inc.
 Nordquist, Jeremiah
 Nebraska Medicine
 Peetz & Company
 Nebraska Beef Producers
 Spivey, Ashlei
 I Be Black Girl
 Zulkoski Weber LLC
 Nebraska Beef Producers

RESOLUTION(S)

LEGISLATIVE RESOLUTION 33. Introduced by Arch, 14.

WHEREAS, William "Bill" Harrington, a resident of Papillion Manor in Papillion, Nebraska, first began his long and distinguished military service to the United States of America as a member of his high school's Army Reserve Officers' Training Corps program in Georgia; and

WHEREAS, Bill was a member of a Georgia National Guard unit sent by President Franklin D. Roosevelt to protect the coast of Georgia with antiaircraft artillery; and

WHEREAS, Bill was commissioned into the United States Army and assigned to the infantry on February 2, 1941, his 21st birthday; and

WHEREAS, Bill transferred to the United States Army Air Corps and became a navigator; and

WHEREAS, Bill was deployed to serve his country in World War II as a bombardier, flying over 50 missions throughout Europe in a B-24; and

WHEREAS, after the war while stationed in Ft. Worth, Texas, Bill was a member of the 11th Bomb Wing flying both in a B-36 and in a B-52; and

WHEREAS, Bill was stationed at Offutt Air Force Base in 1961 as the Director of Operation Training; and

WHEREAS, Bill retired as a Colonel in the Air Force in 1963; and

WHEREAS, William "Bill" Harrington reached 101 years of age on February 2, 2021.

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

1. That the Legislature wishes William "Bill" Harrington a happy 101st birthday and thanks him for his dedication and service to our country.
2. That a copy of this resolution be sent to William "Bill" Harrington.

Laid over.

NOTICE OF COMMITTEE HEARING(S)

Appropriations
Room 1525

Friday, February 5, 2021 9:30 a.m.

Budget bills scheduled at this time for official record purposes. Testimony on the overall budget is appropriate, however testimony on specific issues and/or agencies should be presented at the date scheduled for the relevant agency

LB379
LB380
LB381
LB382
LB383
LB384
LB385

Friday, February 5, 2021 1:30 p.m.

Agency 18 - Agriculture, Department of

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Note: Potato Board & Poultry/Egg

Agency 39 - Brand Committee, Nebraska

Agency 60 - Ethanol Board, Nebraska

Agency 56 - Wheat Board, Nebraska

Agency 61 - Dairy Industry Development Board, Nebraska

Agency 86 - Dry Bean Commission

Agency 88 - Corn Development, Utilization and Marketing Board

Agency 92 - Grain Sorghum Board, Nebraska

Agency 95 - Dry Pea & Lentil Commission

Agency 97 - Hemp Commission

Agency 45 - Barber Examiners, Board of

Agency 30 - Electrical Board, State

Agency 74 - Power Review Board, Nebraska

Agency 41 - State Real Estate Commission

Agency 53 - Real Property Appraiser Board

Agency 57 - Oil and Gas Conservation Commission, Nebraska

Agency 63 - Public Accountancy, Nebraska Board of

Agency 58 - Board of Engineers and Architects

Agency 59 - Board of Geologists

Agency 62 - Land Surveyors, State Board of Examiners for

Agency 66 - Abstracters Board of Examiners

Agency 73 - Landscape Architects, State Board of

(Signed) John Stinner, Chairperson

AMENDMENT(S) - Print in Journal

Senator Brandt filed the following amendment to [LB242](#):

[AM63](#)

1 1. Strike the original sections and insert the following new
 2 sections:
 3 Section 1. Section 13-2904, Reissue Revised Statutes of Nebraska, is
 4 amended to read:
 5 13-2904 (1) Notwithstanding the procedures for public lettings in
 6 sections 73-101 to 73-106 or any other statute relating to the letting of
 7 bids by a political subdivision, a political subdivision which follows
 8 the Political Subdivisions Construction Alternatives Act may solicit and
 9 execute a design-build contract or a construction management at risk
 10 contract.
 11 (2) The governing body of the political subdivision shall adopt a
 12 resolution selecting the design-build contract or construction management
 13 at risk contract delivery system provided under the act prior to
 14 proceeding with the provisions of sections 13-2905 to 13-2914. The
 15 resolution shall require the affirmative vote of at least two-thirds of
 16 the governing body of the political subdivision.
 17 (3) For projects described under subsection (2) of section 13-2914,
 18 the governing body of the political subdivision may adopt a resolution
 19 which provides for project payment on a set schedule over a period of
 20 time that extends beyond the completion of construction.
 21 Sec. 2. Section 13-2914, Revised Statutes Cumulative Supplement,
 22 2020, is amended to read:
 23 13-2914 (1) Except as specifically provided in subsection (2) of
 24 this section, a political subdivision shall not use a design-build
 25 contract or construction management at risk contract under the Political
 26 Subdivisions Construction Alternatives Act for a project, in whole or in
 27 part, for road, street, highway, water, wastewater, utility, or sewer
 1 construction, except that a city of the metropolitan class may use a
 2 design-build contract or construction management at risk contract for the
 3 purpose of complying with state or federal requirements to control or
 4 minimize overflows from combined sewers.
 5 (2) A political subdivision may use a design-build contract or
 6 construction management at risk contract under the Political Subdivisions
 7 Construction Alternatives Act for a project, in whole or in part, to
 8 repair, retrofit, reconstruct, or replace any bridge.
 9 Sec. 3. Original section 13-2904, Reissue Revised Statutes of
 10 Nebraska, and section 13-2914, Revised Statutes Cumulative Supplement,
 11 2020, are repealed.

MOTION - Suspend Rules

Senator Lindstrom offered his motion, [MO4](#), found on page 329, to suspend the Rules, Rule 3, Section 14, to permit cancellation of a hearing by the Retirement Systems Committee, to LB586.

The Lindstrom motion to suspend the rules prevailed with 31 ayes, 0 nays, 2 present and not voting, and 16 excused and not voting.

MOTION - Suspend Rules

Senator B. Hansen offered his motion, [MO6](#), found on page 333, to suspend Rule 3, Section 14, to permit cancellation of a hearing by the Business and Labor Committee, to LB598.

The B. Hansen motion to suspend the rules prevailed with 32 ayes, 0 nays, 2 present and not voting, and 15 excused and not voting.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 1. Read. Considered.

LR1 was adopted with 33 ayes, 0 nays, 1 present and not voting, and 15 excused and not voting.

SENATOR HUGHES PRESIDING**NOTICE OF COMMITTEE HEARING(S)**

Transportation and Telecommunications
Room 1113

Monday, February 8, 2021 9:30 a.m.

LB388

LB456

Monday, February 8, 2021 1:30 p.m.

LB455

LB520

LB604

(Signed) Curt Friesen, Chairperson

Nebraska Retirement Systems
Room 1525

Tuesday, February 2, 2021 12:00 p.m.

LB586 (cancel)

(Signed) Mark Kolterman, Chairperson

Business and Labor
Room 1524

Monday, February 1, 2021 9:30 a.m.

LB598 (cancel)

(Signed) Ben Hansen, Chairperson

Executive Board
Room 1525

Wednesday, February 10, 2021 12:00 p.m.
LR29

(Signed) Dan Hughes, Chairperson

MOTION(S) - Print in Journal

Senator Lathrop filed the following motion to LB55:

MO7

Withdraw bill.

UNANIMOUS CONSENT - Add Cointroducer(s)

Unanimous consent to add Senator(s) as cointroducer(s). No objections. So ordered.

Senator McCollister name added to LB4.

Senator Hansen, M. name added to LB4.

Senator McCollister name added to LB213.

Senator McCollister name added to LB263.

VISITOR(S)

The Doctor of the Day was Dr. Derrick Anderson of Omaha.

ADJOURNMENT

At 9:28 a.m., on a motion by Senator J. Cavanaugh the Legislature adjourned until 9:00 a.m., Monday, February 1, 2021.

Patrick J. O'Donnell
Clerk of the Legislature