

**FIFTY-FOURTH DAY - MARCH 31, 2023****LEGISLATIVE JOURNAL****ONE HUNDRED EIGHTH LEGISLATURE  
FIRST SESSION****FIFTY-FOURTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Friday, March 31, 2023

**PRAYER**

The prayer was offered by Pastor Ben Schlegel, Salem Mennonite Church, Shickley.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator Moser.

**ROLL CALL**

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Kelly presiding.

The roll was called and all members were present except Senator Aguilar who was excused; and Senators Bostar, Day, Hunt, Linehan, Vargas, Walz, and Wishart who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the fifty-third day was approved.

**REPORT OF REGISTERED LOBBYISTS**

Following is a list of all lobbyists who have registered as of March 30, 2023, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Brandon Metzler  
Clerk of the Legislature

Davis, Erin L.  
Pear Therapeutics (US), Inc. (Withdrawn 03/27/2023)  
McClymont, Pete  
Nebraska Cattlemen, Inc. (Withdrawn 03/28/2023)

Schmeling, Richard L  
ProRail Nebraska, Inc.

### REPORTS

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

### MOTIONS - Print in Journal

Senator Hunt filed the following motions to indefinitely postpone pursuant Rule 6. Section 3(f):

LB583 - [MO680](#)  
LB584 - [MO687](#)  
LB586 - [MO701](#)  
LB597 - [MO708](#)  
LB598 - [MO715](#)

Senator Hunt filed the following motions to indefinitely postpone:

LB583 - [MO683](#)  
LB584 - [MO690](#)  
LB586 - [MO704](#)  
LB597 - [MO711](#)  
LB598 - [MO718](#)

Senator Hunt filed the following motions to recommit to committee:

LB583 - [MO681](#)  
LB583 - [MO684](#)  
LB583 - [MO686](#)  
LB584 - [MO688](#)  
LB584 - [MO691](#)  
LB584 - [MO693](#)  
LB586 - [MO702](#)  
LB586 - [MO705](#)  
LB586 - [MO707](#)  
LB597 - [MO709](#)  
LB597 - [MO712](#)  
LB597 - [MO714](#)  
LB598 - [MO716](#)  
LB598 - [MO719](#)  
LB598 - [MO721](#)

Senator Hunt filed the following motions to bracket:

LB583 - [MO682](#)  
LB583 - [MO685](#)

LB584 - [MO689](#)  
LB584 - [MO692](#)  
LB586 - [MO703](#)  
LB586 - [MO706](#)  
LB597 - [MO710](#)  
LB597 - [MO713](#)  
LB598 - [MO717](#)  
LB598 - [MO720](#)

Senator Conrad filed the following motions to indefinitely postpone pursuant to Rule 6, Section 3(f):

LB585 - [MO694](#)  
LB617 - [MO722](#)

Senator Conrad filed the following motions to indefinitely postpone:

LB585 - [MO697](#)  
LB617 - [MO725](#)

Senator Conrad filed the following motions to recommit to committee:

LB585 - [MO695](#)  
LB585 - [MO698](#)  
LB585 - [MO700](#)  
LB617 - [MO723](#)  
LB617 - [MO726](#)  
LB617 - [MO728](#)

Senator Conrad filed the following motions to bracket:

LB585 - [MO696](#)  
LB585 - [MO699](#)  
LB617 - [MO724](#)  
LB617 - [MO727](#)

#### **RESOLUTION**

Pursuant to Rule 4, Sec. 5(b), LR70 was adopted.

#### **PRESIDENT SIGNED**

While the Legislature was in session and capable of transacting business, the President signed the following: LR70.

#### **GENERAL FILE**

**LEGISLATIVE BILL 683.** Committee [AM870](#), found on page 787 and considered on pages 944, 947, 957, and 960, was renewed.

Senator M. Cavanaugh renewed [AM1095](#), found and considered on page 960, to the committee amendment.

Pending.

### **MOTIONS - Print in Journal**

Senator Hunt filed the following motion to [LB626](#):

[MO736](#)

Indefinitely postpone pursuant to Rule 6 Section 3(f).

Senator Hunt filed the following motion to [LB626](#):

[MO739](#)

Indefinitely postpone.

Senator Hunt filed the following motions to recommit to committee:

LB626 - [MO737](#)

LB626 - [MO740](#)

LB626 - [MO742](#)

Senator Hunt filed the following motions to bracket:

LB626 - [MO738](#)

LB626 - [MO741](#)

Senator Conrad filed the following motions to indefinitely postpone pursuant to Rule 6, Section 3(f):

LB629 - [MO729](#)

LB631 - [MO743](#)

LB644 - [MO750](#)

LB647 - [MO757](#)

LB664 - [MO764](#)

Senator Conrad filed the following motions to indefinitely postpone:

LB629 - [MO732](#)

LB631 - [MO746](#)

LB644 - [MO753](#)

LB647 - [MO760](#)

LB664 - [MO767](#)

Senator Conrad filed the following motions to recommit to committee:

LB629 - [MO730](#)

LB629 - [MO733](#)

LB629 - [MO735](#)

LB631 - [MO744](#)

LB631 - [MO747](#)  
 LB631 - [MO749](#)  
 LB644 - [MO751](#)  
 LB644 - [MO754](#)  
 LB644 - [MO756](#)  
 LB647 - [MO758](#)  
 LB647 - [MO761](#)  
 LB647 - [MO763](#)  
 LB664 - [MO765](#)  
 LB664 - [MO768](#)  
 LB664 - [MO770](#)

Senator Conrad filed the following motions to bracket:

LB629 - [MO731](#)  
 LB629 - [MO734](#)  
 LB631 - [MO745](#)  
 LB631 - [MO748](#)  
 LB644 - [MO752](#)  
 LB644 - [MO755](#)  
 LB647 - [MO759](#)  
 LB647 - [MO762](#)  
 LB664 - [MO766](#)  
 LB664 - [MO769](#)

#### GENERAL FILE

**LEGISLATIVE BILL 683.** Committee [AM870](#), found on page 787 and considered on pages 944, 947, 957, 960, and in this day's Journal, was renewed.

Senator M. Cavanaugh renewed [AM1095](#), found on page 960 and considered on page 960 and in this day's Journal, to the committee amendment.

Senator M. Cavanaugh moved for a call of the house. The motion prevailed with 12 ayes, 3 nays, and 34 not voting.

Senator M. Cavanaugh requested a roll call vote on her amendment, to the committee amendment.

Voting in the affirmative, 11:

Blood	Conrad	Dungan	Walz
Cavanaugh, J.	Day	Fredrickson	Wayne
Cavanaugh, M.	DeBoer	Raybould	

Voting in the negative, 32:

Arch	Clements	Hansen	Linehan	Sanders
Armendariz	DeKay	Hardin	Lippincott	Slama
Ballard	Dorn	Holdcroft	Lowe	Vargas
Bostelman	Dover	Hughes	McDonnell	von Gillern
Brandt	Erdman	Ibach	Moser	
Brewer	Geist	Jacobson	Murman	
Briese	Halloran	Kauth	Riepe	

Present and not voting, 3:

Bostar            McKinney      Wishart

Excused and not voting, 3:

Aguilar            Albrecht        Hunt

The M. Cavanaugh amendment, to the committee amendment, lost with 11 ayes, 32 nays, 3 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

Pending.

#### **MOTIONS - Print in Journal**

Senator Conrad filed the following motions to indefinitely postpone pursuant Rule 6, Section 3(f):

LB671 - [MO771](#)  
 LB684 - [MO778](#)  
 LB705 - [MO785](#)  
 LB706 - [MO792](#)  
 LB727 - [MO806](#)

Senator Conrad filed the following motions to indefinitely postpone:

LB671 - [MO774](#)  
 LB684 - [MO781](#)  
 LB705 - [MO788](#)  
 LB706 - [MO795](#)  
 LB727 - [MO809](#)

Senator Conrad filed the following motions to recommit to committee:

LB671 - [MO772](#)  
 LB671 - [MO775](#)  
 LB671 - [MO777](#)  
 LB684 - [MO779](#)  
 LB684 - [MO782](#)

LB684 - [MO784](#)  
LB705 - [MO786](#)  
LB705 - [MO789](#)  
LB705 - [MO791](#)  
LB706 - [MO793](#)  
LB706 - [MO796](#)  
LB706 - [MO798](#)  
LB727 - [MO807](#)  
LB727 - [MO810](#)  
LB727 - [MO812](#)

Senator Conrad filed the following motions to bracket:

LB671 - [MO773](#)  
LB671 - [MO776](#)  
LB684 - [MO780](#)  
LB684 - [MO783](#)  
LB705 - [MO787](#)  
LB705 - [MO790](#)  
LB706 - [MO794](#)  
LB706 - [MO797](#)  
LB727 - [MO808](#)  
LB727 - [MO811](#)

Senator M. Cavanaugh filed the following motion to [LB709](#):  
[MO799](#)

Indefinitely postpone pursuant to Rule 6 Section 3(f).

Senator M. Cavanaugh filed the following motion to [LB709](#):

[MO802](#)

Indefinitely postpone.

Senator M. Cavanaugh filed the following motions to recommit to committee:

LB709 - [MO800](#)  
LB709 - [MO803](#)  
LB709 - [MO805](#)

Senator M. Cavanaugh filed the following motions to bracket:

LB709 - [MO801](#)  
LB709 - [MO804](#)

### GENERAL FILE

**LEGISLATIVE BILL 683.** Committee [AM870](#), found on page 787 and considered on pages 944, 947, 957, 960, and in this day's Journal, was renewed.

Senator M. Cavanaugh offered [AM1097](#), found on page 962, to the committee amendment.

### **SPEAKER ARCH PRESIDING**

#### **PRESIDENT KELLY PRESIDING**

Senator Erdman moved the previous question. The question is, "Shall the debate now close?"

Senator Erdman withdrew his motion to cease debate.

Senator M. Cavanaugh moved for a call of the house. The motion prevailed with 20 ayes, 3 nays, and 26 not voting.

Senator M. Cavanaugh requested a roll call vote on her amendment, to the committee amendment.

Voting in the affirmative, 12:

Blood	Conrad	Fredrickson	Vargas
Cavanaugh, J.	Day	Hunt	Walz
Cavanaugh, M.	DeBoer	Raybould	Wayne

Voting in the negative, 32:

Albrecht	Briese	Halloran	Kauth	Riepe
Arch	Clements	Hansen	Linehan	Sanders
Armendariz	DeKay	Hardin	Lippincott	Slama
Ballard	Dorn	Holdcroft	Lowe	von Gillern
Bostelman	Dover	Hughes	McDonnell	
Brandt	Erdman	Ibach	Moser	
Brewer	Geist	Jacobson	Murman	

Present and not voting, 4:

Bostar	Dungan	McKinney	Wishart
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Excused and not voting, 1:

Aguilar

The M. Cavanaugh amendment, to the committee amendment, lost with 12 ayes, 32 nays, 4 present and not voting, and 1 excused and not voting.

Senator Geist offered the following motion:

[MO887](#)

Invoke cloture pursuant to Rule 7, Sec. 10.



Senator Geist requested a roll call vote on the motion to invoke cloture.

Voting in the affirmative, 43:

Albrecht	Clements	Fredrickson	Kauth	Sanders
Arch	Conrad	Geist	Linehan	Slama
Armendariz	Day	Halloran	Lippincott	Vargas
Ballard	DeBoer	Hansen	Lowe	von Gillern
Bostar	DeKay	Hardin	McDonnell	Walz
Bostelman	Dorn	Holdcroft	Moser	Wayne
Brandt	Dover	Hughes	Murman	Wishart
Brewer	Dungan	Ibach	Raybould	
Briese	Erdman	Jacobson	Riepe	

Voting in the negative, 1:

Cavanaugh, M.

Present and not voting, 4:

Blood            Cavanaugh, J.    Hunt            McKinney

Excused and not voting, 1:

Aguilar

The Geist motion to invoke cloture prevailed with 43 ayes, 1 nay, 4 present and not voting, and 1 excused and not voting.

The committee amendment was adopted with 46 ayes, 1 nay, 1 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review Initial with 43 ayes, 2 nays, 3 present and not voting, and 1 excused and not voting.

The Chair declared the call raised.

#### **MOTIONS - Print in Journal**

Senator Conrad filed the following motions to indefinitely postpone pursuant to Rule 6, Section 3(f):

LB732 - [MO813](#)

LB768 - [MO834](#)

LB810 - [MO878](#)

Senator Conrad filed the following motions to indefinitely postpone:

LB732 - [MO816](#)

LB768 - [MO837](#)

LB810 - [MO881](#)

Senator Conrad filed the following motions to recommit to committee:

LB732 - [MO814](#)

LB732 - [MO817](#)

LB732 - [MO819](#)

LB768 - [MO835](#)

LB768 - [MO838](#)

LB768 - [MO840](#)

LB810 - [MO879](#)

LB810 - [MO882](#)

LB810 - [MO884](#)

Senator Conrad filed the following motions to bracket:

LB732 - [MO815](#)

LB732 - [MO818](#)

LB768 - [MO836](#)

LB768 - [MO839](#)

LB810 - [MO880](#)

LB810 - [MO883](#)

Senator Hunt filed the following motions to indefinitely postpone pursuant to Rule 6, Section 3(f):

LB753 - [MO820](#)

LB775 - [MO848](#)

Senator Hunt filed the following motions to indefinitely postpone:

LB753 - [MO823](#)

LB775 - [MO851](#)

Senator Hunt filed the following motions to recommit to committee:

LB753 - [MO821](#)

LB753 - [MO824](#)

LB753 - [MO826](#)

LB775 - [MO849](#)

LB775 - [MO852](#)

LB775 - [MO854](#)

Senator Hunt filed the following motions to bracket:

LB753 - [MO822](#)

LB753 - [MO825](#)

LB775 - [MO850](#)

LB775 - [MO853](#)

Senator M. Cavanaugh filed the following motions to indefinitely postpone pursuant to Rule 6, Section 3(f):

LB757 - [MO827](#)

LB769 - [MO841](#)

LB792 - [MO857](#)

LB799 - [MO864](#)

LB805 - [MO871](#)

Senator M. Cavanaugh filed the following motions to indefinitely postpone:

LB757 - [MO830](#)

LB769 - [MO844](#)

LB792 - [MO860](#)

LB799 - [MO867](#)

LB805 - [MO874](#)

Senator M. Cavanaugh filed the following motions to recommit to committee:

LB757 - [MO828](#)

LB757 - [MO831](#)

LB757 - [MO833](#)

LB769 - [MO842](#)

LB769 - [MO845](#)

LB769 - [MO847](#)

LB792 - [MO858](#)

LB792 - [MO861](#)

LB792 - [MO863](#)

LB799 - [MO865](#)

LB799 - [MO868](#)

LB799 - [MO870](#)

LB805 - [MO872](#)

LB805 - [MO875](#)

LB805 - [MO877](#)

Senator M. Cavanaugh filed the following motions to bracket:

LB757 - [MO829](#)

LB757 - [MO832](#)

LB769 - [MO843](#)

LB769 - [MO846](#)

LB792 - [MO859](#)

LB792 - [MO862](#)

LB799 - [MO866](#)

LB799 - [MO869](#)

LB805 - [MO873](#)

LB805 - [MO876](#)

Senator Lowe filed the following motion to [LB775](#):  
[MO856](#)  
Recommit to General Affairs Committee.

Senator Lowe filed the following motion to [LB775](#):  
[MO855](#)  
Bracket until April 20, 2023.

#### GENERAL FILE

**LEGISLATIVE BILL 243.** Senator M. Cavanaugh offered [MO164](#), found on page 925, to indefinitely postpone, prior to the bill being read, pursuant to Rule 6 Section 3(f).

Senator Briese opened on his bill, LB243.

Senator M. Cavanaugh opened on her motion, MO164.

Senator M. Cavanaugh withdrew her motion to indefinitely postpone, prior to the bill being read, pursuant to Rule 6, Section 3(f).

Title Read. Considered.

Committee [AM977](#), found on page 866, was offered.

Senator Erdman offered [AM1079](#), found on page 949, to the committee amendment.

Senator Hunt moved for a call of the house. The motion prevailed with 14 ayes, 1 nay, and 34 not voting.

The Erdman amendment, to the committee amendment, was adopted with 37 ayes, 0 nays, 8 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

Senator Hunt offered [AM1077](#), found on page 952, to the committee amendment.

Senator Hunt moved for a call of the house. The motion prevailed with 14 ayes, 3 nays, and 21 not voting.

Senator Hunt requested a roll call vote on her amendment, to the committee amendment.

Voting in the affirmative, 13:

Blood	Conrad	Dungan	McKinney	Wayne
Cavanaugh, J.	Day	Fredrickson	Raybould	
Cavanaugh, M.	DeBoer	Hunt	Vargas	

Voting in the negative, 30:

Albrecht	Brewer	Erdman	Hughes	Moser
Arch	Briese	Geist	Ibach	Murman
Armendariz	Clements	Halloran	Jacobson	Riepe
Ballard	DeKay	Hansen	Linehan	Sanders
Bostelman	Dorn	Hardin	Lippincott	Slama
Brandt	Dover	Holdcroft	Lowe	von Gillern

Present and not voting, 2:

Bostar          Walz

Excused and not voting, 4:

Aguilar          Kauth          McDonnell      Wishart

The Hunt amendment, to the committee amendment, lost with 13 ayes, 30 nays, 2 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

Pending.

### COMMITTEE REPORT

Urban Affairs

**LEGISLATIVE BILL 629.** Placed on General File.

(Signed) Terrell McKinney, Chairperson

### AMENDMENT - Print in Journal

Senator DeBoer filed the following amendment to LB243:

[AM1090](#)

(Amendments to Standing Committee amendments, AM977)

1 1. On page 28, reinstate the stricken matter in lines 1 through 3.

### RESOLUTIONS

**LEGISLATIVE RESOLUTION 79.** Introduced by Walz, 15.

WHEREAS, the American Occupational Therapy Association has declared the month of April 2023 to be Occupational Therapy Month; and

WHEREAS, the profession of occupational therapy makes valuable contributions in helping people live life to its fullest after an illness or injury; and

WHEREAS, occupational therapy services are available to residents of Nebraska through occupational therapists and occupational therapy assistants at hospitals, home health agencies, schools, clinics, community organizations, and nursing homes; and

WHEREAS, the health and productivity of the residents of Nebraska depends upon the effective use of health care resources, including the important services of occupational therapists and occupational therapy assistants.

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

1. That the Legislature recognizes April 2023 as Occupational Therapy Month in Nebraska.

Laid over.

**LEGISLATIVE RESOLUTION 80.** Introduced by McDonnell, 5.

WHEREAS, Mark Lampe was hired by the Omaha Fire Department on September 14, 1998; and

WHEREAS, Mark was promoted to Fire Captain on January 15, 2001; and

WHEREAS, Mark retired after twenty-four and one-half years with the Omaha Fire Department on March 14, 2023.

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

1. That the Legislature congratulates and extends its appreciation, admiration, and gratitude to Fire Captain Mark Lampe for his commitment, courage, and selflessness throughout his twenty-four and one-half years of outstanding service to the city of Omaha and its residents.

2. That the Legislature wishes Mark Lampe a happy and fulfilling retirement and commends him for his exemplary career with the Omaha Fire Department.

3. That a copy of this resolution be sent to Mark Lampe.

Laid over.

**UNANIMOUS CONSENT - Add Cointroducers**

Unanimous consent to add Senators as cointroducers. No objections. So ordered.

Senator Lippincott name added to LB243.

Senator Lippincott name added to LB754.

**VISITORS**

Visitors to the Chamber were students and a teacher from Lawrence-Nelson FFA; students and a teacher from Blair FFA; students from O'Neill FFA; students from Paddock Lane Elementary, Beatrice; students from Fillmore Central FFA; students from Cedar Bluffs Elementary, Cedar Bluffs; students and a teacher from Wayne FFA; members of the Armenian Parliament hosted by the Lincoln Council for International Visitors; students from Wheeler Elementary, Omaha.

The Doctor of the Day was Dr. Lane Handke of Pierce.

**ADJOURNMENT**

At 3:01 p.m., on a motion by Senator Hughes, the Legislature adjourned until 9:00 a.m., Monday, April 3, 2023.

Brandon Metzler  
Clerk of the Legislature

