

SECOND DAY - JANUARY 7, 2021**LEGISLATIVE JOURNAL****ONE HUNDRED SEVENTH LEGISLATURE
FIRST SESSION****SECOND DAY**

Legislative Chamber, Lincoln, Nebraska
Thursday, January 7, 2021

PRAYER

The prayer was offered by Senator DeBoer.

ROLL CALL

Pursuant to adjournment, the Legislature met at 10:00 a.m., President Foley presiding.

The roll was called and all members were present except Senator Lathrop who was excused until he arrives.

CORRECTIONS FOR THE JOURNAL

The Journal for the first day was approved.

COMMITTEE ON COMMITTEES PRELIMINARY REPORT

Senator Hilkemann offered the following Committee on Committees report:

Agriculture (8)

Tuesday

Halloran (C), Brewer, Cavanaugh, J., Groene, Hansen, B., Lathrop, Sanders, Slama

Appropriations (9)

Monday, Tuesday, Wednesday, Thursday, & Friday

Stinner (C), Clements, Dorn, Erdman, Hilkemann, Kolterman, McDonnell, Vargas, Wishart

Banking, Commerce and Insurance (8)

Monday & Tuesday

Williams (C), Aguilar, Bostar, Flood, Gragert, Lindstrom, McCollister, Pahls

Business and Labor (7)

Monday

Hansen, B. (C), Blood, Halloran, Hansen, M., Hunt, Lathrop, Slama

Education (8)

Monday & Tuesday

Walz (C), Brandt, Day, Linehan, McKinney, Morfeld, Murman,
Pansing BrooksGeneral Affairs (8)

Monday

Briese (C), Arch, Brewer, Cavanaugh, J., Groene, Lowe, Sanders, Wayne

Government, Military and Veterans Affairs (8)

Wednesday, Thursday, & Friday

Brewer (C), Blood, Halloran, Hansen, M., Hunt, Lowe, Pahls, Sanders

Health and Human Services (7)

Wednesday, Thursday, & Friday

Arch (C), Cavanaugh, M., Day, Hansen, B., Murman, Walz, Williams

Judiciary (8)

Wednesday, Thursday, & Friday

Lathrop (C), Aguilar, Brandt, DeBoer, McKinney, Morfeld, Pansing Brooks,
SlamaNatural Resources (8)

Wednesday, Thursday, & Friday

Bostelman (C), Cavanaugh, J., Geist, Gragert, Groene, Hughes, Moser,
WayneNebraska Retirement Systems (6)

At call of Chair

Kolterman (C), Clements, Lindstrom, McDonnell, Slama, Stinner

Revenue (8)

Wednesday, Thursday, & Friday

Linehan (C), Albrecht, Bostar, Briese, Flood, Friesen, Lindstrom,
McCollisterTransportation and Telecommunications (8)

Monday & Tuesday

Friesen (C), Albrecht, Bostelman, Cavanaugh, M., DeBoer, Geist, Hughes,
MoserUrban Affairs (7)

Tuesday

Wayne (C), Arch, Blood, Briese, Hansen, M., Hunt, Lowe

Committee on Committees (13)

Hilkemann (C)

District 1:Bostelman
Kolterman
Morfeld (VC)
MoserDistrict 2:Hunt
Lathrop
Lindstrom
VargasDistrict 3:Albrecht
Erdman
Groene
MurmanEnrollment and Review (1)

McKinney (C)

Reference (9)Hughes (C), Vargas (VC), Geist, Hilgers, Lathrop, Lowe,
McCollister, Pansing Brooks, Slama, Stinner (nonvoting ex officio)Rules (6)Clements (C), Cavanaugh, J., DeBoer, Erdman, Hansen, M., Hilgers
(ex officio)Executive Board of the Legislative Council (9)Hughes (C), Vargas (VC), Geist, Hilgers, Lathrop, Lowe,
McCollister, Pansing Brooks, Slama, Stinner (nonvoting ex officio)**MESSAGE(S) FROM THE GOVERNOR**

August 20, 2020

Mr. President, Speaker Scheer
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Scheer and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed
as the Director of the Nebraska Department of Natural Resources:

Thomas E. Riley, P.E., 1338 S. 202 Street, Eagle, NE 68347

The aforementioned appointee is respectfully submitted for your
consideration. Copies of the certificate and background information are
included for your review.Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

August 21, 2020

Mr. President, Speaker Scheer
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Scheer and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed as the Director of the Department of Health and Human Services - Division of Developmental Disabilities:

Anthony (Tony) R. Green, 116 S. 50th Avenue, Omaha, NE 68132

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

August 27, 2020

Mr. President, Speaker Scheer
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Scheer and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed as the Director of the Nebraska Department of Banking and Finance:

Kelly J. Lammers, 1124 224th, Milford, NE 68405

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

August 27, 2020

Mr. President, Speaker Scheer
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Scheer and Members of the Legislature:

Contingent upon your approval, the following individual is being reappointed to the Nebraska Board of Parole:

Rosalyn R. Cotton, 17189 Manderson Street, Omaha, NE 68116

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

September 16, 2020

Mr. President, Speaker Scheer
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Scheer and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed to the Nebraska Environmental Trust Board:

Mark Quandahl, 16729 Leavenworth Circle, Omaha, NE, 68118

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

October 28, 2020

Mr. President, Speaker Scheer
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Scheer and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed to the Beginning Farmer Board:

John E. Walvoord, 23637 Wright Street, Waterloo, NE 68069

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

October 28, 2020

Mr. President, Speaker Scheer
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Scheer and Members of the Legislature:

Contingent upon your approval, the following individuals are being appointed to the Nebraska Arts Council:

Sharon Hofschire, 2024 South 85 Avenue, Omaha, NE 68124
Pamela Snow, 1524 Fairway Circle, Ashland, NE 68003
Ann Michelle Dudley, 1006 Darrus Drive, Norfolk, NE 68701
Brenda Davis, 807 N. 7th, Beatrice, NE 68310
Zachary Cheek, 3021 N. 170 Street, Omaha, NE 68116

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

October 28, 2020

Mr. President, Speaker Scheer
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Scheer and Members of the Legislature:

Contingent upon your approval, the following individuals are being reappointed to the Nebraska Information Technology Commission:

Shane J. Greckel, 54172 887 Road, Bloomfield, NE 68718
Daniel Spray, 1005 Woodcrest, Norfolk, NE 68701

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

October 28, 2020

Mr. President, Speaker Scheer
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Scheer and Members of the Legislature:

Contingent upon your approval, the following individuals are being reappointed to the Nebraska Motor Vehicle Industry Licensing Board:

Clint Jones, 46341 N. 400 Avenue, Genoa, NE 68640
Brad Jacobs, 1404 Kendall Street, St. Paul, NE 68873
Matthew O'Daniel, 2843 Dale Lane, Arlington, NE 68002

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

October 28, 2020

Mr. President, Speaker Scheer
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Scheer and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed to the State Board of Health:

Timothy A. Tesmer, M.D., 3721 Doonbeg Road, Lincoln, NE 68520

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

October 28, 2020

Mr. President, Speaker Scheer
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Scheer and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed to the State Highway Commission:

Alec Gorynski, 2603 N. 160th Street, Omaha, NE 68116

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

October 30, 2020

Mr. President, Speaker Scheer
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Scheer and Members of the Legislature:

Contingent upon your approval, the following individual is being
reappointed to the Nebraska Accountability and Disclosure Commission:

Kate Sullivan, 816 West Cedar, Cedar Rapids, NE 68627

The aforementioned appointee is respectfully submitted for your
consideration. Copies of the certificate and background information are
included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

October 30, 2020

Mr. President, Speaker Scheer
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Scheer and Members of the Legislature:

Contingent upon your approval, the following individuals are being
appointed to the Nebraska Natural Resources Commission:

LeRoy W. Sievers, 716 Driftwood Drive, Lincoln, NE, 68510
Joseph L. Citta, Jr, 1518 Kozy Drive, Columbus, NE 68601
Timothy E. Krause, 78580 Highway 183, Mason City, NE 68855

Contingent upon your approval, the following individuals are being
reappointed to the Nebraska Natural Resources Commission:

Stanley A. Clouse, 4907 Linden Drive Place, Kearney, NE 68847
Bradley B. Dunbar, 16131 Bedford Avenue, Omaha, NE 68116
Thomas L. Knutson, 791 9th Avenue, St. Paul, NE 68873
Scott Smathers, 6140 Richland Circle, Lincoln, NE 68516

The aforementioned appointees are respectfully submitted for your
consideration. Copies of the certificate and background information are

included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

November 2, 2020

Mr. President, Speaker Scheer
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Scheer and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed as the Director of the Nebraska Department of Health and Human Services - Division of Medicaid and Long Term Care:

Kevin Bagley, 301 Centennial Mall South, Lincoln, NE 68509

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

November 6, 2020

Mr. President, Speaker Scheer
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Scheer and Members of the Legislature:

Contingent upon your approval, the following individuals are being appointed to the State Electrical Board:

Kurt Griess, 132 Mark Street, Aurora, NE 68818
Boyd Pedersen, 51976 Highway 275, Clearwater, NE 68726

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,

(Signed) Pete Ricketts
Governor

Enclosures

November 6, 2020

Mr. President, Speaker Scheer
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Scheer and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed to the State Personnel Board:

Erin Bond, 1132 N. 99th Street, Lincoln, NE 68527

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

November 6, 2020

Mr. President, Speaker Scheer
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Scheer and Members of the Legislature:

Contingent upon your approval, the following individual is being reappointed to the Nebraska Ethanol Board:

Randy L. Gard, 3402 S. Blaine Street, Grand Island, NE 68801

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

November 17, 2020

Mr. President, Speaker Scheer
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Scheer and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed to the Board of Educational Lands and Funds:

Duane L. Kime, 90301 Hathcery Road, Valentine, NE 69201

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

December 18, 2020

Mr. President, Speaker Scheer
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Scheer and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed to the Crime Victim's Reparation Committee:

Ann E. Ames, 2128 Lake Street, Lincoln, NE 68502

Also, contingent upon your approval, the following individuals are being reappointed to the Crime Victim's Reparation Committee:

Jeffrey Davis, Sarpy County Sheriff's Office, 8333 Platteview Road,
Papillion, NE 68046
Shawn Eatherton, 3207 Avenue K, Kearney, NE 68847

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

December 18, 2020

Mr. President, Speaker Scheer
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Scheer and Members of the Legislature:

Contingent upon your approval, the following individual is being
reappointed to the Child Abuse Prevention Fund Board:

David J. Hansen, 7510 Cardwell Circle, Lincoln, NE 68523

The aforementioned appointee is respectfully submitted for your
consideration. Copies of the certificate and background information are
included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

December 18, 2020

Mr. President, Speaker Scheer
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Scheer and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed
to the Nebraska Natural Resources Commission:

Rick Kubat, 8222 Castelar Street, Omaha, NE 68124

The aforementioned appointee is respectfully submitted for your
consideration. Copies of the certificate and background information are
included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

December 18, 2020

Mr. President, Speaker Scheer
and Members of the Legislature

State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Scheer and Members of the Legislature:

Contingent upon your approval, the following individual is being reappointed to the Nebraska Environmental Trust Board:

Mark Quandahl, 16729 Leavenworth Circle, Omaha, NE 68118

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

December 18, 2020

Mr. President, Speaker Scheer
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Scheer and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed to the Commission for the Deaf and Hard of Hearing:

Dr. Joshua Dale Sevier, 1023 Jones Street, Apt. 905, Omaha, NE, 68102

Also, contingent upon your approval, the following individual is being reappointed to the Commission for the Deaf and Hard of Hearing:

Diane Schutt, 700 11th Street, Fairbury, NE, 68352

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

December 18, 2020

Mr. President, Speaker Scheer
and Members of the Legislature

State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Scheer and Members of the Legislature:

Contingent upon your approval, the following individual is being reappointed to the Nebraska Game and Parks Commission:

Henry R. Brandt, 17851 South 12th Street, Roca, NE 68430

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

December 21, 2020

Mr. President, Speaker Scheer
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Scheer and Members of the Legislature:

Contingent upon your approval, the following individual is being reappointed to the Nebraska Investment Council:

Keith Olson, 13024 Hawthorne Court, Omaha, NE, 68154

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

December 21, 2020

Mr. President, Speaker Scheer
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Scheer and Members of the Legislature:

Contingent upon your approval, the following individuals are being reappointed to the Nebraska Power Review Board:

Charles Hutchison, 13904 Rahn Boulevard, Bellevue, NE 68123
Gregory Eugene Moen, 2704 Park Way, Norfolk, NE 68701

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

December 21, 2020

Mr. President, Speaker Scheer
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Scheer and Members of the Legislature:

Contingent upon your approval, the following individuals are being appointed to the Coordinating Commission for Postsecondary Education:

Molly S. O'Holleran, 1001 S. Deerwood Drive, North Platte, NE 69101
Gene Kelly, 1105 Rousseau Court, Papillion, NE 68046

Also, contingent upon your approval, the following individuals are being reappointed to the Coordinating Commission for Postsecondary Education:

Dr. Paul Von Behren, 2046 East 30th Street, Fremont, NE 68025
Mary Lauritzen, 1097 Highway 9, West Point, NE 68788

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

December 21, 2020

Mr. President, Speaker Scheer
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Scheer and Members of the Legislature:

Contingent upon your approval, the following individuals are being reappointed to the Nebraska Educational Telecommunications Commission:

Paul Turman, Nebraska State College System, 1327 H Street, Suite 200,
Lincoln, NE 68508
Clay Smith, 2310 Woodsdale Boulevard, Lincoln, NE 68502
Marilyn B. Hadley, 3112 Country Club Lane, Kearney, NE 68845

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

December 21, 2020

Mr. President, Speaker Scheer
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Scheer and Members of the Legislature:

Contingent upon your approval, the following individuals are being reappointed to the State Board of Health:

Dr. Mark R. Patefield, 717 Cedar Avenue, Laurel NE 68745
Dr. Russell Crotty, 1101 7th Street, Auburn, NE 68305
Michael Kotopka, DDS, 1030 Aldrich Road, Lincoln, NE 68510
Dan Vehle, 17831 Englewood Circle, Omaha, NE 68133
Robert (Bud) Synhorst, 2601 Piccadilly Court, Lincoln, NE 68504

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

ATTORNEY GENERAL'S OPINIONOpinion 20-010

SUBJECT: Necessity of Legislation to Implement the Department of Health and Human Services' "YRTC & Youth Facilities Initial Transition Plan"

REQUESTED BY: Senator Sara Howard, Senator Tom Brandt, Senator Steve Halloran, and Senator Dave Murman
Nebraska Legislature

WRITTEN BY: Douglas J. Peterson, Attorney General
Leslie S. Donley, Assistant Attorney General

You have requested an opinion from this office as to whether the Legislature must enact legislation prior to the Department of Health and Human Services ("DHHS") taking certain actions relating to its "YRTC & Youth Facilities Initial Transition Plan," dated July 15, 2020. At issue is DHHS' plan to move the Juvenile Chemical Dependency Program ("JCDP") currently located at the Hastings Regional Center ("HRC") to the Whitehall Campus at the Lincoln Regional Center ("LRC"), and then establish a youth rehabilitation and treatment center ("YRTC") for girls at the HRC. You have requested that we provide our guidance on these issues as soon as possible, "[g]iven DHHS's timeline to begin implementing this new plan by October 1, 2020."

BACKGROUND

Your opinion request letter references several statutes for our consideration. First, Neb. Rev. Stat. § 83-305 (2014), which "designates the [HRC] in Adams County as a state hospital for the treatment of mental illness." Second, under Neb. Rev. Stat. § 83-101.06 (2014), DHHS "shall . . . [a]dminister the clinical programs and services of the [HRC] . . ." Third, DHHS is required to utilize a "rehabilitation model" for services provided at the regional centers, which is defined as "a comprehensive approach to treatment and rehabilitation of a person with a disability caused by a mental illness in order to assure that such person can perform those physical, emotional, social, and intellectual skills needed to live and work in the community." Neb. Rev. Stat. § 83-305.04 (2014). Lastly, you state that under Neb. Rev. Stat. § 71-810(3) (2018), DHHS is required to "notify the Governor and the Legislature 'of any intended reduction or discontinuation of regional center services.'" In this regard, you indicate that under the proposed move to Whitehall, the number of beds available for the JCDP will be reduced from 24 to 8.¹

According to your opinion request letter, in 2017 the Legislature appropriated over \$5 million dollars to construct a new building at the HRC for the JCDP. The building was recently completed, but has not been used

for the program. You state that appropriations for the operation of the HRC are found in Program 361, which falls under the budget program for all three regional centers (Program 365). You indicate that Whitehall falls under a different division and budget program. It is your understanding that the male youth in the JCDP will be moved to Whitehall on October 1, 2020.

With respect to the proposed plan to move the female youth currently housed at the YRTC-Kearney to the new building at the HRC, you state that DHHS plans to renovate the building to fortify the structure "so that it would serve a more correctional purpose and . . . accommodate the needs and behaviors of the females committed to the YRTC." The YRTC at Geneva will then close. While DHHS had planned to move the girls by October 1, certain legislation passed last month (2020 Neb. Laws LB 1040, § 2) requires DHHS to complete a YRTC operational planning process prior to establishing a new YRTC in Hastings. You state that "DHHS may begin to renovate and retrofit the new building . . . to accommodate the female youth at the YRTC as soon as September. The girls would then be moved . . . in March 2021."

ANALYSIS

With this background in mind, you have posed a number of questions to us regarding DHHS' authority to implement the proposed plan under current law. We will discuss each of your questions separately below.

- I. Does the Legislature need to amend the law, specifically section 83-305, before the Chemical Dependency Program at the Hastings Regional Center is dismantled and the boys are moved to Whitehall in Lincoln?

Neb. Rev. Stat. § 83-305 (2014) states:

The state hospital established in Lancaster County for the treatment of mental illnesses shall be known as the Lincoln Regional Center. The state hospital established in Madison County shall be known as the Norfolk Regional Center. The state hospital established in Adams County shall be known as the Hastings Regional Center.

"In construing a statute, a court must determine and give effect to the purpose and intent of the Legislature as ascertained from the entire language of the statute considered in its plain, ordinary, and popular sense." *State ex rel. BH Media Group, Inc. v. Frakes*, 305 Neb. 780, 793, 943 N.W.2d 231, 243 (2020); *Aksamit Resource Mgmt. v. Nebraska Pub. Power Dist.*, 299 Neb. 114, 123, 907 N.W.2d 301, 308 (2018). Section 83-305, ascertained from the entirety of its language considered in its plain, ordinary, and popular sense, designates three existing state hospitals for the treatment of mental illness as "regional centers." The plain language of § 83-305 does

not define "state hospital" or "regional center." Notably, the JCDP is not referenced in § 83-305 nor is any other program or service.

Neb. Rev. Stat. § 83-108 (Cum. Supp. 2018)² provides, in pertinent part, that DHHS "shall have oversight and general control of the . . . hospitals for the mentally ill, [and] facilities and programs operated by the Office of Juvenile Services" DHHS also has broad authority over the admission, assignment and transfer of patients and residents in facilities under its jurisdiction. Neb. Rev. Stat. § 83-109 (Cum. Supp. 2018). As amended by 2020 Neb. Laws LB 1148, § 14 (effective date: November 14, 2020), Neb. Rev. Stat. § 83-108.04 provides that "[f]or children committed to the Office of Juvenile Services, [DHHS] may use other public facilities operated by [DHHS] for the care and treatment of such children or may contract for the use of space in another facility operated and utilized as a youth rehabilitation and treatment center in compliance with state law."

With respect to the JCDP, Neb. Rev. Stat. § 43-407(2) (2018), amended by 2020 Neb. Laws LB 1148, § 12, and 2020 Neb. Laws LB 1188, § 6, with an effective date of November 14, 2020, provides, in pertinent part:

A juvenile may be committed by a court to the Office of Juvenile Services for placement at a youth rehabilitation and treatment center operated and utilized in compliance with state law pursuant to a hearing described in subdivision (1)(b)(iii) of section 43-286. The office shall not change a juvenile's placement except as provided in this section. If a juvenile placed at a youth rehabilitation and treatment center is assessed as needing inpatient or subacute substance abuse or behavioral health residential treatment, the Office of Juvenile Services may arrange for such treatment to be provided at the Hastings Regional Center or may transition the juvenile to another inpatient or subacute residential treatment facility licensed as a treatment facility in the State of Nebraska and shall provide notice of the change in placement pursuant to subsection (3) of this section. . . .³

(Emphasis added.) As indicated in the emphasized language above, the Office of Juvenile Services ("OJS") *may* place a juvenile needing such treatment at the HRC *or* another inpatient or subacute residential treatment facility in the state. Section 43-407(2) gives the OJS the authority and discretion to place a juvenile where it deems appropriate. We do not read this provision as requiring that the treatment be provided at the HRC.

Our research indicates that Neb. Rev. Stat. 83-306, repealed by 2004 Neb. Laws LB 1083, § 149, previously required that "[t]he three state hospitals for the mentally ill described in section 83-305 shall provide care and treatment for all persons suffering from mental illnesses who are admitted to the state hospitals." Neb. Rev. Stat. § 83-306 (Reissue 2002). Section 83-306(4) further specified treatment of a particular illness at a specific regional center: "Persons addicted to the excessive use of alcohol shall . . . be committed to the Hastings Regional Center" *Id.* However,

even with a specific statutory requirement for the treatment of persons with a particular illness, this office previously concluded that the Department of Public Institutions, the agency responsible for operation of the HRC at that time, was not statutorily prohibited from terminating the Medical Detoxification program for individuals addicted to alcohol. Op. Att'y Gen. No. 49 (March 28, 1985). "Simply, no specific statute requires that a Medical Detoxification program must be maintained at the [HRC]. Whether the Medical Detoxification program at the [HRC] is terminated is a management decision which may be made by the Department of Public Institutions." *Id.* at 2.

"The intent of the Legislature may be found through its omission of words from a statute as well as its inclusion of words in a statute." *Stewart v. Nebraska Dep't of Revenue*, 294 Neb. 1010, 1019, 885 N.W.2d 723, 730 (2016). This prior statute illustrates that the Legislature knows how to employ language expressing its intent to require certain programs at specific facilities, and did not use such language in § 43-407(2) or any other statute. Since no specific statute creates the JCDP or requires the program to be maintained at the HRC, it is our opinion that DHHS' proposed plan to move the JCDP to Whitehall constitutes a management decision, for which no legislation is necessary.

The statutes cited in your opinion request letter do not change our conclusion in this regard. While Neb. Rev. Stat. § 83-101.06 (2014) requires DHHS to "administer the clinical programs and services" offered at the regional centers, this requirement is limited to those programs and services "as may be provided by the department." The statute does not require DHHS to provide any particular service or program at HRC. Nor does it restrict the use of the HRC to only clinical programs. And while Neb. Rev. Stat. § 83-305.04 requires that DHHS "utilize a rehabilitation model when appropriate for services provided at the regional centers under the jurisdiction of the department," there is nothing in your request letter or in the materials provided to us by DHHS to suggest this model will not be utilized when the JCDP is moved to Whitehall.

You have asked us whether § 83-305 must be amended before DHHS' proposed plan to move the JCDP to Whitehall may proceed. Based on the foregoing, we conclude that no such amendment is necessary. DHHS has broad control and discretion over the facilities under its jurisdiction, the programs and services offered at those facilities, and the admission, assignment and transfer of the patients and residents to those facilities. Section 43-407 indicates that the treatment at issue may be provided at HRC or another facility in the state as determined by the OJS. Section 71-810 suggests that the HRC JCDP may be discontinued so long as the behavioral health services provided at Whitehall are sufficient to replace the services provided at HRC.⁴ In sum, we conclude that DHHS' plan to move the JCDP to Whitehall appears to be authorized under existing law.

- II. Similarly, does the Legislature need to amend section 83-305 before a YRTC can be established at the Hastings Regional Center or before the Hastings Regional Center can be used to house the female youth from the YRTC since the YRTC at the Hastings Regional Center will not be a state hospital or used as a mental health facility as required under § 83-305? Must the provision establishing a state hospital in Adams County at the Hastings Regional Center be stricken?

As we concluded in response to your first question, there is no need to amend § 83-305 to create the proposed YRTC at the HRC. Under Neb. Rev. Stat. § 43-404 (2016),⁵ the OJS "shall have oversight and control of the youth rehabilitation and treatment centers." Neb. Rev. Stat. § 43-405 (2016)⁶ authorizes the OJS to "[e]xercise all powers and perform all duties necessary to carry out its responsibilities under the Health and Human Services, Office of Juvenile Services Act." Under Neb. Rev. Stat. § 43-407, "[t]he [OJS] shall design and make available programs and treatment services through youth rehabilitation and treatment centers."⁷ Certain language in LB 1140 appears to further sanction DHHS' ability to establish a YRTC at the HRC as proposed, subject to the conditions set out in the legislation:

The department shall not establish a new youth rehabilitation and treatment center or establish or move a youth rehabilitation and treatment center to a new or existing state or private facility until March 30, 2021, after the completion of the planning process required under this section. Youth committed to the [OJS] and residing at a youth rehabilitation and treatment center may be moved to an existing state or private facility on a temporary basis in the event of an emergency, pursuant to the emergency plans created under section 6 of this act, and in compliance with the requirements and restrictions in sections 7 and 8 of this act.

2020 Neb. Laws LB 1140, § 2, codified at Neb. Rev. Stat. § 43-427. In addition, we understand that there was no apparent need to enact enabling legislation prior to DHHS' establishing the "YRTC-Lincoln" at the Lancaster County Youth Services Center earlier this year.

You have also asked whether the Legislature should strike the provision establishing a state hospital in Adams County at the HRC. According to DHHS officials, the HRC has not operated as a state hospital for the mentally ill for a number of years. We also understand that the JCDP is the only program currently offered at the HRC. Accordingly, the Legislature may want to consider amending § 83-305 to reflect the HRC's actual use.

- III. Would the Legislature need to amend the law to redirect the appropriations designated in LB 330 (2017) for the construction of a building for the specific use of the Chemical Dependency Program so that the building may be used as a YRTC instead?

The specific appropriation referenced above states, in pertinent part:

The unexpended General Fund and Nebraska Capital Construction Fund appropriation balances existing on June 30, 2017, are hereby reappropriated.

[DHHS] is hereby authorized to repurpose reappropriated funds originally appropriated to this program for the renovation of Building 3 at the [HRC]. Such reappropriated funds shall be used to construct a facility at the [HRC] to house the chemical dependency program for males in state custody.

There is included in the reappropriated fund balances in this program an estimated \$2,897,000 to demolish buildings at the [HRC] determined by the Vacant Building and Excess Land Committee to be vacant as defined in section 72-811.

2017 Neb. Laws LB 330, § 8.⁸

This office has indicated on numerous occasions that appropriations bills must be restricted to appropriations only and cannot enact substantive law. Op. Att'y Gen. No. 91020 (March 25, 1991).⁹ "[A]n appropriations bill is separate and distinct from other substantive legislation." Report of the Attorney General, 1979-1980, No. 289 at 416. Our position was based on constitutional provisions relating to appropriations bills, which require one subject and a new legislative act to amend or repeal existing law. Our prior opinions also pointed out the difficulty with including substantive provisions in appropriation bills: "One practical problem of putting such language in appropriation bills is the fact that such bills are in the nature of temporary laws. They are never placed with our permanent laws, but are only printed once, in the Session laws. Thus they do not come to the attention of persons having to deal with the government." Opinion of the Attorney General to Governor Exon (March 25, 1974), 1974 Legislative Journal at 1313. There is no provision in the permanent laws that discusses "a facility at the [HRC] to house the chemical dependency program for males in state custody." The only provision we could find relating to the JCDP is the reference to "inpatient or subacute substance abuse or behavioral health residential treatment" and the HRC in Neb. Rev. Stat. § 43-407.

The premise of your question appears to be that the language in LB 330 requires the JCDP to be housed at the new facility at the HRC. As explained above, appropriation bills do not create substantive provisions. And as indicated in our responses to questions I and II, DHHS already has the ability under current law to plan to use the HRC facility for a proposed YRTC. Consequently, the Legislature must decide as a matter of policy whether substantive legislation is necessary to restrict the use of the HRC facility.

- IV. Would it be necessary for the Legislature to reallocate funds from the Hastings Regional Center operations budget, Program 361, to the operations budget at Whitehall prior to the establishment of the Chemical Dependency Program at Whitehall?

According to the 2019 mainline budget bill, LB 294, § 104, the HRC is listed as a program classification (No. 361) within DHHS Program No. 365, "Mental Health Operations." According to DHHS officials, the administrative costs of operating the JCDP at HRC are currently paid from Program No. 365 and will continue to be paid from this program when JCDP is transitioned to Whitehall. Thus, it is not necessary for the Legislature to "reallocate" funds prior to the proposed move.

CONCLUSION

Based on the foregoing, it is our opinion that no legislative amendments to Neb. Rev. Stat. § 83-305 are necessary in order for DHHS to implement its "YRTC & Youth Facilities Initial Transition Plan." While the proposed transfer of the JCDP to Whitehall may proceed as scheduled, DHHS is prohibited from establishing a new YRTC or establishing or moving a YRTC to a new or existing state or private facility until March 30, 2021, following the completion of the planning requirements set out in § 43-427. There is also no need to "redirect" the appropriation expended to construct the building originally intended for the JCDP, notwithstanding DHHS' decision to repurpose the building.

Finally, other funding or administrative considerations regarding the regional centers, the OJS, or the YRTCs, are matters of policy as opposed to legal questions, which the Youth Rehabilitation and Treatment Center Special Oversight Committee¹⁰ or the Legislature as a whole is best equipped to address.

Sincerely,
DOUGLAS J. PETERSON
Attorney General
(Signed) Leslie S. Donley
Assistant Attorney General

pc Patrick J. O'Donnell
Clerk of the Nebraska Legislature

49-2564-29

¹DHHS officials inform us that the notice required under § 71-810 was provided to the Governor and the Clerk of the Legislature on September 15, 2020.

²Section 83-108 was amended during the 2020 legislative session to give DHHS oversight and general control over "any facility operated and utilized as a youth rehabilitation and treatment center in compliance with state law." 2020 Neb. Laws LB 1188, § 17 (effective date: November 14, 2020).

³We note that specific references to YRTC-Kearney and YRTC-Geneva in § 43-407 were struck by the 2020 legislation.

⁴Neb. Rev. Stat. § 71-810(2) (2018) provides, in pertinent part:

The division [of Behavioral Health] may reduce or discontinue regional center behavioral health services only if (a) appropriate community-based services or other regional center behavioral health services are available for every person receiving the regional center services that would be reduced or discontinued, [and] (b) such services possess sufficient capacity and capability to effectively replace the service needs which otherwise would have been provided at such regional center

⁵Amended by 2020 Neb. Laws LB 1188, § 3 (effective date: November 14, 2020).

⁶Amended by 2020 Neb. Laws LB 1188, § 4 (effective date: November 14, 2020).

⁷As noted above, the Legislature eliminated references to "Youth Rehabilitation and Treatment Center-Kearney" and "Youth Rehabilitation and Treatment Center-Geneva" in § 43-407 in the 2020 legislation. Cf. Neb. Rev. Stat. § 83-107.01, amended by 2020 Neb Laws LB 1188, § 16 (effective date: November 14, 2020), which lists the state institutions under DHHS' supervision, including the YRTCs at Kearney and Geneva, and sets out the gender separation requirements of the YRTCs "so long as the department operates" such facility.

⁸As indicated, the 2017 appropriation was a reappropriation of funds originally appropriated to Program No. 919 for the renovation of Building 3 at the HRC. The legislative history of the project indicates that DHHS' original capital construction project request was made for the 2013-2015 biennium budget cycle with a FY2014 request for \$6,876,890 for "[t]he renovation of Building #3 at the [HRC] to house a Chemical Dependency Treatment Program for 24 adolescent males." 2013-2015 Capital Construction and Building Renewal Budget Request, October 4, 2012, at 4. The original appropriation was made via LB 198, § 11 (2013), which stated, "[DHHS] is hereby authorized to renovate Building No. 3 at the [HRC] to house the chemical dependency program serving adolescent males in state custody." In 2015, the Legislature appropriated \$4,883,000 for FY2015-16, for the same purpose of renovating Building No. 3 to house the chemical dependency program. See LB 660, § 9 (2015). Most recently, the Legislature appropriated the undisbursed balances in Program No. 919 existing on June 30, 2019 and June 30, 2020. See LB 297, § 47 (2019). LB 297 contained no specific authorization language regarding these funds found in prior capital construction legislation in each of the three prior biennium budget cycles. DHHS' 2019-2021 request simply seeks a reappropriation for "Program 919 Hastings Regional Center (HRC) Building No. 3 Renovation." 2019-2021 Capital Construction and Building Renewal Budget Request, September 14, 2018, at 4.

⁹See also Op. Att’y Gen. No. 35 (August 14, 2000); Op. Att’y Gen. No. 92054 (April 1, 1992); Opinion of the Attorney General No. 24, February 17, 1981; Report of the Attorney General, 1977–1978, No. 75 at 112 and No. 241 at 368; and Report of the Attorney General, 1975–1976, No. 201 at 281 and No. 214 at 296.

¹⁰See 2020 Neb. Laws LB 1144, § 4 (effective date: November 14, 2020).

**2020 INTERIM REPORT
ON THE DISPOSITION OF
INTERIM STUDY RESOLUTIONS**

Agriculture

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
337	Interim study to reexamine which Nebraska-grown food products can feasibly be used for school meals and snacks	X		
378	Interim study to examine the Livestock Brand Act and the role and mission of the Nebraska Brand Committee	X		
380	Interim study to examine the feasibility of creating a state meat inspection program		X	
435	Interim study to examine and document the economic impacts of the COVID-19 pandemic emergency on the agricultural sector of Nebraska			X

Appropriations

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
389	Interim study to analyze existing public postsecondary institutions programs, initiatives, and strategies to address workforce and talent shortages and the economic impact of the COVID-19 pandemic on these shortages		X	
390	Interim study to assess the fiscal and economic impact of the COVID-19 pandemic on Nebraska's early childhood		X	

	workforce and the early childhood care and education system			
392	Interim study to examine the feasibility of increasing the capacity of pre-health academic and research undergraduate programs at the University of Nebraska at Kearney to help expand the permanent presence of the University of Nebraska Medical Center in central and western Nebraska		X	
394	Interim study to examine the TestNebraska program		X	
407	Interim study to examine the long-term fiscal sustainability of the Nebraska Health Care Cash Fund		X	

Banking, Commerce and Insurance

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
354	Interim study to examine whether the Real Property Appraiser Act should be updated		X	
430	Interim study to examine issues related to property and casualty insurance			X
355	Interim study to review the credentialing requirements in the Real Property Appraiser Act in furtherance of the purposes of the Occupational Board Reform Act		X	

Business and Labor

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
356	Interim study to examine issues within the jurisdiction of the Business and Labor Committee		X	
357	Interim study to review occupational regulations for locksmiths	X		
358	Interim study to review the Nebraska Workers' Compensation		X	

	Act			
359	Interim study to review the Employment Security law and the effects of the COVID-19 pandemic on the efficacy of the law		X	
381	Interim study to review the collective-bargaining agreements of law enforcement agencies and the statutory requirements for such agreements		X	
391	Interim study to conduct a review of current academic literature and research examining the impact of paid sick leave policies on pandemic spread in various states and industries		X	
441	Interim study to examine issues related to paid family and medical leave		X	
459	Interim study to review the effects of COVID-19 on the safety of workers in Nebraska		X	

Education

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
362	Interim study to conduct an in-depth review of the financing of special education in public primary and secondary schools			X
363	Interim study to conduct an in-depth review of the financing of the public elementary and secondary schools			X
399	Interim study to conduct an in-depth review of how at-risk and economically disadvantaged students are identified as a qualification factor for state-funded, education-related programs at the primary, secondary, and postsecondary levels			X
400	Interim study to examine issues within the jurisdiction of the Education Committee			X

401	Interim study to examine the enrollment option program		X	
402	Interim study to examine the impact of COVID-19 on the education of Nebraska's children		X	
425	Interim study to examine the administrative costs of local systems and school districts			X
452	Interim study to examine career and technical education programs and opportunities			X

Executive Board

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
361	Interim study to examine matters related to the upcoming redistricting process in Nebraska			X
395	Interim study to determine the benefits of requiring each committee of the Legislature to complete a study and hold a public hearing for each interim study resolution referred to that committee			X
423	Interim study to conduct a comprehensive review of the pay plan and salary grade ranges for legislative employees			X

General Affairs

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
347	Interim study to examine the use of heat-applied tax stamps on individual cigarette packages			X
432	Interim study to examine issues within the jurisdiction of the General Affairs Committee			X
433	Interim study to examine the State Racing Commission and review occupational licenses and regulations for jockeys and horse trainers	X		
450	Interim study to examine the Executive Order issued by the			X

	Governor regarding the law permitting the sales of alcohol for off-premises consumption, and whether the law should be amended to make the temporary waiver permanent			
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Government, Military and Veterans Affairs

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
455	Interim study to examine the burden on counties with regard to the costs paid for office space used by the Dept. of Health and Human Services for the administration of public health programs		X	
345	Interim study to examine efforts to protect Nebraska's archaeological and paleontological resources		X	
367	Interim study to examine set fee and fine amounts and the costs experienced by county governments when administering the associated services		X	
397	Interim study to examine the implementation and impact of eliminating felony disenfranchisement in Nebraska		X	

Health and Human Services

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
348	Interim study to examine service animal fraud and emotional support animal fraud		X	
350	Interim study to examine the role of telehealth services during the COVID-19 pandemic of 2020		X	
368	Interim study to analyze underinvestment in primary care in the State of Nebraska			X
382	Interim study to examine the oversight of non-court involved child welfare cases			X

387	Interim study to examine the processes, by which children who are the victim of a substantiated case of abuse or neglect, are able to access services through Nebraska's Early Development Network under the federal Individuals with Disabilities Education Act, Part C			X
404	Interim study to provide continued oversight of and updates regarding the execution and administration of medicaid expansion by the Dept. of Health and Human Services		X	
406	Interim study to examine issues within the jurisdiction of the Health and Human Services Committee		X	
408	Interim study to examine issues associated with the economic stimulus funds that were provided by the CARES Act as a result of the COVID-19 pandemic			X
409	Interim study to examine the drug testing protocol in the Division of Children and Family Services of the Dept. of Health and Human Services for families involved in the child welfare system			X
410	Interim study to provide continued oversight of and updates regarding the contract between the Dept. of Health and Human Services and St. Francis Ministries for child welfare case management services		X	
411	Interim study to provide continued oversight of and updates regarding the response of the Dept. of Health and Human Services to the COVID-19 pandemic			X
412	Interim study to assess the mental and behavioral health needs of Nebraskans and the current shortages of services and resources			X

414	Interim study to examine issues under the jurisdiction of the Health and Human Services Committee related to long-term care facilities, assisted living facilities, and nursing facilities			X
420	Interim study to examine the racial and ethnic disproportionality that exists in Nebraska's foster care and juvenile justice systems, including specifically, for youth committed to the youth rehabilitation and treatment centers			X
422	Interim study to examine the modifications made to child welfare policies and practices during the COVID-19 pandemic of 2020		X	
424	Interim study to conduct a comprehensive review of maternal and child mortality		X	
428	Interim study to examine issues surrounding staffing ratios and standards of care at assisted living facilities, nursing facilities, and day service providers			X
445	Interim study to update data and review the potential impact on the state behavioral health system by expanding access to prescribing psychologists		X	
454	Interim study to evaluate Nebraska law permitting a faculty or academic license for dentistry			X
456	Interim study to examine the proposal by the Dept. of Health and Human Services for changes to Medicaid Section 1915(c) Waiver Appendix K in response to the COVID-19 pandemic and how service providers and individuals with developmental disabilities have been impacted			X

Judiciary

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
457	Interim study to examine the Nebraska parole and pardons processes		X	
377	Interim study to complete a comprehensive review on the reform of policing in Nebraska		X	
417	Interim study to examine law enforcement jurisdictions in the state and the existing policies on the use of force by law enforcement officers		X	
384	Interim study to examine issues related to Nebraska's correctional system		X	
421	Interim study to examine the racial and ethnic disproportionality that exists in Nebraska's foster care system, including specifically, for youth committed to the youth rehabilitation and treatment centers			X
427	Interim study to examine the issue of reentry housing utilized by people exiting the Nebr. Dept. of Correctional Services and requiring post-release supervision		X	
393	Interim study to review juvenile justice involvement for youth who commit certain status offenses			X
449	Interim study to conduct a comprehensive review of systemic and institutional racism in Nebraska			X
386	Interim study to examine Nebraska law, policy, and application in the filing and transferring of cases involving youth between juvenile and criminal court and to examine how the jurisdictional structure supports the intent of the juvenile			X

	code			
379	Interim study to examine whether continuity of care and safety for individuals and the public can be enhanced by allowing mental health providers to coordinate with law enforcement			X
383	Interim study to examine issues within the jurisdiction of the Judiciary Committee		X	
405	Interim study to examine the feasibility of developing the Nebraska Juvenile Justice Information System			X
418	Interim study to examine the categorization of criminal offenses			X
419	Interim study to examine the various age requirements in the Nebraska statutes related to minors and the age of majority			X
453	Interim study to examine barriers to obtaining state identification that may exist for inmates in county correctional facilities who are in the process of being released or who have recently been released			X
416	Interim study to examine the terms used to refer to law enforcement officers in Nebraska statutes			X
385	Interim study to investigate the advertisement and use of unproven stem cell injections as a therapy for health disorders			X
388	Interim study to examine the coordination of efforts to find alternatives to incarceration for offenses that involve operating a motor vehicle under the influence of alcohol or other drugs			X

Natural Resources

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
333	Interim study to examine the		X	

	possibility of placing one or more reservoirs on the Platte River and its tributaries for the purpose of flood control, hydroelectric energy, recreation, economic development, and environmental stewardship			
340	Interim study to examine the extent of surface water irrigation in Nebraska and the condition of the surface water irrigation projects		X	
373	Interim study to conduct a comprehensive review of statutory and regulatory policies of the State of Nebraska as they pertain to Nebraska's biofuels industry		X	
446	Interim study to review the rulemaking process, implementation, and impact of the most recent rule and policy changes considered or implemented by the Game and Parks Commission regarding Lake McConaughy and Lake Ogallala state recreation areas		X	

Nebraska Retirement Systems

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
314	Interim study to review the most recent experience study required for all retirement systems administered by the Public Employees Retirement Board	X		
315	Interim study to review a separate compliance audit obtained by the Public Employees Retirement Board, as required under section 84-1503, of the state-administered retirement systems	X		
316	Interim study to examine the public employees retirement systems administered by the Public Employees Retirement Board	X		

317	Interim study to carry out section 13-2402 which requires the Nebraska Retirement Systems Committee to monitor defined benefit plans administered by political subdivisions	X		
318	Interim study to review progress in complying with sections of statute which require transferring management of the Omaha Schools Employee Retirement System to the Public Employees Retirement Board	X		
398	Interim study to examine retirement benefits for law enforcement employees in all counties except counties containing a city of the metropolitan class			X

Revenue

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
477	Interim study to examine the definition and interpretation of cigarette by the Dept. of Revenue for purposes of taxation and the Master Settlement Agreement	X		
415	Interim study to examine the state inheritance tax, its current structure, and recommendations on whether it should be amended, replaced, or repealed	X		
364	Interim study to conduct an in-depth review of the use of plastic shopping bags and single-use checkout bags			X

Transportation and Telecommunications

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
437	Interim study to review the current model of collecting revenue to build and repair roads			X
438	Interim study to continue to monitor the activities of the Rural			X

	Broadband Task Force that was created by Laws 2018, LB994			
429	Interim study to examine issues related to mapping broadband coverage throughout Nebraska			X
439	Interim study to examine issues within the jurisdiction of the Transportation and Telecommunications Committee			X
365	Interim study to conduct an in-depth review of the use of highway cable barriers on Nebraska's highways			X
396	Interim study to examine whether Nebraska should enact peer-to-peer vehicle sharing program legislation			X
440	Interim study to examine existing laws, rules, and regulations related to excavation, in particular regarding underground facilities			X

Urban Affairs

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
352	Interim study to explore the enforcement of the ordinances and codes of cities of the second class and villages to promote public welfare and economic development			X
369	Interim study to review the occupational regulations for fire alarm inspectors	X		
370	Interim study to examine the statutes governing all classes of municipalities in Chapter 18 of the Nebraska Revised Statutes		X	
371	Interim study to examine issues within the jurisdiction of the Urban Affairs Committee			X
372	Interim study to examine the impact of sanitary and improvement districts on residential neighborhood development in Nebraska			X

374	Interim study to examine issues related to the historical practice known as redlining within Nebraska municipalities		X	
434	Interim study to analyze housing throughout Nebraska			X
436	Interim study to determine whether elementary and secondary students in Nebraska have adequate access to clean drinking water throughout the school day			X

MOTION - Adopt Temporary Rules

Senator Hilgers moved that the rules, as now in our possession, be adopted until such time as the permanent rules are adopted pursuant to Rule 2, Section 1; provided that the temporary rules shall not continue after the twelfth legislative day.

The motion prevailed.

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 1. Introduced by Executive Board: Hughes, 44, Chairperson.

A BILL FOR AN ACT relating to the Mechanical Amusement Device Tax Act; to amend section 77-3001, Reissue Revised Statutes of Nebraska, as amended by section 12, Initiative Law 2020, No. 430; to correlate provisions with Laws 2019, LB538, section 2; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 2. Introduced by Briese, 41.

A BILL FOR AN ACT relating to property taxes; to amend sections 77-201 and 77-5023, Reissue Revised Statutes of Nebraska; to change the valuation of agricultural land and horticultural land for purposes of certain school district taxes; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 3. Introduced by Briese, 41.

A BILL FOR AN ACT relating to schools; to amend section 13-506, Revised Statutes Cumulative Supplement, 2020; to change notice provisions for budget hearings; to require public access to data as prescribed; to provide duties; and to repeal the original section.

LEGISLATIVE BILL 4. Introduced by Briese, 41.

A BILL FOR AN ACT relating to servicemembers and veterans; to amend sections 80-901, 80-902, and 80-903, Reissue Revised Statutes of Nebraska; to change provisions and qualification requirements relating to tuition credits; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 5. Introduced by Blood, 3; Walz, 15.

A BILL FOR AN ACT relating to schools; to adopt the Purple Star Schools Act.

LEGISLATIVE BILL 6. Introduced by Blood, 3.

A BILL FOR AN ACT relating to income taxes; to amend section 77-2716, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to the taxation of military retirement benefits; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 7. Introduced by Blood, 3.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-801 and 28-801.01, Reissue Revised Statutes of Nebraska, and sections 28-101, 28-416, and 28-441, Revised Statutes Cumulative Supplement, 2020; to provide immunity from arrest and prosecution for certain controlled substances and prostitution violations by witnesses and victims of violent crimes and persons cooperating with law enforcement; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 8. Introduced by Blood, 3.

A BILL FOR AN ACT relating to the Nebraska Political Accountability and Disclosure Act; to amend section 49-1403, Reissue Revised Statutes of Nebraska, and sections 49-1401, 49-1463.01, 49-1467, and 49-1469, Revised Statutes Cumulative Supplement, 2020; to define a term; to change reporting requirements for independent expenditures; to require reporting regarding electioneering communications; to provide for late filing fees; to provide a penalty; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 9. Introduced by Blood, 3.

A BILL FOR AN ACT relating to real property; to amend sections 16-118 and 77-1344, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to annexation of land and the special valuation of agricultural or horticultural land within cities and villages; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 10. Introduced by Blood, 3.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-202.23 and 77-202.24, Reissue Revised Statutes of Nebraska, and section 60-3,185, Revised Statutes Cumulative Supplement, 2020; to change a motor vehicle tax exemption and a property tax exemption relating to certain disabled veterans; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 11. Introduced by Blood, 3.

A BILL FOR AN ACT relating to the Election Act; to amend sections 32-312.02, 32-808, 32-941, and 32-943, Reissue Revised Statutes of Nebraska, and sections 32-312 and 32-330, Revised Statutes Cumulative Supplement, 2020; to change requirements to register to vote, availability of voter registration information, and provisions regarding ballots for early voting; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 12. Introduced by Blood, 3.

A BILL FOR AN ACT relating to transportation; to require the Department of Transportation to conduct a commuter rail service study and report.

LEGISLATIVE BILL 13. Introduced by Blood, 3.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-1206, Revised Statutes Cumulative Supplement, 2020; to prohibit possession of a deadly weapon by a person in this state subject to a valid foreign protection order relating to domestic or family abuse; and to repeal the original section.

LEGISLATIVE BILL 14. Introduced by Blood, 3.

A BILL FOR AN ACT relating to audiology and speech-language pathology; to amend sections 38-513, 38-515, and 38-520, Reissue Revised Statutes of Nebraska, and sections 38-518 and 38-1509, Revised Statutes Cumulative Supplement, 2020; to adopt the Audiology and Speech-Language Pathology Interstate Compact; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 15. Introduced by Blood, 3.

A BILL FOR AN ACT relating to occupational therapy; to amend section 38-2516, Reissue Revised Statutes of Nebraska; to adopt the Occupational Therapy Practice Interstate Compact; to authorize practice as an occupational therapist or occupational therapy assistant as prescribed; and to repeal the original section.

LEGISLATIVE BILL 16. Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to the Judges Retirement Act; to amend section 24-703, Reissue Revised Statutes of Nebraska; to provide for state contributions to the Nebraska Retirement Fund for Judges as prescribed; to harmonize provisions; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 17. Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to retirement; to amend sections 24-703 and 79-966.01, Reissue Revised Statutes of Nebraska, and sections 24-701, 24-710, 79-966, and 81-2017, Revised Statutes Cumulative Supplement, 2020; to change actuarial valuation provisions and amortization periods in retirement systems under the Judges Retirement Act, the School Employees Retirement Act, and the Nebraska State Patrol Retirement Act; to eliminate obsolete provisions; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 18. Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to the ImagiNE Nebraska Act; to amend sections 77-6810 and 77-6818, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to equivalent employees and qualified locations; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 19. Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to the Cosmetology, Electrology, Esthetics, Nail Technology, and Body Art Practice Act; to amend sections 38-1008, 38-1033, 38-1035, 38-1037, 38-1040, 38-1041, 38-1044, 38-1053, 38-1054, 38-1055, 38-1060, 38-1064, 38-10,167, and 38-10,169, Reissue Revised Statutes of Nebraska, and sections 38-1001, 38-1004, 38-1061, 38-1062, 38-1066, 38-1067, 38-1069, 38-1075, 38-10,128, and 38-10,171, Revised Statutes Cumulative Supplement, 2020; to define and redefine terms; to change provisions relating to permanent color technology and licensure by examination; to provide for registration of a guest body artist and licensure of a temporary body art facility and a nail technology apprentice salon; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 20. Introduced by Blood, 3.

A BILL FOR AN ACT relating to public health and welfare; to amend section 68-901, Revised Statutes Cumulative Supplement, 2020; to provide requirements for insurance coverage of prescribed contraceptives and obtaining prescribed contraceptives under the medical assistance program; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 21. Introduced by Williams, 36.

A BILL FOR AN ACT relating to insurance; to amend sections 44-322, 44-3,127, 44-32,119, and 44-5814, Reissue Revised Statutes of Nebraska, and sections 44-3902 and 44-3903, Revised Statutes Cumulative Supplement, 2020; to provide for distribution of administrative penalties in accordance with Article VII, section 5, of the Constitution of Nebraska; to change requirements for transmittal and review of applications related to health maintenance organizations; to redefine a term; to change continuing education exceptions; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 22. Introduced by Williams, 36.

A BILL FOR AN ACT relating to the Nebraska Protection in Annuity Transactions Act; to amend sections 44-8102, 44-8103, 44-8105, 44-8106, 44-8107, 44-8108, and 44-8109, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to the purpose of the act; to limit liability; to change applicability of the act; to authorize rules and regulations; to define and redefine terms; to change producer and insurer obligations, supervision, prohibited practices, and record keeping; to provide for safe harbor requirements; to change the powers of the Director of Insurance; to change penalties and training requirements; to provide for applicability; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 23. Introduced by Williams, 36.

A BILL FOR AN ACT relating to real property; to amend sections 76-2207.30, 76-2218.02, 76-2221, 76-2228.01, 76-2228.02, 76-2230, 76-2231.01, and 76-2232, Revised Statutes Cumulative Supplement, 2020; to redefine terms; to change certain applicability, qualification, and disciplinary provisions under the Real Property Appraiser Act; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 24. Introduced by Kolterman, 24; Lathrop, 12.

A BILL FOR AN ACT relating to the Nebraska Judges Retirement System; to amend sections 24-703, 33-106.02, 33-123, 33-124, 33-125, 33-126.02, 33-126.03, and 33-126.06, Reissue Revised Statutes of Nebraska, and section 25-2804, Revised Statutes Cumulative Supplement, 2020; to change the Nebraska Retirement Fund for Judges fee and remittance procedures; to change distribution of certain court fees relating to the Nebraska Retirement Fund for Judges; to eliminate obsolete provisions; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 25. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to the Community Development Law; to

amend sections 18-2101.02 and 18-2147, Revised Statutes Cumulative Supplement, 2020; to change the period for dividing ad valorem taxes for certain redevelopment plans that include extremely blighted areas; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 26. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2701.41, 77-2713, and 77-27,223, Reissue Revised Statutes of Nebraska, and sections 77-2701, 77-2701.04, and 77-2711, Revised Statutes Cumulative Supplement, 2020; to provide a sales and use tax exemption for residential water service; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 27. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to appropriations; to state intent relating to appropriations to the Nebraska State Historical Society as prescribed; and to declare an emergency.

LEGISLATIVE BILL 28. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to criminal procedure; to amend sections 29-2101 and 29-2103, Reissue Revised Statutes of Nebraska; to change provisions relating to motions for a new trial; to provide for applicability; and to repeal the original sections.

LEGISLATIVE BILL 29. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to holidays; to amend sections 25-2221 and 62-301, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to holidays; and to repeal the original sections.

LEGISLATIVE BILL 30. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to insurance; to limit the cost of prescription insulin drugs; and to provide a duty for the Revisor of Statutes.

LEGISLATIVE BILL 31. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to courts; to state findings; to define terms; to authorize punitive damages as prescribed; and to require punitive damages to be appropriated for the use of the common schools.

LEGISLATIVE BILL 32. Introduced by Pansing Brooks, 28.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-111, 28-204, 28-320.01, 28-320.02, 28-1205, 28-1212.02, 28-1212.04,

28-1463.04, and 29-2204.02, Reissue Revised Statutes of Nebraska, and sections 28-101, 28-105, 28-115, 28-201, 28-202, 28-416, 28-813.01, 28-929, 28-1206, 28-1463.05, 29-1816, and 83-1,122.01, Revised Statutes Cumulative Supplement, 2020; to provide for new felony classifications; to change penalties; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 33. Introduced by Pansing Brooks, 28.

A BILL FOR AN ACT relating to criminal procedure; to amend section 29-2204, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to sentencing; and to repeal the original section.

LEGISLATIVE BILL 34. Introduced by Pansing Brooks, 28; Vargas, 7; Wayne, 13.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-105.02 and 29-2204.02, Reissue Revised Statutes of Nebraska, and sections 28-105, 28-105.01, and 29-2204, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to sentences for certain offenses committed by persons under twenty-one years of age; to require consideration of certain factors at sentencing; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 35. Introduced by Pansing Brooks, 28; Brewer, 43.

A BILL FOR AN ACT relating to state history; to amend section 82-803, Revised Statutes Cumulative Supplement, 2020; to change a membership provision of the First Regiment Nebraska Volunteer Infantry at Fort Donelson Committee; and to repeal the original section.

LEGISLATIVE BILL 36. Introduced by Erdman, 47; Brewer, 43; Clements, 2; Halloran, 33; McDonnell, 5.

A BILL FOR AN ACT relating to schools; to require display of the national motto; to authorize contributions; and to provide duties for the Attorney General.

LEGISLATIVE BILL 37. Introduced by Lowe, 37.

A BILL FOR AN ACT relating to the State Fire Marshal; to amend sections 28-1253, 81-538, and 81-551, Reissue Revised Statutes of Nebraska, and sections 81-503.01, 81-505.01, and 81-5,167, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to certain rules and regulations and fees; to eliminate provisions relating to standpipe requirements for hotels and apartments and certain definitions; to change qualifications of the state boiler inspector; to harmonize provisions; to repeal the original sections; and to outright repeal sections 81-534, 81-5,136, and 81-5,137, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 38. Introduced by Lindstrom, 18.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-1113, 77-2505, and 77-2909, Reissue Revised Statutes of Nebraska; to change provisions related to certain tax credits and retaliatory taxes as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 39. Introduced by Lindstrom, 18; McDonnell, 5; Wishart, 27.

A BILL FOR AN ACT relating to the Sports Arena Facility Financing Assistance Act; to amend section 13-3105, Reissue Revised Statutes of Nebraska, and sections 13-3102, 13-3103, 13-3104, and 13-3106, Revised Statutes Cumulative Supplement, 2020; to authorize assistance for sports complexes as prescribed; to define and redefine terms; to change provisions relating to limitations on state assistance, applications, notice, and considerations for application approval; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 40. Introduced by Groene, 42.

A BILL FOR AN ACT relating to economic development; to adopt the Nebraska Rural Projects Act.

LEGISLATIVE BILL 41. Introduced by Dorn, 30.

A BILL FOR AN ACT relating to counties under township organization; to amend section 23-259, Reissue Revised Statutes of Nebraska, and section 23-1601, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to certain payments of funds to townships; and to repeal the original sections.

LEGISLATIVE BILL 42. Introduced by Dorn, 30.

A BILL FOR AN ACT relating to the Hall of Fame Trust Fund; to amend section 72-729.01, Reissue Revised Statutes of Nebraska; to provide for transfers of funds from the General Fund; to state intent regarding transfers of funds; and to repeal the original section.

LEGISLATIVE BILL 43. Introduced by Hansen, M., 26.

A BILL FOR AN ACT relating to elections; to amend sections 11-119, 11-125, 11-126, 22-417, 32-207, 32-211, 32-213, 32-214, 32-217, 32-218, 32-219, 32-242, 32-555, 32-615, 32-811, 32-1049, and 32-1201, Reissue Revised Statutes of Nebraska, and sections 11-105, 11-115, 23-405, 23-2518, 32-101, and 32-208, Revised Statutes Cumulative Supplement, 2020; to provide for election of election commissioners; to change and eliminate provisions related to official bonds, consolidation of county

offices, deputy county clerks for elections, civil service commissions, chief deputy election commissioners, removal from office, and vacancies; to harmonize provisions; to provide operative dates; to repeal the original sections; to outright repeal sections 32-209 and 32-210, Reissue Revised Statutes of Nebraska; and to declare an emergency.

LEGISLATIVE BILL 44. Introduced by Hansen, M., 26.

A BILL FOR AN ACT relating to cities; to amend section 19-5505, Revised Statutes Cumulative Supplement, 2020; to change requirements for adoption of an affordable housing action plan; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 45. Introduced by Hansen, M., 26.

A BILL FOR AN ACT relating to the Uniform Residential Landlord and Tenant Act; to eliminate continuance provisions that allow for continuances only for extraordinary causes and require deposits of rental payments; and to outright repeal section 76-1443, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 46. Introduced by Hansen, M., 26.

A BILL FOR AN ACT relating to the Uniform Residential Landlord and Tenant Act; to amend sections 76-1442 and 76-1446, Reissue Revised Statutes of Nebraska; to eliminate an alternative service provision; to harmonize provisions; to repeal the original sections; and to outright repeal section 76-1442.01, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 47. Introduced by Hansen, M., 26.

A BILL FOR AN ACT relating to children and families; to amend section 43-512.03, Reissue Revised Statutes of Nebraska, and section 42-369, Revised Statutes Cumulative Supplement, 2020; to require notice of obligee remedies in child support orders; to make obligees parties to certain child support enforcement proceedings; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 48. Introduced by Hansen, M., 26.

A BILL FOR AN ACT relating to marriage; to amend sections 42-102, 42-373, and 42-375, Reissue Revised Statutes of Nebraska; to eliminate a disqualification for marriage and change provisions relating to annulments; and to repeal the original sections.

LEGISLATIVE BILL 49. Introduced by Hansen, M., 26.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-1418, Revised Statutes Cumulative Supplement, 2020; to change the penalty for use of tobacco or a nicotine product by a person under the age of

twenty-one; and to repeal the original section.

LEGISLATIVE BILL 50. Introduced by Groene, 42.

A BILL FOR AN ACT relating to the Licensing of Truth and Deception Examiners Act; to amend sections 81-1902, 81-1903, 81-1910, 81-1914, 81-1915, 81-1916, 81-1917, 81-1918, 81-1919, 81-1923, 81-1924, 81-1925, 81-1928, 81-1930, 81-1934, 81-1935, and 81-1936, Reissue Revised Statutes of Nebraska; to change provisions relating to voice analysis examiners and voice stress analyzers; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 51. Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to law enforcement; to amend sections 48-147, 48-2709, 81-1403, 81-1407, 81-1412.02, and 81-1414, Reissue Revised Statutes of Nebraska, and sections 23-1701.01, 29-2264, 48-115, 48-126.01, 48-145, 81-1401, 81-1414.07, 81-1456, and 81-1457, Revised Statutes Cumulative Supplement, 2020; to define and redefine terms; to change provisions relating to annual and initial training for law enforcement officers; to change membership of the Nebraska Police Standards Advisory Council; to provide for certification of persons certified as law enforcement officers in other states; to change provisions relating to law enforcement officer certification; to provide for policies and requirements for investigating law enforcement officer misconduct; to provide duties for the Nebraska Commission on Law Enforcement and Criminal Justice; to prohibit chokeholds as prescribed; to require policies on excessive force and a duty to intervene; to require accreditation of law enforcement agencies; to create a fund; to eliminate provisions regarding law enforcement reserve forces; to harmonize provisions; to repeal the original sections; and to outright repeal sections 81-1438, 81-1439, 81-1440, 81-1441, 81-1442, 81-1443, 81-1444, 81-1445, and 81-1446, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 52. Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to civil actions; to provide for immunity for injury or death resulting from COVID-19 exposure; and to define terms.

LEGISLATIVE BILL 53. Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to the Nebraska Hospital-Medical Liability Act; to amend section 44-2855, Reissue Revised Statutes of Nebraska; to provide for immunity for health care providers acting in conformance with the crisis standard of care during a COVID-19 state of emergency; to define terms; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 54. Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to tort claims; to amend sections 13-910 and 81-8,219, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to claims for certain intentional torts; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 55. Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to judges' salaries; to amend section 24-201.01, Revised Statutes Cumulative Supplement, 2020; to change judges' salaries; to provide an operative date; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 56. Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to the Nebraska Treatment and Corrections Act; to amend section 83-1,110, Reissue Revised Statutes of Nebraska, and section 83-1,102, Revised Statutes Cumulative Supplement, 2020; to provide powers and duties with respect to the administration and supervision of parole; to change provisions relating to eligibility for parole and provide for applicability; and to repeal the original sections.

LEGISLATIVE BILL 57. Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to the Nebraska Evidence Rules; to amend section 27-803, Reissue Revised Statutes of Nebraska; to provide a hearsay exception for present sense impressions; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 58. Introduced by Pahls, 31.

A BILL FOR AN ACT relating to civil procedure; to amend section 25-520.01, Reissue Revised Statutes of Nebraska; to change provisions relating to service of notice by publication in cases involving liens arising from city or village special assessments; and to repeal the original section.

LEGISLATIVE BILL 59. Introduced by Stinner, 48.

A BILL FOR AN ACT relating to the Nebraska Tourism Commission; to amend sections 81-3728, 81-3729, and 81-3730, Revised Statutes Cumulative Supplement, 2020; to provide powers and duties regarding tourism promotional products; to provide and change provisions regarding revenue received by the commission; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 60. Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to community colleges; to amend sections

85-1402, 85-1517, 85-1520, 85-1521, and 85-1535, Reissue Revised Statutes of Nebraska, and section 77-3442, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to tax levies as prescribed; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 61. Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to state government; to amend section 73-504, Reissue Revised Statutes of Nebraska; to provide formal protest procedures for certain contracts for services; to provide duties for the Department of Administrative Services; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 62. Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to education funding; to amend sections 9-812, 85-1412, 85-1920, and 85-2009, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to the Nebraska Education Improvement Fund, the Nebraska Opportunity Grant Fund, the Community College Gap Assistance Program Fund, and the Coordinating Commission for Postsecondary Education; to create a fund; to provide a duty; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 63. Introduced by Lindstrom, 18.

A BILL FOR AN ACT relating to property taxes; to amend sections 77-202.01 and 77-202.09, Reissue Revised Statutes of Nebraska; to change certain deadlines relating to certain property tax exemptions; and to repeal the original sections.

LEGISLATIVE BILL 64. Introduced by Lindstrom, 18; Linehan, 39.

A BILL FOR AN ACT relating to income taxes; to amend section 77-2716, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to the taxation of social security benefits; and to repeal the original section.

LEGISLATIVE BILL 65. Introduced by Williams, 36.

A BILL FOR AN ACT relating to the Nebraska Political Accountability and Disclosure Act; to amend section 49-14,103.01, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to a prohibited interest in a contract by an officer; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 66. Introduced by Williams, 36.

A BILL FOR AN ACT relating to the Public Funds Deposit Security Act; to amend sections 77-2391, 77-2393, 77-23,105, and 77-23,106, Reissue Revised Statutes of Nebraska, and sections 77-2394, 77-2395, 77-2397, 77-2399, 77-23,100, 77-23,101, and 77-23,102, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to deposits, bonds, custodial officials, and pooled collateral; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 67. Introduced by Day, 49.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend section 68-907, Reissue Revised Statutes of Nebraska; to change and eliminate definitions relating to school-based health centers; and to repeal the original section.

LEGISLATIVE BILL 68. Introduced by Day, 49.

A BILL FOR AN ACT relating to social services; to amend section 68-1206, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to when a provider may be reimbursed for services provided to an absent child; and to repeal the original section.

LEGISLATIVE BILL 69. Introduced by Day, 49.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2715.07, 77-2717, and 77-2734.03, Revised Statutes Cumulative Supplement, 2020; to adopt the Student Loan Repayment Tax Credit Act; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 70. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to the State Athletic Commissioner; to amend sections 81-8,134 and 81-8,138, Reissue Revised Statutes of Nebraska, and sections 81-8,129, 81-8,130.01, 81-8,132, 81-8,133, 81-8,133.01, 81-8,135, and 81-8,139, Revised Statutes Cumulative Supplement, 2020; to authorize the regulation of professional kickboxing and professional bare-knuckle boxing; and to repeal the original sections.

LEGISLATIVE BILL 71. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to tort claims; to amend sections 13-901 and 81-8,235, Reissue Revised Statutes of Nebraska, and sections 13-910 and 81-8,219, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to claims for certain intentional torts; to provide for applicability; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 72. Introduced by Geist, 25.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend sections 53-123.04 and 53-124, Revised Statutes Cumulative Supplement, 2020; to provide for the sale of alcoholic liquor not in the original package as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 73. Introduced by Geist, 25; McDonnell, 5.

A BILL FOR AN ACT relating to the Nebraska Racetrack Gaming Act; to amend section 4, Initiative Law 2020, No. 431; to change provisions relating to the distribution of funds collected under the Nebraska Racetrack Gaming Act; and to repeal the original section.

LEGISLATIVE BILL 74. Introduced by Geist, 25.

A BILL FOR AN ACT relating to the Nebraska Advantage Microenterprise Tax Credit Act; to amend sections 50-1209, 77-5905, and 81-12,163, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to performance audits; to change a tax incentive termination date and tax credit limit as prescribed; to state intent regarding use of funds; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 75. Introduced by Gragert, 40.

A BILL FOR AN ACT relating to county government; to amend sections 23-299 and 51-201, Reissue Revised Statutes of Nebraska; to change provisions relating to the discontinuance of township organization in any county with a township library; to change provisions relating to the levying and collection of tax for certain libraries; and to repeal the original sections.

LEGISLATIVE BILL 76. Introduced by Slama, 1.

A BILL FOR AN ACT relating to presidential electors; to amend sections 32-710, 32-713, 32-714, and 32-1038, Reissue Revised Statutes of Nebraska; to change apportionment of Nebraska's electoral college votes; and to repeal the original sections.

LEGISLATIVE BILL 77. Introduced by Gragert, 40.

A BILL FOR AN ACT relating to the Property and Casualty Insurance Rate and Form Act; to amend sections 44-7508, 44-7509, and 44-7510, Reissue Revised Statutes of Nebraska; to prohibit risk classifications and rate adjustments that are based solely on the fact that an insured is deployed in the military for a period of six months or greater; and to repeal the original sections.

LEGISLATIVE BILL 78. Introduced by Gragert, 40.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 60-3,122.02, 60-3,123, 60-3,124, 60-3,125, and 80-414, Revised Statutes Cumulative Supplement, 2020; to require applicants for certain license plates to register with the Department of Veterans' Affairs as prescribed; to change provisions relating to a registry of the Department of Veterans' Affairs; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 79. Introduced by Briese, 41.

A BILL FOR AN ACT relating to property taxes; to amend section 77-4212, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to the minimum amount of relief granted under the Property Tax Credit Act; and to repeal the original section.

LEGISLATIVE BILL 80. Introduced by Briese, 41.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-124.01, Revised Statutes Cumulative Supplement, 2020; to decrease annual shipping license fees for manufacture direct sales and retail direct sales; and to repeal the original section.

LEGISLATIVE BILL 81. Introduced by Hilkemann, 4.

A BILL FOR AN ACT relating to sanitary and improvement districts; to amend sections 31-727, 31-728, 31-729, 31-739, 31-740, 31-744, and 31-749, Reissue Revised Statutes of Nebraska; to provide powers related to public parking facilities as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 82. Introduced by Hilkemann, 4.

A BILL FOR AN ACT relating to the Motor Vehicle Registration Act; to amend section 60-3,187, Revised Statutes Cumulative Supplement, 2020; to change the motor vehicle tax schedule fractions; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 83. Introduced by Flood, 19.

A BILL FOR AN ACT relating to virtual conferencing; to amend sections 24-1204, 38-170, 39-1108, 58-230, 79-1218, 84-1409, and 84-1412, Reissue Revised Statutes of Nebraska, and sections 2-4108, 58-817, 79-2204, 82-803, 84-1411, and 84-1413, Revised Statutes Cumulative Supplement, 2020; to provide for virtual conferencing; to change provisions of the Open Meetings Act; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 84. Introduced by Bostelman, 23.

A BILL FOR AN ACT relating to taxation; to amend sections 50-1209 and 77-6818, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to tax incentive performance audits; to redefine a term under the Imagine Nebraska Act; and to repeal the original sections.

LEGISLATIVE BILL 85. Introduced by Bostelman, 23.

A BILL FOR AN ACT relating to the Concealed Handgun Permit Act; to amend section 69-2436, Reissue Revised Statutes of Nebraska; to provide for notice of expiration of a permit by the Nebraska State Patrol; to eliminate an obsolete provision; and to repeal the original section.

LEGISLATIVE BILL 86. Introduced by Bostelman, 23.

A BILL FOR AN ACT relating to public health and welfare; to amend sections 38-101 and 71-2454, Revised Statutes Cumulative Supplement, 2020; to require certain credential holders to register for the prescription drug monitoring system; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 87. Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to education; to amend sections 9-812 and 79-1054, Revised Statutes Cumulative Supplement, 2020; to provide for mental health first aid training; to change provisions relating to the use of lottery funds; to change provisions relating to innovation grants as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 88. Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to journalism; to define terms; to provide protection for freedom of speech and freedom of the press for student journalists; to provide protection for student media advisers; and to provide exceptions.

LEGISLATIVE BILL 89. Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to minors; to amend section 43-2101, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to the age of majority; and to repeal the original section.

LEGISLATIVE BILL 90. Introduced by Halloran, 33.

A BILL FOR AN ACT relating to agriculture; to amend sections 2-2634 and 81-2,162.06, Revised Statutes Cumulative Supplement, 2020; to change the amount of a pesticide registration fee credit under the Pesticide Act; to change provisions relating to fixing the rate of an inspection fee under the

Nebraska Commercial Fertilizer and Soil Conditioner Act; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 91. Introduced by Brandt, 32.

A BILL FOR AN ACT relating to the Nebraska Seed Law; to amend sections 81-2,147.02, 81-2,147.03, and 81-2,147.06, Reissue Revised Statutes of Nebraska, and section 81-2,147.01, Revised Statutes Cumulative Supplement, 2020; to define and redefine terms; to change provisions for seed relating to labeling, germination testing, and tetrazolium (TZ) testing; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 92. Introduced by Clements, 2; Geist, 25; Hansen, B., 16; Lowe, 37; Murman, 38.

A BILL FOR AN ACT relating to postsecondary education; to amend section 85-607, Reissue Revised Statutes of Nebraska, and section 85-502, Revised Statutes Cumulative Supplement, 2020; to change residency and admission provisions with regard to students who are educated in a school that elects not to meet accreditation or approval requirements; and to repeal the original sections.

LEGISLATIVE BILL 93. Introduced by Government, Military and Veterans Affairs Committee: Brewer, 43, Chairperson; Halloran, 33; Hunt, 8; Lowe, 37; Pahls, 31.

A BILL FOR AN ACT relating to vital statistics; to amend section 71-614, Reissue Revised Statutes of Nebraska; to eliminate a reporting requirement regarding marriages; and to repeal the original section.

LEGISLATIVE BILL 94. Introduced by Government, Military and Veterans Affairs Committee: Brewer, 43, Chairperson; Halloran, 33; Hunt, 8; Lowe, 37; Pahls, 31.

A BILL FOR AN ACT relating to the Online Notary Public Act; to amend section 64-401, Revised Statutes Cumulative Supplement, 2020; to prohibit invalidation of certain online notarial acts performed pursuant to Executive Order No. 20-13; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 95. Introduced by DeBoer, 10.

A BILL FOR AN ACT relating to civil procedure; to amend section 25-1056, Reissue Revised Statutes of Nebraska; to change provisions relating to garnishment summonses; and to repeal the original section.

LEGISLATIVE BILL 96. Introduced by DeBoer, 10.

A BILL FOR AN ACT relating to sanitary and improvement districts; to amend section 31-745, Reissue Revised Statutes of Nebraska; to change

hearing and notice requirements as prescribed; and to repeal the original section.

LEGISLATIVE BILL 97. Introduced by DeBoer, 10.

A BILL FOR AN ACT relating to adoptions; to amend sections 43-101, 43-104, 43-104.08, 43-104.13, 43-104.15, 43-104.18, 43-104.19, 43-107, 43-108, 43-111, 43-111.01, 43-112, 43-115, and 43-146.01, Reissue Revised Statutes of Nebraska, and sections 43-102 and 43-1411, Revised Statutes Cumulative Supplement, 2020; to provide for adoption by two persons jointly; to define a term; to change provisions relating to consent to adoption, home studies, and terminology; to eliminate obsolete provisions; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 98. Introduced by Walz, 15.

A BILL FOR AN ACT relating to property taxes; to amend sections 77-1344 and 77-1347, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to agricultural or horticultural land receiving special valuation; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 99. Introduced by Walz, 15.

A BILL FOR AN ACT relating to the Community Development Law; to amend section 18-2103, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to limitations on blighted areas; and to repeal the original section.

LEGISLATIVE BILL 100. Introduced by Walz, 15.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend section 68-901, Revised Statutes Cumulative Supplement, 2020; to provide for limits on provider contracts pertaining to the utilization of certain billing practices; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 101. Introduced by Walz, 15.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend section 68-994, Revised Statutes Cumulative Supplement, 2020; to change the limitation on addition of long-term care services and supports to the medicaid managed care program; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 102. Introduced by Dorn, 30.

A BILL FOR AN ACT relating to courts; to amend sections 22-417, 23-120, 23-121, 24-337.04, 24-507, 32-524, 33-106.02, and 43-512.05, Reissue Revised Statutes of Nebraska; to authorize county boards to eliminate the

office of elected clerk of the district court as prescribed; to change provisions relating to consolidation of county offices, duties of counties to supply materials, and residency requirements for elected clerks of the district courts; to provide for transitioning the duties of clerk of the district court in certain counties to clerk magistrates; to change certain county employees to state employees; to change provisions relating to elections for clerks of the district court; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 103. Introduced by Dorn, 30.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid certain counties to pay federal judgments as prescribed; and to declare an emergency.

LEGISLATIVE BILL 104. Introduced by Friesen, 34.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-519, Reissue Revised Statutes of Nebraska; to provide for aggregation of pecuniary losses for criminal mischief violations; and to repeal the original section.

LEGISLATIVE BILL 105. Introduced by Friesen, 34.

A BILL FOR AN ACT relating to county clerks; to amend section 23-1302, Reissue Revised Statutes of Nebraska; to change dates for certification of unpaid claims of the county; and to repeal the original section.

LEGISLATIVE BILL 106. Introduced by Friesen, 34.

A BILL FOR AN ACT relating to the Motor Vehicle Operator's License Act; to amend section 60-483, Revised Statutes Cumulative Supplement, 2020; to authorize the building, implementation, and maintenance of a new operator's license services system for issuing operators' licenses and state identification cards; to change a certified abstract fee and distribution of fee revenue; to create a fund; to harmonize provisions; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 107. Introduced by McCollister, 20; DeBoer, 10; Vargas, 7.

A BILL FOR AN ACT relating to redistricting; to adopt the Redistricting Act; and to declare an emergency.

LEGISLATIVE BILL 108. Introduced by McCollister, 20; Blood, 3; Cavanaugh, M., 6; Hunt, 8; Morfeld, 46; Pansing Brooks, 28; Vargas, 7; Walz, 15; Wayne, 13; Wishart, 27.

A BILL FOR AN ACT relating to public assistance; to amend section

68-1017.02, Reissue Revised Statutes of Nebraska; to state intent and change provisions relating to federal Supplemental Nutrition Assistance Program benefits; and to repeal the original section.

LEGISLATIVE BILL 109. Introduced by Pansing Brooks, 28; Hunt, 8; Vargas, 7; Wayne, 13.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-906, Reissue Revised Statutes of Nebraska; to change provisions relating to obstruction of a peace officer; and to repeal the original section.

LEGISLATIVE BILL 110. Introduced by Pansing Brooks, 28; Hunt, 8; Vargas, 7; Wayne, 13.

A BILL FOR AN ACT relating to the use of force; to amend sections 28-1406, 28-1409, 28-1412, and 28-1414, Reissue Revised Statutes of Nebraska; to require a peace officer to intervene in cases of excessive force; to require reports; to prohibit retaliation; to define and redefine terms; to change provisions relating to affirmative defenses for the use of force in law enforcement; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 111. Introduced by Albrecht, 17.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-519, 28-524, and 29-2221, Reissue Revised Statutes of Nebraska, and sections 28-101, 28-115, 28-929, 28-929.01, 28-929.02, 28-930, 28-931, 28-934, 28-1351, 28-1354, and 29-901, Revised Statutes Cumulative Supplement, 2020; to change and eliminate provisions and penalties relating to offenses involving assault on an officer, emergency responder, certain employees, or a health care professional; to define and redefine terms; to change provisions and penalties relating to criminal mischief and unauthorized application of graffiti; to require restitution as prescribed; to prohibit certain acts involving laser pointers and other devices, rioting, inciting a riot, disrupting public meetings, and obstructing a public way; to change provisions relating to bail; to provide penalties; to harmonize provisions; to repeal the original sections; and to outright repeal section 28-931.01, Revised Statutes Cumulative Supplement, 2020.

LEGISLATIVE BILL 112. Introduced by Albrecht, 17.

A BILL FOR AN ACT relating to the Open Meetings Act; to amend section 84-1412, Reissue Revised Statutes of Nebraska; to require a public body to allow members of the public an opportunity to speak at each meeting; and to repeal the original section.

LEGISLATIVE BILL 113. Introduced by Albrecht, 17.

A BILL FOR AN ACT relating to transportation; to amend sections 60-4,183 and 60-4,188, Reissue Revised Statutes of Nebraska, and sections

37-1285.01, 60-164.01, 60-301, 60-3,104.01, 60-3,120, 60-3,122.02, 60-3,122.04, 60-3,128, 60-3,135.01, 60-3,198, 60-3,202, 60-3,224, 60-3,227, 60-3,231, 60-3,235, 60-3,238, 60-3,240, 60-3,242, 60-3,244, 60-3,246, 60-3,248, 60-3,250, 60-3,252, 60-3,254, 60-4,114, 60-4,115, 60-4,126, 60-4,146.01, 60-4,157, and 75-3,100, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to electronic certificates of title, postage and handling fees for specialty license plates, examination of operator's license applicants, seasonal permits, driver's education and training courses, and the unified carrier registration plan and agreement; to authorize the building, implementation, and maintenance of a new motor carrier services system for issuing vehicle registrations and assessment of fuel tax; to change apportionable vehicle fees and distribution of fee revenue; to create a fund; to eliminate temporary farm permits; to change provisions relating to driving skills examinations; to harmonize provisions; to provide operative dates; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 114. Introduced by McCollister, 20.

A BILL FOR AN ACT relating to criminal procedure; to adopt the Clean Slate Act.

LEGISLATIVE BILL 115. Introduced by McCollister, 20.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2704.24 and 77-27,132, Reissue Revised Statutes of Nebraska, and section 71-7611, Revised Statutes Cumulative Supplement, 2020; to impose sales and use taxes on candy and soft drinks; to distribute sales tax proceeds to the Nebraska Health Care Cash Fund as prescribed; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 116. Introduced by McCollister, 20.

A BILL FOR AN ACT relating to firearms; to amend sections 69-2404, 69-2405, 69-2406, 69-2426, and 69-2432, Reissue Revised Statutes of Nebraska; to change provisions relating to handgun transfer certificates; to change a fee; to provide for dissemination of information regarding firearm safety and suicide prevention and require suicide prevention training; to change provisions relating to appeals; to provide penalties; to define a term; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 117. Introduced by Cavanaugh, M., 6.

A BILL FOR AN ACT relating to schools; to amend section 79-10,137, Reissue Revised Statutes of Nebraska; to adopt the Hunger-Free Schools Act; to restate legislative findings; to eliminate provisions relating to reimbursement for school breakfast programs; to repeal the original section; and to outright repeal sections 79-10,138 and 79-10,139, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 118. Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to protection orders; to amend sections 28-311.09, 28-311.11, 42-924, and 42-924.02, Revised Statutes Cumulative Supplement, 2020; to change the duration of harassment, sexual assault, and domestic abuse protection orders from one year to five years; to change requirements for affidavits; and to repeal the original sections.

LEGISLATIVE BILL 119. Introduced by Cavanaugh, M., 6; Blood, 3.

A BILL FOR AN ACT relating to the Healthy Pregnancies for Incarcerated Women Act; to amend sections 47-1001 and 47-1003, Revised Statutes Cumulative Supplement, 2020; to define terms; to provide for breastfeeding and milk expression by a prisoner or detainee and for a mother and infant to live together; to require a parent separation policy; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 120. Introduced by Hunt, 8; Blood, 3; Pansing Brooks, 28.

A BILL FOR AN ACT relating to discrimination; to amend sections 18-1724, 23-2525, 23-2531, 23-2541, 29-401, 48-215, 48-1101, 48-1104, 48-1105, 48-1106, 48-1107, 48-1113, 48-1115, 48-1122, 48-1124, 49-801, 81-1355, and 81-1356, Reissue Revised Statutes of Nebraska, and sections 48-628.13, 48-1111, 48-1117, and 48-1119, Revised Statutes Cumulative Supplement, 2020; to prohibit discrimination based upon sexual orientation and gender identity as prescribed; to define terms; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 121. Introduced by Hunt, 8; McCollister, 20; McKinney, 11; Pansing Brooks, 28.

A BILL FOR AN ACT relating to public assistance; to amend section 68-1017.02, Reissue Revised Statutes of Nebraska; to change provisions relating to eligibility for Supplemental Nutrition Assistance Program benefits as prescribed; and to repeal the original section.

LEGISLATIVE BILL 122. Introduced by Hunt, 8.

A BILL FOR AN ACT relating to the Wage and Hour Act; to amend section 48-1203, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to the minimum wage; and to repeal the original section.

LEGISLATIVE BILL 123. Introduced by Cavanaugh, M., 6.

A BILL FOR AN ACT relating to the Legislative Council; to amend section 50-410, Reissue Revised Statutes of Nebraska; to change provisions regarding certain meetings; and to repeal the original section.

LEGISLATIVE BILL 124. Introduced by McCollister, 20.

A BILL FOR AN ACT relating to the Office of Inspector General of the Nebraska Correctional System Act; to amend section 47-918, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to reports; and to repeal the original section.

LEGISLATIVE BILL 125. Introduced by McCollister, 20.

A BILL FOR AN ACT relating to the Election Act; to amend sections 32-801, 32-812, 32-813, 32-817, 32-1003, 32-1004, 32-1005, 32-1006, 32-1119, and 32-1122, Reissue Revised Statutes of Nebraska, and sections 32-101, 32-103, 32-202, 32-816, 32-901, and 32-1008, Revised Statutes Cumulative Supplement, 2020; to define terms; to provide for ranked-choice voting for certain offices; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 126. Introduced by Halloran, 33.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend section 60-6,222, Reissue Revised Statutes of Nebraska, and section 60-6,219, Revised Statutes Cumulative Supplement, 2020; to require lighted headlights and taillights when windshield wipers are in continuous operation; to change a penalty; and to repeal the original sections.

LEGISLATIVE BILL 127. Introduced by Cavanaugh, M., 6.

A BILL FOR AN ACT relating to the Nebraska Juvenile Code; to amend section 43-284.02, Reissue Revised Statutes of Nebraska; to change provisions relating to payments to guardians of former wards; and to repeal the original section.

LEGISLATIVE BILL 128. Introduced by McCollister, 20.

A BILL FOR AN ACT relating to civil actions; to adopt the Residential Tenant Clean Slate Act; and to provide an operative date.

LEGISLATIVE BILL 129. Introduced by McCollister, 20.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend section 68-949, Reissue Revised Statutes of Nebraska, and section 68-915, Revised Statutes Cumulative Supplement, 2020; to provide for eligibility for certain children; to provide duties; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 130. Introduced by McCollister, 20.

A BILL FOR AN ACT relating to the Board of Parole; to amend sections

83-189 and 83-190, Reissue Revised Statutes of Nebraska; to change membership provisions; and to repeal the original sections.

LEGISLATIVE BILL 131. Introduced by Hunt, 8.

A BILL FOR AN ACT relating to cities and villages; to amend sections 14-137, 15-404, 16-404, and 17-614, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to the enactment of ordinances as prescribed; and to repeal the original sections.

LEGISLATIVE BILL 132. Introduced by DeBoer, 10; Brandt, 32; Dorn, 30; Hilkemann, 4; McCollister, 20; McKinney, 11; Stinner, 48; Walz, 15; Wishart, 27.

A BILL FOR AN ACT relating to school finance; to create the School Financing Review Commission; to provide powers and duties; and to declare an emergency.

LEGISLATIVE BILL 133. Introduced by Erdman, 47; Albrecht, 17; Brewer, 43; Briese, 41; Clements, 2; Halloran, 33; Lowe, 37; McDonnell, 5; Murman, 38.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 13-501, 13-2813, 77-201, 77-2004, 77-2005, 77-2006, 77-27,148, 77-3507, and 85-2231, Reissue Revised Statutes of Nebraska, and sections 13-319, 18-2147, 77-2701, 77-3506, 77-3508, 77-6406, 77-6827, 79-1001, and 84-612, Revised Statutes Cumulative Supplement, 2020; to adopt the Nebraska EPIC Consumption Tax Act; to terminate the Nebraska Budget Act, tax-increment financing, the property tax, the inheritance tax, sales and use taxes, the income tax, the homestead exemption, the Tax Equity and Educational Opportunities Support Act, and the Community College Aid Act as prescribed; to change an application deadline under the ImagiNE Nebraska Act; to transfer funds from the Cash Reserve Fund; and to repeal the original sections.

LEGISLATIVE BILL 134. Introduced by Brandt, 32; Blood, 3; Day, 49; DeBoer, 10; Dorn, 30; Friesen, 34; Gragert, 40; Halloran, 33; Hunt, 8; McCollister, 20; Murman, 38; Pansing Brooks, 28; Vargas, 7; Walz, 15; Wayne, 13; Wishart, 27.

A BILL FOR AN ACT relating to tax incentive programs; to amend sections 77-27,187.02 and 77-5723, Reissue Revised Statutes of Nebraska, and sections 77-2711, 77-27,119, 77-6828, 84-602.01, 84-602.03, and 84-602.04, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to the disclosure and confidentiality of information on tax incentive programs; to change the Taxpayer Transparency Act to require the posting and reporting of information relating to tax incentive programs; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 135. Introduced by Wishart, 27; DeBoer, 10.

A BILL FOR AN ACT relating to the Special Education Act; to amend sections 79-1142 and 79-1145, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to reimbursements; to eliminate obsolete provisions; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 136. Introduced by Vargas, 7.

A BILL FOR AN ACT relating to the Student Discipline Act; to amend section 79-265, Reissue Revised Statutes of Nebraska; to change procedures regarding short-term suspensions; and to repeal the original section.

LEGISLATIVE BILL 137. Introduced by Vargas, 7.

A BILL FOR AN ACT relating to the Step Up to Quality Child Care Act; to amend section 71-1962, Revised Statutes Cumulative Supplement, 2020; to change reporting requirements for the Nebraska Early Childhood Professional Record System; and to repeal the original section.

LEGISLATIVE BILL 138. Introduced by Vargas, 7.

A BILL FOR AN ACT relating to immigration; to require law enforcement agencies, jails, and the Nebraska State Patrol to provide notice prior to entering into agreements to enforce federal immigration law; to require law enforcement agencies and jails to provide information to the Nebraska Commission on Law Enforcement and Criminal Justice; to provide the Auditor of Public Accounts with authority to conduct audits of noncomplying law enforcement agencies, jails, political subdivisions, and the patrol.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 1. Introduced by Blood, 3; Aguilar, 35; Albrecht, 17; Arch, 14; Bostar, 29; Bostelman, 23; Brandt, 32; Brewer, 43; Cavanaugh, J., 9; Cavanaugh, M., 6; Clements, 2; Day, 49; DeBoer, 10; Dorn, 30; Erdman, 47; Flood, 19; Friesen, 34; Geist, 25; Gragert, 40; Groene, 42; Halloran, 33; Hansen, B., 16; Hansen, M., 26; Hilgers, 21; Hilkemann, 4; Hughes, 44; Hunt, 8; Kolterman, 24; Lathrop, 12; Lindstrom, 18; Linehan, 39; Lowe, 37; McCollister, 20; McDonnell, 5; McKinney, 11; Morfeld, 46; Moser, 22; Murman, 38; Pahls, 31; Pansing Brooks, 28; Sanders, 45; Slama, 1; Stinner, 48; Vargas, 7; Walz, 15; Wayne, 13; Williams, 36; Wishart, 27.

WHEREAS, the Department of Defense recently reestablished the United States Space Command as the eleventh unified combatant command of the Armed Forces; and

WHEREAS, the United States Air Force requested that state and community leaders nominate military locations to host the United States Space Command headquarters; and

WHEREAS, the city of Bellevue, Nebraska, on behalf of community, state, and regional leaders and officials and in conjunction with support from local military leaders, nominated Offutt Air Force Base to be the location for the United States Space Command headquarters; and

WHEREAS, Nebraska Governor Pete Ricketts endorsed the application recommending Offutt Air Force Base for the honor of becoming the permanent host for the United States Space Command headquarters; and

WHEREAS, Offutt Air Force Base and the neighbouring Bellevue and Omaha communities received top scores on the basing criteria established by the United States Air Force including: proximity to mutually supporting space entities; an available qualified workforce; infrastructure and facility capacity; high bandwidth communications infrastructure; enhanced security; energy resilience; cost efficiencies; and community support; and

WHEREAS, Offutt Air Force Base is among six sites being considered by the Air Force to host the United States Space Command headquarters; and

WHEREAS, Offutt Air Force Base is the home for global missions of national consequence, the joint, interagency, coalition, Guard, and Reserve presence would complement the needs of the United States Space Command; and

WHEREAS, several Offutt Air Force Base units of interest include the 55th Wing, which provides dominant worldwide reconnaissance, real-time intelligence, command and control, and information warfare; the 595th Command and Control Group supporting strategic nuclear deterrence; the Air Force's only weather wing; and the newly formed Marine Corps Forces Space Command; and

WHEREAS, the largest tenant on Offutt Air Force Base is a global warfighting combatant command, the United States Strategic Command, which has a mission set that combines the United States legacy nuclear command and control mission with responsibility for space operations, global strike, and global missile defense to deter strategic attacks and employ forces, as directed, to guarantee the security of our nation and our allies; and

WHEREAS, the United States Strategic Command oversees and manages the Nuclear Command, Control, and Communications Enterprise Center; and the United States Space Command is a key member of the Nuclear Command, Control, and Communications Enterprise Stakeholder Council; and

WHEREAS, for seventeen years, from 2002 to 2019, America's military space mission headquartered at Offutt Air Force Base as part of the United States Strategic Command mission set; and

WHEREAS, the history of hosting the United States Strategic Command and units that mutually support joint combatant commands serves as an excellent foundation for Offutt Air Force Base to create additional synergies and efficiencies; and

WHEREAS, community support for military missions; the military men, women, and families living and working at Offutt Air Force Base; and

veterans living in the surrounding communities began in the 1940s and support for these groups remains unsurpassed to this day; and

WHEREAS, creative public-private partnerships executed in the Omaha metropolitan area by economic leaders are some of the largest and most efficient available, as evidenced by the business community's investment in the new Omaha Veterans Affairs Medical Center which opened in 2020 and helped save taxpayers thirty-four million dollars, equating to twenty-eight percent of the project's cost; and

WHEREAS, education will be a key element in providing workforce talent development and acquisition as the United States Space Command matures; and

WHEREAS, elementary, secondary, and postsecondary education in Nebraska is highly rated and stands ready to continue delivering opportunities that support professionals in the space and defense industries and their families; and

WHEREAS, the National Strategic Research Institute at the University of Nebraska is one of fourteen University Affiliated Research Center laboratories affiliated with the Department of Defense and the only one sponsored by a combatant command, the United States Strategic Command; and

WHEREAS, the University of Nebraska College of Law is the only law college in the nation to offer an expansive space, cyber, and telecommunications law curriculum which includes a doctoral-level J.S. D. degree, an LL.M. degree, a concentrated program of study for J.D. students, and an executive certificate program for practicing attorneys; and

WHEREAS, the quality of life in the cities of Bellevue and Omaha ranked higher than the other finalists in the AARP Livability Index and in the Air Force assessment titled, "Support of Military Families - 2019"; and

WHEREAS, the cities of Bellevue and Omaha offer a diversified economy and are home to five Fortune 500 companies; and

WHEREAS, the region has low unemployment and offers good wages, affordable housing, a low cost of living, seamless access to transportation, and easy commuting; and

WHEREAS, the cities of Bellevue and Omaha have proven to be an ideal home for military personnel, civilians, and their families; and

WHEREAS, the leaders of our community are committed to ensuring ample housing, childcare, community services, and economic development; and

WHEREAS, the Nebraska Unicameral Legislature continues its strong relationship with the Department of Defense's Military Community and Family Policy office in a constant effort to create laws that support the military personnel stationed at Offutt Air Force Base and their families; and

WHEREAS, the Bellevue and Omaha communities would welcome the additional military and civilian personnel, contractors, and families associated with the United States Space Command; and

WHEREAS, basing the headquarters at Offutt Air Force Base would enhance the economy of the region by adding approximately one thousand four hundred new jobs; and

WHEREAS, reestablishing the United States Space Command headquarters at Offutt Air Force Base would require military construction improvements, which would create construction and other support jobs, further increasing the economic benefit to the region; and

WHEREAS, there is widespread bipartisan support for hosting the United States Space Command Headquarters from federal, state, and community leaders who recognize the importance of returning the space mission to Offutt Air Force Base; and

WHEREAS, the space mission is vital to our Nation's security, prosperity, and scientific advancement.

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

1. That the Nebraska Legislature does hereby express enthusiastic support for the United States Air Force to reestablish the United States Space Command headquarters at Offutt Air Force Base near Omaha, Nebraska.

2. That the Clerk of the Legislature prepare and transmit a copy of this resolution to the President of the United States, the Vice President of the United States as the presiding officer of the United States Senate, the Speaker of the United States House of Representatives, each member of Nebraska's congressional delegation, the Secretary of the Air Force, the Chairman of the Joint Chiefs of Staff, and the Secretary of Defense.

Laid over.

LEGISLATIVE RESOLUTION 2CA. Introduced by Wayne, 13; Wishart, 27.

THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, FIRST SESSION, RESOLVE THAT:

Section 1. At the general election in November 2022, the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To add a new Article XIX:

XIX-1 (1) Subject to such reasonable restrictions as the Legislature may by statute provide, cannabis shall be lawful for a person twenty-one years of age or older.

(2) The Legislature shall pass appropriate legislation, to be effective on or before October 1, 2023, relating to the cultivation, manufacture, distribution, consumption, and sale of cannabis in any form.

(3) The Legislature shall have power to enforce this article by appropriate legislation.

(4) This section shall not be construed to modify any existing portion of this Constitution.

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

A constitutional amendment to legalize cannabis for persons twenty-one years of age or older and to require the Legislature to enact laws relating to cannabis.

For
Against.

LEGISLATIVE RESOLUTION 3CA. Introduced by Slama, 1.

THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, FIRST SESSION, RESOLVE THAT:

Section 1. At the general election in November 2022 the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article I, section 22:

I-22 (1) All elections shall be free; and there shall be no hindrance or impediment to the right of a qualified voter to exercise the elective franchise.

(2) In order to combat voter fraud, preserve the relative power of each eligible citizen's right to vote, modernize the election infrastructure of the state, and ensure the integrity of the elections of the state so as to preserve the public confidence in the legitimacy of the elected government, a poll worker shall review a photograph or digital image of each voter to verify the identity of the voter in a manner determined by the Legislature prior to allowing the voter to vote. The Legislature shall provide specifications for the manner of reviewing such photograph or digital image and for exemptions for specific situations in which such requirement would violate an individual's rights under the Constitution of the United States.

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

A constitutional amendment to require verification of identity in a manner provided by the Legislature prior to voting.

For
Against.

LEGISLATIVE RESOLUTION 4. Introduced by McKinney, 11; Wayne, 13.

WHEREAS, Senator Ernie Chambers concluded his very distinguished career in the Nebraska Unicameral Legislature on January 6, 2021; and

WHEREAS, Senator Ernie Chambers was first elected to the Legislature in 1970 and has served continuously since then with one constitutionally imposed four-year hiatus; and

WHEREAS, Senator Ernie Chambers has represented Legislative District Number 11 honestly, fearlessly, and well; and

WHEREAS, Senator Ernie Chambers is the longest serving State Senator in Nebraska history; and

WHEREAS, Senator Ernie Chambers has enacted more meaningful, just, and compassionate laws than any resolution under one hundred pages in length could possibly record; and

WHEREAS, Senator Chambers authored many important bills including bills which: Abolished the death penalty; required district elections at the county, city, and school board levels; divested Nebraska investments from the apartheid in South Africa; returned Native American artifacts held by the State of Nebraska to the Native American people; restored family rights through the Nebraska Indian Child Welfare Act; established a DNA new trial right that helped to free and exonerate the Beatrice six; prohibited corporal punishment of children at schools; established a publically funded and medically approved diet for kids on welfare; established the learning community to help eliminate disparity in public education resources; and protected the environment and wildlife living in Nebraska; and

WHEREAS, Senator Ernie Chambers set a standard for honest, fearless, selfless, intelligent, and informed public service that will inspire future generations and teach such generations how to serve and preserve our democratic state; and

WHEREAS, Senator Ernie Chambers personified the principle that "the salvation of the state is watchfulness in the citizen"; and

WHEREAS, Senator Ernie Chambers now returns to the realm of private citizenship having made an inestimable contribution to our community, state, and nation and to the world.

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

1. That the Legislature thanks Senator Ernie Chambers for his service to the Legislature and the State of Nebraska and congratulates him on his incredible career of public service to the people of this state.

2. That a copy of this resolution be delivered to Senator Ernie Chambers.

Laid over.

LEGISLATIVE RESOLUTION 5. Introduced by Gragert, 40; Brewer, 43; Halloran, 33; Slama, 1.

WHEREAS, the One Hundred Sixth Legislature recognized the benefits of achieving more rapid and widespread adoption of soil-health management practices; and

WHEREAS, the One Hundred Sixth Legislature created a seventeen-member Healthy Soils Task Force to develop a healthy soils initiative for the State of Nebraska; and

WHEREAS, members of the Healthy Soils Task Force and stakeholders across Nebraska researched the soil-health programs and activities of other states, assessed current soil-health work in Nebraska, examined soil-health and related issues as specified by legislation, and developed a plan to build on and enhance existing programs; and

WHEREAS, the Healthy Soils Task Force focused on ways to increase profitability for producers and landlords while simultaneously protecting the

environment for future generations without the need for mandates or regulations; and

WHEREAS, the Healthy Soils Task Force thinks by being proactive in addressing key agronomic and environmental issues that Nebraska might avoid the strict mandates and regulations found in other states; and

WHEREAS, growing interest exists for creating programs which reward producers to voluntarily implement practices to promote and conserve the health and quality of soil and water in Nebraska; and

WHEREAS, a permanent healthy soils initiative and a central hub providing a single point of contact would benefit Nebraska and increase coordination, collaboration, and communication relating to soil-health advancement.

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

1. That the Legislature accepts the report, findings, and recommendations that the Healthy Soils Task Force submitted to the Governor and the Agriculture Committee of the Legislature.

2. That the Legislature supports and encourages a voluntary grassroots effort to accelerate means to protect and enhance Nebraska's soil and receive the benefits described in the report from the Healthy Soils Task Force.

3. That the Legislature encourages the Department of Agriculture, the Department of Natural Resources, and other state agencies to assist in the voluntary grassroots effort.

Laid over.

LEGISLATIVE RESOLUTION 6. Introduced by Gragert, 40.

WHEREAS, the Wausa-Osmond High School one-act team won the 2020 NSAA Class C-1 State Play Production Championship; and

WHEREAS, the Wausa-Osmond High School one-act team earned their first place finish with a score of 174 points for their production of Hold On, prevailing over Archbishop Bergan; and

WHEREAS, under the guidance of Director Brad Hoelsing and Director Sheila Hoelsing, the Wausmond one-act team won its first championship after Osmond High School joined Wausa High School's one-act team. Prior to the merge of play production teams, Wausa High School had earned 12 state championships and one runner-up championship; and

WHEREAS, the Wausa-Osmond High School one-act team won the award for Outstanding Technical Crew; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

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

1. That the Legislature congratulates the Wausa-Osmond High School one-act team on winning the 2020 NSAA Class C-1 State Play Production Championship.

2. That a copy of this resolution be sent to the Osmond High School, Wausa High School, Director Brad Hoelsing, and Director Sheila Hoelsing.

Laid over.

LEGISLATIVE RESOLUTION 7. Introduced by Gragert, 40.

WHEREAS, the Creighton High School one-act team won the 2020 NSAA Class C-2 State Play Production Championship; and

WHEREAS, under the guidance of Director Curtis Stevens and Director Deb Van Metre, the Creighton Bulldogs earned their first place finish with a score of 178 points for their production of Romeo To Go, prevailing over Loup City; and

WHEREAS, Trey Vogt won the award for Outstanding Male Performer with his performance as Mr. Gunnysack; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

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

1. That the Legislature congratulates the Creighton High School one-act team on winning the 2020 NSAA Class C-2 State Play Production Championship.

2. That a copy of this resolution be sent to Creighton High School, Trey Vogt, Director Curtis Stevens, and Director Deb Van Metre.

Laid over.

LEGISLATIVE RESOLUTION 8. Introduced by Gragert, 40.

WHEREAS, Brad Haglund, a member of Wakefield Boy Scout Troop 172, has completed the requirements for the rank of Eagle Scout in the Boy Scouts of America; and

WHEREAS, to earn the rank of Eagle Scout, the highest rank in scouting, a Boy Scout must fulfill requirements in the areas of leadership, service, and outdoor skills. Throughout their scouting experience, these young men have learned, been tested on, and been recognized for various scouting skills; and

WHEREAS, to achieve the rank of Eagle Scout, a Boy Scout is required to earn 21 merit badges, 13 of which are in required areas, and complete an approved community service project; and

WHEREAS, for Brad's community service project he straightened headstones in the local cemetery; and

WHEREAS, Brad, through his hard work and perseverance, has joined other high achievers who are Eagle Scouts, including astronauts, leaders of government and industry, artists, scientists, and athletes.

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

1. That the Legislature congratulates Brad Haglund on achieving the rank of Eagle Scout.
2. That a copy of this resolution be sent to Brad Haglund.

Laid over.

LEGISLATIVE RESOLUTION 9. Introduced by Brandt, 32.

WHEREAS, the Bruning-Davenport-Shickley Eagles won the 2020 Class D-2 Football Championship; and

WHEREAS, the Bruning-Davenport-Shickley Eagles defeated the Sandhills-Thedford Knights on the field at Shickley by a score of 36-28; and

WHEREAS, the Bruning-Davenport-Shickley Eagles ended the season undefeated at 12-0; and

WHEREAS, the championship victory marked the team's second championship in four years and its third championship in six years; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

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

1. That the Legislature recognizes and congratulates the Bruning-Davenport-Shickley Eagles football team and its coaches on winning the 2020 Class D-2 State Football Championship.
2. That a copy of this resolution be sent to the Bruning-Davenport-Shickley Eagles football team and Head Coaches Chris Ardissono and Mark Rotter.

Laid over.

LEGISLATIVE RESOLUTION 10CA. Introduced by Cavanaugh, M., 6; Hansen, M., 26.

THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, FIRST SESSION, RESOLVE THAT:

Section 1. At the general election in November 2022, the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article VI, section 2:

VI-2 No person shall be qualified to vote who is non compos mentis, or who has been convicted of treason or ~~felony~~ under the laws of the state or of the United States, unless restored to civil rights.

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

A constitutional amendment to remove felony convictions other than treason from being a disqualification for voting.

For

Against.

LEGISLATIVE RESOLUTION 11CA. Introduced by Erdman, 47; Albrecht, 17; Brewer, 43; Briese, 41; Clements, 2; Halloran, 33; Lowe, 37; McDonnell, 5; Murman, 38.

THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, FIRST SESSION, RESOLVE THAT:

Section 1. At the general election in November 2022, the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article IV, section 28, and Article VIII, sections 1, 1A, 1B, 2, 2A, 3, 4, 5, 6, 7, 10, 11, 12, and 13, and add a new section 14 to Article VIII:

IV-28 ~~Until January 1, 2025~~ ~~By January 1, 1997~~, there shall be a Tax Equalization and Review Commission. The members of the commission shall be appointed by the Governor as provided by law. The commission shall have power to review and equalize assessments of property for taxation within the state and shall have such other powers and perform such other duties as the Legislature may provide. The terms of office and compensation of members of the commission shall be as provided by law.

A Tax Commissioner shall be appointed by the Governor with the approval of the Legislature. The Tax Commissioner may have jurisdiction over the administration of the revenue laws of the state and such other duties and powers as provided by law. The Tax Commissioner shall serve at the pleasure of the Governor.

VIII-1 (1) The necessary revenue of the state and its governmental subdivisions shall be raised by taxation in such manner as the Legislature may direct. Notwithstanding Article I, section 16, Article III, section 18, or Article VIII, section 4, of this Constitution or any other provision of this Constitution to the contrary and subject to subsection (2) of this section: (a)(4) Taxes shall be levied by valuation uniformly and proportionately upon all real property and franchises as defined by the Legislature except as otherwise provided in or permitted by this Constitution; (b)(2) tangible personal property, as defined by the Legislature, not exempted by this Constitution or by legislation, shall all be taxed at depreciated cost using the same depreciation method with reasonable class lives, as determined by the Legislature, or shall all be taxed by valuation uniformly and proportionately; (c)(3) the Legislature may provide for a different method of taxing motor vehicles and may also establish a separate class of motor vehicles consisting of those owned and held for resale by motor vehicle dealers which shall be taxed in the manner and to the extent provided by the Legislature and may also establish a separate class for trucks, trailers, semitrailers, truck-tractors, or combinations thereof, consisting of those owned by residents and nonresidents of this state, and operating in interstate commerce, and may provide reciprocal and proportionate taxation of such vehicles. The tax proceeds from motor vehicles taxed in each county shall be allocated to the county and the cities, villages, and school districts of such county; (d)(4) the Legislature may provide that agricultural land and horticultural land, as defined by the Legislature, shall constitute a separate

and distinct class of property for purposes of taxation and may provide for a different method of taxing agricultural land and horticultural land which results in values that are not uniform and proportionate with all other real property and franchises but which results in values that are uniform and proportionate upon all property within the class of agricultural land and horticultural land; ~~(e)(5)~~ the Legislature may enact laws to provide that the value of land actively devoted to agricultural or horticultural use shall for property tax purposes be that value which such land has for agricultural or horticultural use without regard to any value which such land might have for other purposes or uses; ~~(f)(6)~~ the Legislature may prescribe standards and methods for the determination of the value of real property at uniform and proportionate values; ~~(g)(7)~~ in furtherance of the purposes for which such a law of the United States has been adopted, whenever there exists a law of the United States which is intended to protect a specifically designated type, use, user, or owner of property or franchise from discriminatory state or local taxation, such property or franchise shall constitute a separate class of property or franchise under the laws of the State of Nebraska, and such property or franchise may not be taken into consideration in determining whether taxes are levied by valuation uniformly or proportionately upon any property or franchise, and the Legislature may enact laws which statutorily recognize such class and which tax or exempt from taxation such class of property or franchise in such manner as it determines; and ~~(h)(8)~~ the Legislature may provide that livestock shall constitute a separate and distinct class of property for purposes of taxation and may further provide for reciprocal and proportionate taxation of livestock located in this state for only part of a year. Each actual property tax rate levied for a governmental subdivision shall be the same for all classes of taxed property and franchises. Taxes uniform as to class of property or the ownership or use thereof may be levied by valuation or otherwise upon classes of intangible property as the Legislature may determine, and such intangible property held in trust or otherwise for the purpose of funding pension, profit-sharing, or other employee benefit plans as defined by the Legislature may be declared exempt from taxation. Taxes other than property taxes may be authorized by law. Existing revenue laws shall continue in effect until changed by the Legislature.

(2) This section is superseded by Article VIII, section 14, of this Constitution and shall only apply with respect to taxes imposed prior to January 1, 2024.

VIII-1A (1) The state shall be prohibited from levying a property tax for state purposes.

(2) This section is superseded by Article VIII, section 14, of this Constitution and shall only apply with respect to taxes imposed prior to January 1, 2024.

VIII-1B (1) When an income tax is adopted by the Legislature, the Legislature may adopt an income tax law based upon the laws of the United States.

(2) This section is superseded by Article VIII, section 14, of this Constitution and shall only apply with respect to taxes imposed prior to January 1, 2024.

VIII-2 (1) Notwithstanding Article I, section 16, Article III, section 18, or Article VIII, section 1 or 4, of this Constitution or any other provision of this Constitution to the contrary and subject to subsection (2) of this section: (a)(4) The property of the state and its governmental subdivisions shall constitute a separate class of property and shall be exempt from taxation to the extent such property is used by the state or governmental subdivision for public purposes authorized to the state or governmental subdivision by this Constitution or the Legislature. To the extent such property is not used for the authorized public purposes, the Legislature may classify such property, exempt such classes, and impose or authorize some or all of such property to be subject to property taxes or payments in lieu of property taxes except as provided by law; (b)(2) the Legislature by general law may classify and exempt from taxation property owned by and used exclusively for agricultural and horticultural societies and property owned and used exclusively for educational, religious, charitable, or cemetery purposes, when such property is not owned or used for financial gain or profit to either the owner or user; (c)(3) household goods and personal effects, as defined by law, may be exempted from taxation in whole or in part, as may be provided by general law, and the Legislature may prescribe a formula for the determination of value of household goods and personal effects; (d)(4) the Legislature by general law may provide that the increased value of land by reason of shade or ornamental trees planted along the highway shall not be taken into account in the assessment of such land; (e)(5) the Legislature, by general law and upon any terms, conditions, and restrictions it prescribes, may provide that the increased value of real property resulting from improvements designed primarily for energy conservation may be exempt from taxation; (f)(6) the value of a home substantially contributed by the United States Department of Veterans Affairs for a paraplegic veteran or multiple amputee shall be exempt from taxation during the life of such veteran or until the death or remarriage of his or her surviving spouse; (g)(7) the Legislature may exempt from an intangible property tax life insurance and life insurance annuity contracts and any payment connected therewith and any right to pension or retirement payments; (h)(8) the Legislature may exempt inventory from taxation; (i)(9) the Legislature may define and classify personal property in such manner as it sees fit, whether by type, use, user, or owner, and may exempt any such class or classes of property from taxation if such exemption is reasonable or may exempt all personal property from taxation; (j)(10) no property shall be exempt from taxation except as permitted by or as provided in this Constitution; (k)(11) the Legislature may by general law provide that a portion of the value of any residence actually occupied as a homestead by any classification of owners as determined by the Legislature shall be exempt from taxation; and (l)(12) the Legislature may by general law, and upon any terms, conditions, and restrictions it prescribes, provide that the increased value of real property resulting from improvements designed primarily for the purpose of renovating, rehabilitating, or preserving historically significant real property may be, in whole or in part, exempt from taxation.

(2) This section is superseded by Article VIII, section 14, of this Constitution and shall only apply with respect to taxes imposed prior to January 1, 2024.

VIII-2A (1) The Legislature may establish bonded and licensed warehouses or storage areas for goods, wares and merchandise in transit in the state which are intended for and which are shipped to final destinations outside this state upon leaving such warehouses or storage areas, and may exempt such goods, wares and merchandise from ad valorem taxation while in such storage areas.

(2) This section is superseded by Article VIII, section 14, of this Constitution and shall only apply with respect to taxes imposed prior to January 1, 2024.

VIII-3 (1) The right of redemption from all sales of real estate, for the non-payment of taxes or special assessments of any character whatever, shall exist in favor of owners and persons interested in such real estate, for a period of not less than two years from such sales thereof. Provided, that occupants shall in all cases be served with personal notice before the time of redemption expires.

(2) This section is superseded by Article VIII, section 14, of this Constitution and shall only apply with respect to taxes imposed prior to January 1, 2024.

VIII-4 (1) Except as to tax and assessment charges against real property remaining delinquent and unpaid for a period of fifteen years or longer, the Legislature shall have no power to release or discharge any county, city, township, town, or district whatever, or the inhabitants thereof, or any corporation, or the property therein, from their or its proportionate share of taxes to be levied for state purposes, or due any municipal corporation, nor shall commutation for such taxes be authorized in any form whatever; Provided, that the Legislature may provide by law for the payment or cancellation of taxes or assessments against real estate remaining unpaid against real estate owned or acquired by the state or its governmental subdivisions.

(2) This section is superseded by Article VIII, section 14, of this Constitution and shall only apply with respect to taxes imposed prior to January 1, 2024.

VIII-5 (1) County authorities shall never assess taxes the aggregate of which shall exceed fifty cents per one hundred dollars of taxable value as determined by the assessment rolls, except for the payment of indebtedness existing at the adoption hereof, unless authorized by a vote of the people of the county.

(2) This section is superseded by Article VIII, section 14, of this Constitution and shall only apply with respect to taxes imposed prior to January 1, 2024.

VIII-6 (1) The Legislature may vest the corporate authorities of cities, towns and villages, with power to make local improvements, including facilities for providing off-street parking for vehicles, by special assessments or by special taxation of property benefited, and to redetermine and reallocate from time to time the benefits arising from the acquisition of such off-street parking facilities, and the Legislature may vest the corporate

authorities of cities and villages with power to levy special assessments for the maintenance, repair and reconstruction of such off-street parking facilities. For all other corporate purposes, all municipal corporations may be vested with authority to assess and collect taxes, but such taxes shall be uniform in respect to persons and property within the jurisdiction of the body imposing the same, except that cities and villages may be empowered by the Legislature to assess and collect separate and additional taxes within off-street parking districts created by and within any city or village on such terms as the Legislature may prescribe.

(2) This section is superseded by Article VIII, section 14, of this Constitution and shall only apply with respect to taxes imposed prior to January 1, 2024.

VIII-7 (1) Private property shall not be liable to be taken or sold for the payment of the corporate debts of municipal corporations. The Legislature shall not impose taxes upon municipal corporations, or the inhabitants or property thereof, for corporate purposes.

(2) This section is superseded by Article VIII, section 14, of this Constitution and shall only apply with respect to taxes imposed prior to January 1, 2024.

VIII-10 (1) Notwithstanding the other provisions of Article VIII and subject to subsection (2) of this section, the Legislature is authorized to substitute a basis other than valuation for taxes upon grain and seed produced or handled in this state. Existing revenue laws not inconsistent with the Constitution shall continue in effect until changed by the Legislature.

(2) This section is superseded by Article VIII, section 14, of this Constitution and shall only apply with respect to taxes imposed prior to January 1, 2024.

VIII-11 (1) Subject to subsection (3) of this section, everyEvery public corporation and political subdivision organized primarily to provide electricity or irrigation and electricity shall annually make the same payments in lieu of taxes as it made in 1957, which payments shall be allocated in the same proportion to the same public bodies or their successors as they were in 1957.

(2) Subject to subsection (3) of this section, the LegislatureThe legislature may require each such public corporation to pay to the treasurer of any county in which may be located any incorporated city or village, within the limits of which such public corporation sells electricity at retail, a sum equivalent to five (5) per cent of the annual gross revenue of such public corporation derived from retail sales of electricity within such city or village, less an amount equivalent to the 1957 payments in lieu of taxes made by such public corporation with respect to property or operations in any such city or village. The payments in lieu of tax as made in 1957, together with any payments made as authorized in this section shall be in lieu of all other taxes, payments in lieu of taxes, franchise payments, occupation and excise taxes, but shall not be in lieu of motor vehicle licenses and wheel taxes, permit fees, gasoline tax and other such excise taxes or general sales taxes levied against the public generally. So much of such five (5) per cent as is in excess of an amount equivalent to the amount

paid by such public corporation in lieu of taxes in 1957 shall be distributed in each year to the city or village, the school districts located in such city or village, the county in which such city or village is located, and the State of Nebraska, in the proportion that their respective property tax mill levies in each such year bear to the total of such mill levies.

(3) This section is superseded by Article VIII, section 14, of this Constitution, and the payments described in subsections (1) and (2) of this section shall not be required on or after January 1, 2024.

VIII-12 (1) Notwithstanding any other provision in the Constitution and subject to subsection (3) of this section, for~~For~~ the purpose of rehabilitating, acquiring, or redeveloping substandard and blighted property in a redevelopment project as determined by law, any city or village of the state may, ~~notwithstanding any other provision in the Constitution, and~~ without regard to charter limitations and restrictions, incur indebtedness, whether by bond, loans, notes, advance of money, or otherwise.

(2) Notwithstanding any other provision in the Constitution or a local charter and subject to subsection (3) of this section, such cities or villages may also pledge for and apply to the payment of the principal, interest, and any premium on such indebtedness all taxes levied by all taxing bodies on the assessed valuation of the property in the project area portion of a designated blighted and substandard area that is in excess of the assessed valuation of such property for the year prior to such rehabilitation, acquisition, or redevelopment. Cities and villages may pledge such taxes for a period not to exceed fifteen years, except that the Legislature may allow cities and villages to pledge such taxes for a period not to exceed twenty years if, due to a high rate of unemployment combined with a high poverty rate as determined by law, more than one-half of the property in the project area is designated as extremely blighted. When such indebtedness and the interest thereon have been paid in full, such property thereafter shall be taxed as is other property in the respective taxing jurisdictions and such taxes applied as all other taxes of the respective taxing bodies.

(3) Beginning January 1, 2024, cities and villages shall no longer have the power to incur indebtedness pursuant to subsection (1) of this section or to pledge taxes pursuant to subsection (2) of this section.

VIII-13 (1) Notwithstanding Article I, section 16, Article III, section 18, or Article VIII, section 1 or 4, of this Constitution or any other provision of this Constitution to the contrary and subject to subsection (2) of this section, amendments to Article VIII of this Constitution passed in 1992 shall be effective from and after January 1, 1992, and existing revenue laws and legislative acts passed in the regular legislative session of 1992, not inconsistent with this Constitution as amended, shall be considered ratified and confirmed by such amendments without the need for legislative reenactment of such laws.

(2) This section is superseded by Article VIII, section 14, of this Constitution and shall only apply with respect to taxes imposed prior to January 1, 2024.

VIII-14 (1) Notwithstanding any other provision of this Constitution to the contrary, effective January 1, 2024, the State of Nebraska and all political subdivisions of the state shall be prohibited from imposing a tax on personal

income, a tax on corporate income, a tax on personal property, a tax on real property, a tax on an inheritance from a deceased person, a tax on the estate of a deceased person, and a tax on the retail sale of goods and services except as provided in subsection (2) of this section. Any taxes described in this subsection that are imposed prior to January 1, 2024, may be collected through the end of calendar year 2024.

(2) The Legislature shall enact a consumption tax which shall apply to purchases of services and new goods, except for fuel. Such consumption tax shall begin no later than January 1, 2024. The Legislature may authorize political subdivisions of the state to enact their own consumption taxes upon such terms and conditions as the Legislature may provide.

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

A constitutional amendment to prohibit the state and all political subdivisions from imposing an income tax, a property tax, an inheritance tax, an estate tax, and a tax on retail sales of goods and services except for a consumption tax and to require the Legislature to enact a consumption tax.

For

Against.

SPEAKER'S ANNOUNCEMENT

Pursuant to Rule 4, Section 8, LR1 was referred to the Reference Committee.

ANNOUNCEMENT(S)

The Committee on Committees elected Senator Morfeld as Vice Chairperson.

ADJOURNMENT

At 11:54 a.m., on a motion by Senator Wishart, the Legislature adjourned until 10:00 a.m., Friday, January 8, 2021.

Patrick J. O'Donnell
Clerk of the Legislature

