

**FORTIETH DAY - MARCH 10, 2021**

**LEGISLATIVE JOURNAL**

**ONE HUNDRED SEVENTH LEGISLATURE  
FIRST SESSION**

**FORTIETH DAY**

Legislative Chamber, Lincoln, Nebraska  
Wednesday, March 10, 2021

**PRAYER**

The prayer was offered by Senator Williams.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator Blood.

**ROLL CALL**

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

The roll was called and all members were present except Senators Bostar, Pansing Brooks, Stinner, and Wayne who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the thirty-ninth day was approved.

**COMMITTEE REPORT(S)**  
Revenue

**LEGISLATIVE BILL 26.** Placed on General File.

(Signed) Lou Ann Linehan, Chairperson

**RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 57.** Introduced by Hughes, 44.

WHEREAS, the 2021 Nebraska School Activities Association State Wrestling Tournament was held from February 17th to February 20th at the CHI Health Center Omaha; and

WHEREAS, senior Conner Schutz wrestled for the Hi-Line Bulls wrestling team coached by Reed Kraeger and representing the Elwood and Eustis/Farnam Sports Co-op; and

WHEREAS, Conner won the Class D 170-pound championship match; and

WHEREAS, Conner finished the wrestling season with a record of 33-0; 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 Conner Schutz on winning the 2021 Class D 170-pound State Wrestling Championship.

2. That copies of this resolution be sent to Elwood High School, Conner Schutz, and Coach Reed Kraeger.

Laid over.

### ANNOUNCEMENT(S)

Priority designation(s) received:

Erdman - LR11CA

Linehan - LB364

### AMENDMENT(S) - Print in Journal

Senator Linehan filed the following amendment to [LB408](#):  
[AM521](#)

(Amendments to Standing Committee amendments, AM371)

1 1. On page 1, strike beginning with "county" in line 9 through  
2 "college" in line 11 and insert "political subdivision which has  
3 authority to levy a property tax or authority to request levy authority  
4 under section 77-3443, except sanitary and improvement districts which  
5 have been in existence for five years or less".

### RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LRs 50, 51, 52, and 53 were adopted.

### PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LRs 50, 51, 52, and 53.

### GENERAL FILE

**LEGISLATIVE BILL 387.** Title read. Considered.

Committee [AM291](#), found on page 474, was offered.

The committee amendment was adopted with 45 ayes, 0 nays, 1 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review Initial with 45 ayes, 0 nays, 1 present and not voting, and 3 excused and not voting.

#### SELECT FILE

**LEGISLATIVE BILL 66.** Senator Williams offered his amendment, [AM263](#), found on page 446.

The Williams amendment was adopted with 40 ayes, 0 nays, 6 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 163.** [ER1](#), found on page 454, was adopted.

Senator Wayne offered his amendment, [AM334](#), found on page 474.

The Wayne amendment was adopted with 36 ayes, 0 nays, 10 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 106.** [ER5](#), found on page 464, was adopted.

Senator B. Hansen withdrew his amendment, [AM429](#), found on page 512.

Senator B. Hansen offered his amendment, [AM462](#), found on page 554.

Senator B. Hansen withdrew his amendment.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 106A.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 113.** [ER9](#), found on page 464, was adopted.

Senator Albrecht withdrew her amendment, [AM226](#), found on page 420.

Senator Albrecht withdrew her amendment, [AM353](#), found on page 484.

Senator Albrecht offered her amendment, [AM468](#), found on page 540.

The Albrecht amendment was adopted with 38 ayes, 0 nays, 8 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 113A.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 148.** [ER12](#), found on page 465, was adopted.

Senator Bostelman offered his amendment, [AM332](#), found on page 483.

The Bostelman amendment was adopted with 36 ayes, 0 nays, 10 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 503.** [ER14](#), found on page 465, was adopted.

Senator M. Cavanaugh withdrew her amendment, [FA3](#), found on page 518.

Senator Flood offered the following amendment:

[FA5](#)

On page 2, line 9, strike the sentence beginning with "A judgement" through line 14.

The Flood amendment was adopted with 35 ayes, 0 nays, 12 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 297.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 177.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 509.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 337.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 35.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 93.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 94.** [ER17](#), found on page 536, was adopted.

Advanced to Enrollment and Review for Engrossment.

### GENERAL FILE

**LEGISLATIVE BILL 369.** Title read. Considered.

Committee [AM67](#), found on page 373, was offered.

The committee amendment was adopted with 39 ayes, 0 nays, 8 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 37 ayes, 0 nays, 10 present and not voting, and 2 excused and not voting.

**LEGISLATIVE BILL 100.** Title read. Considered.

Advanced to Enrollment and Review Initial with 36 ayes, 0 nays, 12 present and not voting, and 1 excused and not voting.

### AMENDMENT(S) - Print in Journal

Senator Groene filed the following amendment to [LB44](#):

[AM477](#)

1 I. Insert the following new sections:

2 Section 1. Section 19-5504, Revised Statutes Cumulative Supplement,

3 2020, is amended to read:

4 19-5504 (1) Except for a city with a population of less than fifty

5 thousand inhabitants that does not have or chooses not to adopt an

6 affordable housing action plan, on or before July 1, 2021, and by each

7 July 1 every two years thereafter, each city shall electronically submit

8 a report to the Urban Affairs Committee of the Legislature detailing its

9 efforts to address the availability of and incentives for affordable

10 housing through its zoning codes, ordinances, and regulations. Such

11 report shall include, but not be limited to:

12 (a) An overview of the city's current residential zoning

13 requirements;

14 (b) The percentage of areas in the city zoned for residential use

15 which permit the construction of multifamily housing and middle housing;

16 (c) A breakdown of new residential construction in the city over the

17 previous five years, including the percentage of such construction that

18 was single-family housing, multifamily housing, and middle housing;

19 (d) A breakdown of residential units annexed by the city over the

20 previous five years, including the percentage of such units that were

21 single-family housing, multifamily housing, and middle housing;

22 (e) An estimate of the per-unit cost of housing in the city;

23 (f) Whether such zoning codes, ordinances, and regulations provide

24 for density bonuses or other concessions or incentives which encourage

25 residential density, and the frequency with which such bonuses,

26 concessions, or incentives are utilized;

27 (g) Whether such zoning codes, ordinances, and regulations allow the

1 construction of accessory dwelling units;

2 (h) What incentives the city applies to encourage the development of

3 affordable housing, including both direct incentives and regulatory

4 relief;

5 (i) A demographic analysis of the city with trends and estimates of

6 the housing need classified by housing type and price range; and  
7 (j) Efforts to adopt an affordable housing action plan as required  
8 under section 19-5505.

9 (2) The Urban Affairs Committee of the Legislature may require any  
10 city subject to the requirements of subsection (1) of this section to  
11 present its report to the committee at a public hearing.

12 Sec. 3. Section 81-1237, Revised Statutes Cumulative Supplement,  
13 2020, is amended to read:

14 81-1237 For purposes of the Middle Income Workforce Housing  
15 Investment Act:

16 (1) Department means the Department of Economic Development;  
17 (2) Director means the Director of Economic Development;  
18 (3) Eligible activities of a workforce housing investment fund  
19 means:

20 (a) New construction of owner-occupied housing in a neighborhood and  
21 community with a demonstrated need for housing that is affordable and  
22 attractive to first-time homebuyers, middle-income families, and the  
23 emerging workforce;

24 (b) Substantial repair or rehabilitation of dilapidated housing  
25 stock; or

26 (c) Upper-story housing development for occupation by a homeowner;

27 (4) HOME funds means funds awarded as formula grants under the HOME  
28 Investment Partnerships Program administered by the United States  
29 Department of Housing and Urban Development;

30 (5) Matching funds means dollars contributed by individuals,  
31 businesses, foundations, local and regional political subdivisions, or  
1 other nonprofit organizations to a workforce housing investment fund  
2 administered by a nonprofit development organization;

3 (6) Nonprofit development organization means a regional or statewide  
4 nonprofit development organization approved by the director;

5 (7) Qualified activities include purchase guarantees, loan  
6 guarantees, loan participations, and other credit enhancements related to  
7 eligible activities of the workforce housing investment fund;

8 (8) Qualified investment means a cash investment in a workforce  
9 housing investment fund administered by a nonprofit development  
10 organization;

11 (9) Urban community means any area that is:

12 (a) In a county with a population greater than fifty one hundred  
13 thousand inhabitants as determined by the most recent federal decennial  
14 census; and

15 (b) Within a qualified census tract as described in 26 U.S.C. 42(d)  
16 (5)(B), as such section existed on January 1, 2020;

17 (10) Workforce housing means:

18 (a) Owner-occupied housing units that have an after-construction  
19 appraised value of at least one hundred twenty-five thousand dollars but  
20 not more than two hundred seventy-five thousand dollars. For purposes of  
21 this subdivision (a) and subdivision (b) of this subsection, housing unit  
22 after-construction appraised value shall be updated annually by the  
23 department based upon the most recent increase or decrease in the  
24 Producer Price Index for all commodities, published by the United States  
25 Department of Labor, Bureau of Labor Statistics;

26 (b) Owner-occupied housing units for which the cost to substantially  
27 rehabilitate such units exceeds fifty percent of a unit's before-  
28 construction assessed value, and the after-construction appraised value  
29 is at least one hundred twenty-five thousand dollars but not more than  
30 two hundred seventy-five thousand dollars;

31 (c) Upper-story housing for occupation by a homeowner; and  
1 (d) Housing that does not receive federal or state low-income  
2 housing tax credits, community development block grants, HOME funds, or  
3 funds from the Affordable Housing Trust Fund; and

4 (11) Workforce housing investment fund means a fund that has been  
 5 created by a nonprofit development organization and certified by the  
 6 director to encourage development of workforce housing in urban  
 7 communities.  
 8 2. On page 2, line 6, strike "shall", show as stricken, and insert  
 9 "may"; and in line 25 strike "required under" and insert "described in".  
 10 3. Renumber the remaining sections and correct the repealer  
 11 accordingly.

Senator Erdman filed the following amendment to [LB572](#):  
[AM484](#)

(Amendments to Standing Committee amendments, AM410)

1 1. Strike amendments 8 and 9.  
 2 2. On page 1, line 1, strike "and 10" and insert "10, 24, 25, 29,  
 3 31, and 32" and insert the following new sections:  
 4 Sec. 21. Section 54-1,110, Revised Statutes Cumulative Supplement,  
 5 2020, is amended to read:  
 6 54-1,110 (1) Except as provided in subsection ~~subsections (2) and~~  
 7 ~~(3)~~ of this section, no person shall move, in any manner, cattle from a  
 8 point within the brand inspection area to a point outside the brand  
 9 inspection area unless such cattle first have a brand inspection by the  
 10 Nebraska Brand Committee and a certificate of inspection is issued. A  
 11 copy of such certificate shall accompany the cattle and shall be retained  
 12 by all persons moving such cattle as a permanent record.  
 13 ~~(2) Cattle in a registered feedlot registered under sections~~  
 14 ~~54-1,120 to 54-1,122 are not subject to the brand inspection of~~  
 15 ~~subsection (1) of this section. Possession by the shipper or trucker of a~~  
 16 ~~shipping certificate from the registered feedlot constitutes compliance~~  
 17 ~~if the cattle being shipped are as represented on such shipping~~  
 18 ~~certificate.~~  
 19 ~~(2)~~ ~~(3)~~ If the line designating the brand inspection area divides a  
 20 farm or ranch or lies between noncontiguous parcels of land which are  
 21 owned or operated by the same cattle owner or owners, a permit may be  
 22 issued, at the discretion of the Nebraska Brand Committee, to the owner  
 23 or owners of cattle on such farm, ranch, or parcels of land to move the  
 24 cattle in and out of the brand inspection area without inspection. If the  
 25 line designating the brand inspection area lies between a farm or ranch  
 26 and nearby veterinary medical facilities, a permit may be issued, at the  
 1 discretion of the brand committee, to the owner or owners of cattle on  
 2 such farm or ranch to move the cattle in and out of the brand inspection  
 3 area without inspection to obtain care from the veterinary medical  
 4 facilities. The brand committee shall issue initial permits only after  
 5 receiving an application which includes an application fee established by  
 6 the brand committee which shall not be more than fifteen dollars. The  
 7 brand committee shall mail all current permitholders an annual renewal  
 8 notice, for January 1 renewal, which requires a renewal fee established  
 9 by the brand committee which shall not be more than fifteen dollars. If  
 10 the permit conditions still exist, the cattle owner or owners may renew  
 11 the permit.  
 12 ~~(3)~~ ~~(4)~~ No person shall sell any cattle knowing that the cattle are  
 13 to be moved, in any manner, in violation of this section. Proof of  
 14 shipment or removal of the cattle from the brand inspection area by the  
 15 purchaser or his or her agent is prima facie proof of knowledge that sale  
 16 was had for removal from the brand inspection area.  
 17 ~~(4) A violation of this section is an infraction. A peace officer~~  
 18 ~~shall have the authority to write a citation, which shall be waivable, to~~  
 19 ~~offenders in violation of this section. A fine under this section shall~~  
 20 ~~not exceed two hundred dollars per head for each offense. Violations~~  
 21 ~~shall be charged in the county of origin of the cattle or any other~~  
 22 ~~county through which the cattle were moved from the brand inspection area~~

23 ~~(5) In cases of prosecution for violation of this section, venue may be~~  
 24 ~~established in the county of origin or any other county through which the~~  
 25 ~~cattle may pass in leaving the brand inspection area.~~

26 Sec. 22. Section 54-1,111, Revised Statutes Cumulative Supplement,  
 27 2020, is amended to read:

28 54-1,111 (1) Except as provided in subsection (2) of this section,  
 29 no person shall sell or trade any cattle located within the brand  
 30 inspection area, nor shall any person buy or purchase any such cattle  
 31 unless the cattle have been inspected for evidence of brands and  
 1 ownership and a certificate of inspection or brand clearance has been  
 2 issued by the Nebraska Brand Committee. Any person selling such cattle  
 3 shall present to the brand inspector a properly executed bill of sale,  
 4 brand clearance, or other satisfactory evidence of ownership which shall  
 5 be filed with the original certificate of inspection in the records of  
 6 the brand committee. Any time a brand inspection is required by law, a  
 7 brand investigator or brand inspector may transfer evidence of ownership  
 8 of such cattle from a seller to a purchaser by issuing a certificate of  
 9 inspection.

10 (2) A brand inspection is not required:

11 ~~(a) For cattle of a registered feedlot registered under sections~~  
 12 ~~54-1,120 to 54-1,122 shipped for direct slaughter or sale on any terminal~~  
 13 ~~market;~~

14 ~~(a) (b)~~ For cattle that are:

15 (i) Transferred to a family corporation when all the shares of  
 16 capital stock of the corporation are owned by the husband, wife,  
 17 children, or grandchildren of the transferor and there is no  
 18 consideration for the transfer other than the issuance of stock of the  
 19 corporation to such family members; or

20 (ii) Transferred to a limited liability company in which membership  
 21 is limited to the husband, wife, children, or grandchildren of the  
 22 transferor and there is no consideration paid for the transfer other than  
 23 a membership interest in the limited liability company;

24 ~~(b) (e)~~ When the change of ownership of cattle is a change in form  
 25 only and the surviving interests are in the exact proportion as the  
 26 original interests of ownership. When there is a change of ownership  
 27 described in subdivision ~~(2)(a) (2)(b)~~ or ~~(b) (e)~~ of this section, an  
 28 affidavit, on a form prescribed by the Nebraska Brand Committee, signed  
 29 by the transferor and stating the nature of the transfer and the number  
 30 of cattle involved and the brands presently on the cattle, shall be filed  
 31 with the brand committee;

1 ~~(c) (d)~~ For cattle sold or purchased for educational or exhibition  
 2 purposes or other recognized youth activities if a properly executed bill  
 3 of sale is exchanged and presented upon demand. Educational or exhibition  
 4 purpose means cattle sold or purchased for the purpose of being fed,  
 5 bred, managed, or tended in a program designed to demonstrate or instruct  
 6 in the use of various feed rations, the selection of individuals of  
 7 certain physical conformation or breeds, the measurement and recording of  
 8 rate of gain in weight or fat content of meat or milk produced, or the  
 9 preparation of cattle for the purpose of exhibition or for judging as to  
 10 quality and conformation;

11 ~~(d) (e)~~ For calves under the age of thirty days sold or purchased at  
 12 private treaty if a bill of sale is exchanged and presented upon demand;  
 13 and

14 ~~(e) (f)~~ For seedstock cattle raised by the seller and individually  
 15 registered with an organized breed association if a properly executed  
 16 bill of sale is exchanged and presented upon demand.

17 (3) A violation of this section is an infraction. A peace officer  
 18 shall have the authority to write a citation, which shall be waivable, to  
 19 offenders in violation of this section. A fine under this section shall  
 20 not exceed two hundred dollars per head for each offense. Violations

21 shall be charged in the county in which the offense occurred.

22 Sec. 26. Section 54-1,115, Revised Statutes Cumulative Supplement,  
23 2020, is amended to read:

24 54-1,115 (1) Any person, other than the owner or the owner's  
25 employee, using a motor vehicle or trailer to transport livestock or  
26 carcasses over any land within the State of Nebraska not owned or rented  
27 by such person or who is so transporting such livestock upon a highway,  
28 public street, or thoroughfare within the State of Nebraska shall have in  
29 his or her possession a livestock transportation authority form, or  
30 certificate of inspection, ~~or shipping certificate from a registered~~  
31 ~~feedlot~~, authorizing such movement as to each head of livestock  
1 transported by such vehicle.

2 (2) A livestock transportation authority form shall be in writing  
3 and shall state the name of the owner of the livestock, the owner's post  
4 office address, the place from which the livestock are being moved,  
5 including the name of the ranch, if any, the destination, the name and  
6 address of the carrier, the license number and make of motor vehicle to  
7 which consigned, together with the number of livestock and a description  
8 thereof including kind, sex, breed, color, and marks, if any, and in the  
9 case of livestock shipments originating within the brand inspection area,  
10 the brands, if there are any. The authority form shall be signed by the  
11 owner of the livestock or the owner's authorized agent.

12 (3) Any peace officer, based upon probable cause to question the  
13 ownership of the livestock being transported, may stop a motor vehicle or  
14 motor vehicle and trailer and request exhibition of any authority form or  
15 certificate required by this section.

16 (4) A violation of this section is an infraction. A peace officer  
17 shall have the authority to write a citation, which shall be waivable, to  
18 offenders in violation of this section. A fine under this section shall  
19 not exceed two hundred dollars per head for each offense. Violations  
20 shall be charged in the county in which the offense occurred.

21 Sec. 28. Section 54-1,119, Revised Statutes Cumulative Supplement,  
22 2020, is amended to read:

23 54-1,119 (1) Any livestock market, whether within or outside of the  
24 state, or any meat packing plant which maintains brand inspection under  
25 the supervision of the Nebraska Brand Committee and under such rules and  
26 regulations as are specified by the United States Department of  
27 Agriculture, may be designated by the brand committee as an open market.

28 (2) When cattle originating from within the brand inspection area  
29 are consigned for sale to any commission company at any open market  
30 designated as such by the Nebraska Brand Committee where brand inspection  
31 is maintained, no brand inspection is required at the point of origin but  
1 is required at the point of destination ~~unless the point of origin is a~~  
2 ~~registered feedlot~~. If cattle are consigned to a commission company at an  
3 open market, the carrier transporting the cattle shall not allow the  
4 owner, shipper, or party in charge to change the billing to any point  
5 other than the commission company at the open market designated on the  
6 original billing, unless the carrier secures from the brand committee a  
7 certificate of inspection on the cattle so consigned. ~~Any cattle~~  
8 ~~originating in a registered feedlot consigned to a commission company at~~  
9 ~~any terminal market destined for direct slaughter may be shipped in~~  
10 ~~accordance with rules and regulations governing registered feedlots.~~

11 (3) Until the cattle are inspected for brands on the premises by the  
12 Nebraska Brand Committee, no person shall sell or cause to be sold or  
13 offer for sale (a) any cattle at a livestock auction market located  
14 within the brand inspection area or at a farm or ranch sale located  
15 within the brand inspection area or (b) any cattle originating within the  
16 brand inspection area consigned to an open market.

17 Sec. 32. The following sections are outright repealed: Section  
18 54-188, Reissue Revised Statutes of Nebraska, and sections 54-1,120,

19 54-1,121, and 54-1,122, Revised Statutes Cumulative Supplement, 2020.  
20 "; and in line 25 after "references" insert "and the repealer".  
21 3. Renumber the remaining amendments accordingly.

### ANNOUNCEMENT(S)

Priority designation(s) received:

Halloran - LR14  
Groene - LB40  
Banking, Commerce and Insurance - LB375  
Banking, Commerce and Insurance - LB487  
Dorn - LB103  
Lindstrom - LB39

### BILL ON FIRST READING

The following bill was read for the first time by title:

**LEGISLATIVE BILL 386A.** Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 386, One Hundred Seventh Legislature, First Session, 2021; to provide an operative date; and to declare an emergency.

### RESOLUTION(S)

**LEGISLATIVE RESOLUTION 58.** Introduced by Murman, 38.

WHEREAS, the 2021 Nebraska School Activities Association State Wrestling Tournament was held from February 17th to February 20th at the CHI Health Center Omaha; and

WHEREAS, senior Joseph Hinrichs wrestled for the Sutton High School wrestling team coached by Ron Gerber; and

WHEREAS, Joseph won the Class C 160-pound championship match; and

WHEREAS, Joseph won the Class C 152-pound championship match last year and is the first Sutton wrestler to win back-to-back state titles; 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 Joseph Hinrichs on winning the 2021 Class C 160-pound State Wrestling Championship.

2. That copies of this resolution be sent to Sutton High School, Joseph Hinrichs, and coach Ron Gerber.

Laid over.

**GENERAL FILE**

**LEGISLATIVE BILL 101.** Title read. Considered.

Advanced to Enrollment and Review Initial with 39 ayes, 0 nays, 9 present and not voting, and 1 excused and not voting.

**LEGISLATIVE BILL 351.** Title read. Considered.

Advanced to Enrollment and Review Initial with 39 ayes, 0 nays, 9 present and not voting, and 1 excused and not voting.

**LEGISLATIVE BILL 476.** Title read. Considered.

Advanced to Enrollment and Review Initial with 38 ayes, 0 nays, 10 present and not voting, and 1 excused and not voting.

**LEGISLATIVE BILL 533.** Title read. Considered.

Advanced to Enrollment and Review Initial with 39 ayes, 0 nays, 9 present and not voting, and 1 excused and not voting.

**LEGISLATIVE BILL 401.** Title read. Considered.

Committee [AM59](#), found on page 387, was offered.

The committee amendment was adopted with 44 ayes, 0 nays, and 5 present and not voting.

Advanced to Enrollment and Review Initial with 38 ayes, 0 nays, and 11 present and not voting.

**ANNOUNCEMENT(S)**

Priority designation(s) received:

Albrecht - LB281  
Government, Military and Veterans Affairs - LB83  
Government, Military and Veterans Affairs - LB285

**CONFLICT OF INTEREST STATEMENT**

Pursuant to Rule 1, Sec. 19, Senator Gragert has filed a Potential Conflict of Interest Statement under the Nebraska Political Accountability and Disclosure Act. The statement is on file in the Clerk of the Legislature's Office.

**GENERAL FILE**

**LEGISLATIVE BILL 37.** Title read. Considered.

Advanced to Enrollment and Review Initial with 41 ayes, 0 nays, and 8 present and not voting.

**LEGISLATIVE BILL 169.** Title read. Considered.

Advanced to Enrollment and Review Initial with 42 ayes, 0 nays, and 7 present and not voting.

**LEGISLATIVE BILL 255.** Title read. Considered.

**SPEAKER HILGERS PRESIDING**

**PRESIDENT FOLEY PRESIDING**

Advanced to Enrollment and Review Initial with 37 ayes, 1 nay, 10 present and not voting, and 1 excused and not voting.

**MOTION(S) - Return LB509 to Select File**

Senator Lindstrom moved to return LB509 to Select File for the following specific amendment:

[AM537](#)

1 1. On page 27, line 13, reinstate the stricken "and"; in line 15  
2 strike the new matter and reinstate the stricken matter; and strike line  
3 16.

The Lindstrom motion to return prevailed with 39 ayes, 0 nays, 9 present and not voting, and 1 excused and not voting.

**SELECT FILE**

**LEGISLATIVE BILL 509.** The Lindstrom specific amendment, [AM537](#), found in this day's Journal, was adopted with 40 ayes, 0 nays, 8 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**COMMITTEE REPORT(S)**

Revenue

**LEGISLATIVE BILL 84.** Placed on General File.

**LEGISLATIVE BILL 180.** Placed on General File.

**LEGISLATIVE BILL 233.** Placed on General File.

(Signed) Lou Ann Linehan, Chairperson

## Judiciary

**LEGISLATIVE BILL 58.** Placed on General File.

**LEGISLATIVE BILL 540.** Placed on General File.

**LEGISLATIVE BILL 271.** Placed on General File with amendment.

[AM490](#)

1 1. On page 4, line 16, after the underscored period insert "A 24/7  
 2 sobriety program permit shall only be issued if the individual's  
 3 operator's license has been revoked pursuant to section 60-498.01 for the  
 4 pending offense."; and after line 28 insert the following new subsection:  
 5 "(5) A person shall be eligible to be issued a 24/7 sobriety program  
 6 permit allowing operation of a motor vehicle if he or she is not subject  
 7 to any other suspension, cancellation, required no-driving period, or  
 8 period of revocation and has successfully completed the application for a  
 9 24/7 sobriety program permit."  
 10 2. On page 9, line 21, before "No" insert "(1)"; in line 28 after  
 11 the period insert the following new subsection:  
 12 "(2) Offenses under sections 60-4,164, 60-6,196, and 60-6,197 which  
 13 are eligible for pretrial diversion:  
 14 (a) Shall not be dismissed until twelve months after successful  
 15 completion of a pretrial diversion program; and  
 16 (b) Are not eligible for dismissal after completion of a driver's  
 17 safety training program under section 29-3606."  
 18 3. On page 18, after line 16, insert the following new subdivision:  
 19 "(d) Only a person subject to administrative license revocation  
 20 under sections 60-498.01 to 60-498.04 may apply for a 24/7 sobriety  
 21 program permit."

**LEGISLATIVE BILL 352.** Placed on General File with amendment.

[AM535](#)

1 1. Strike the original sections and insert the following new  
 2 sections:  
 3 Section 1. Section 33-107.03, Reissue Revised Statutes of Nebraska,  
 4 is amended to read:  
 5 33-107.03 In addition to all other court costs assessed according to  
 6 law, a court automation fee of ~~ten~~ eight dollars shall be taxed as costs  
 7 for each case filed in each county court, separate juvenile court, and  
 8 district court, including appeals to such courts, and for each appeal and  
 9 original action filed in the Court of Appeals and the Supreme Court. The  
 10 fees shall be remitted to the State Treasurer on forms prescribed by the  
 11 State Treasurer within ten days after the end of each month. The State  
 12 Treasurer shall credit the fees to the Supreme Court Automation Cash  
 13 Fund.  
 14 Sec. 2. Section 33-154, Reissue Revised Statutes of Nebraska, is  
 15 amended to read:  
 16 33-154 In addition to all other court costs assessed according to  
 17 law, a training fee of two dollars ~~one dollar~~ shall be taxed as costs for  
 18 each case filed in each county court and district court, including  
 19 appeals to such courts, and for each appeal and original action filed in  
 20 the Court of Appeals and the Supreme Court. The fees shall be remitted to  
 21 the State Treasurer on forms prescribed by the State Treasurer within ten  
 22 days after the end of each month. The State Treasurer shall credit the  
 23 fees to the Supreme Court Education Fund.  
 24 Sec. 3. Section 33-155, Reissue Revised Statutes of Nebraska, is  
 25 amended to read:  
 26 33-155 In addition to all other court costs assessed according to

27 law, a dispute resolution fee of one dollar and fifty ~~seventy-five~~ cents  
 1 shall be taxed as costs for each case filed in each county court and  
 2 district court, including appeals to such courts, and for each appeal and  
 3 original action filed in the Court of Appeals and the Supreme Court. The  
 4 fees shall be remitted to the State Treasurer on forms prescribed by the  
 5 State Treasurer within ten days after the end of each month. The State  
 6 Treasurer shall credit the fees to the Dispute Resolution Cash Fund.  
 7 Sec. 4. Section 33-156, Reissue Revised Statutes of Nebraska, is  
 8 amended to read:  
 9 33-156 (1) In addition to all other court costs assessed according  
 10 to law, an indigent defense fee of five ~~three~~ dollars shall be taxed as  
 11 costs for each case filed in each county court and district court,  
 12 including appeals to such courts, and for each appeal and original action  
 13 filed in the Court of Appeals and the Supreme Court. The fees shall be  
 14 remitted to the State Treasurer on forms prescribed by the State  
 15 Treasurer within ten days after the end of the month. The State Treasurer  
 16 shall credit the fees to the Commission on Public Advocacy Operations  
 17 Cash Fund.  
 18 (2) In cases under the DNA Testing Act, costs shall be paid as  
 19 provided in such act.  
 20 Sec. 5. Original sections 33-107.03, 33-154, 33-155, and 33-156,  
 21 Reissue Revised Statutes of Nebraska, are repealed.

**LEGISLATIVE BILL 501.** Placed on General File with amendment.  
[AM526](#) is available in the Bill Room.

(Signed) Steve Lathrop, Chairperson

#### **AMENDMENT(S) - Print in Journal**

Senator Moser filed the following amendment to [LB579](#):  
[AM124](#)

1 1. On page 4, line 8, strike "Heartland Expressway" and insert  
 2 "expressway system"; and in line 11 strike "and" and after "letting"  
 3 insert ", and required funding for project completion".

#### **ANNOUNCEMENT(S)**

Priority designation(s) received:

Pahls - LB26

#### **ANNOUNCEMENT**

Senator B. Hansen announced the Business and Labor Committee will hold an executive session Thursday, March 11, 2021, at 10:00 a.m., in Room 1524.

#### **UNANIMOUS CONSENT - Add Cointroducer(s)**

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

Senator Hansen, B. name added to LB64.

Senator McDonnell name added to LB88.  
Senator Flood name added to LB88.  
Senator Groene name added to LB181.  
Senator Lindstrom name added to LB387.

**VISITOR(S)**

The Doctor of the Day was Dr. Jason Bepalec of Geneva.

**ADJOURNMENT**

At 11:57 a.m., on a motion by Senator Erdman, the Legislature adjourned until 9:00 a.m., Thursday, March 11, 2021.

Patrick J. O'Donnell  
Clerk of the Legislature

