

FORTY-EIGHTH DAY - MARCH 23, 2021**LEGISLATIVE JOURNAL****ONE HUNDRED SEVENTH LEGISLATURE
FIRST SESSION****FORTY-EIGHTH DAY**

Legislative Chamber, Lincoln, Nebraska
Tuesday, March 23, 2021

PRAYER

The prayer was offered by Senator Aguilar.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Dorn.

ROLL CALL

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

The roll was called and all members were present except Senators Brewer and Pansing Brooks who were excused; and Senators Bostar, M. Cavanaugh, M. Hansen, Hunt, Lathrop, and Wishart who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the forty-seventh day was approved.

ANNOUNCEMENT

Senator Kolterman announced the birthday of Senator Lindstrom.

GENERAL FILE

LEGISLATIVE BILL 40. Title read. Considered.

Committee [AM575](#), found on page 625, was adopted with 40 ayes, 0 nays, 4 present and not voting, and 5 excused and not voting.

SENATOR WILLIAMS PRESIDING

Advanced to Enrollment and Review Initial with 42 ayes, 0 nays, 2 present and not voting, and 5 excused and not voting.

LEGISLATIVE BILL 40A. Title read. Considered.

Advanced to Enrollment and Review Initial with 42 ayes, 0 nays, 2 present and not voting, and 5 excused and not voting.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 396A. Introduced by Brandt, 32.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 396, One Hundred Seventh Legislature, First Session, 2021.

LEGISLATIVE BILL 324A. Introduced by Brandt, 32.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 324, One Hundred Seventh Legislature, First Session, 2021.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 75. Introduced by Hilkemann, 4; Day, 49; Lindstrom, 18; Linehan, 39; McCollister, 20; Pahls, 31; Walz, 15.

WHEREAS, the Millard North High School boys' basketball team won the 2021 Class A Boys State Basketball Championship; and

WHEREAS, under the leadership of Coach Tim Cannon, the Millard North Mustangs ended the season with a 27 and 2 record after their victory over the Bellevue West Thunderbirds in the championship game, winning by a score of 84 to 78; and

WHEREAS, this is the first Boys State Basketball Championship in the school's history; and

WHEREAS, following the championship game, the Mustangs were ranked fourteenth nationally by Max Preps; and

WHEREAS, such a team achievement is made possible through the support of parents, teachers, administrators, classmates, and the community; 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 Millard North High School boys' basketball team and its coaches on winning the 2021 Class A Boys State Basketball Championship.

2. That copies of this resolution be sent to the Millard North High School boys' basketball team and to Coach Tim Cannon.

Laid over.

GENERAL FILE

LEGISLATIVE BILL 544. Title read. Considered.

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

LEGISLATIVE BILL 215. Title read. Considered.

SPEAKER HILGERS PRESIDING

Senator Wayne offered the following motion:

[MO15](#)

Indefinitely postpone.

Senator Wayne moved for a call of the house. The motion prevailed with 19 ayes, 5 nays, and 25 not voting.

Senator Wayne withdrew his motion to indefinitely postpone.

Failed to advance to Enrollment and Review Initial with 20 ayes, 10 nays, 8 present and not voting, and 11 excused and not voting.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Blood name added to LB40.

Senator Vargas name added to LB40.

Senator Aguilar name added to LB40.

Senator Stinner name added to LB40.

Senator Bostelman name added to LB281.

Senator Wayne name added to LB306.

WITHDRAW - Cointroducer(s)

Senator Hunt name withdrawn from LB567.

RECESS

At 11:56 a.m., on a motion by Senator Halloran, the Legislature recessed until 1:30 p.m.

AFTER RECESS

The Legislature reconvened at 1:30 p.m., Speaker Hilgers presiding.

ROLL CALL

The roll was called and all members were present except Senators Brewer, Pansing Brooks, and Slama who were excused; and Senators Briese, Hunt, Lathrop, Linehan, Morfeld, and Wayne who were excused until they arrive.

BILL ON FIRST READING

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

LEGISLATIVE BILL 650A. Introduced by Flood, 19.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 650, One Hundred Seventh Legislature, First Session, 2021.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 14. Placed on Final Reading.

LEGISLATIVE BILL 387. Placed on Final Reading.

LEGISLATIVE BILL 389. Placed on Final Reading.

(Signed) Terrell McKinney, Chairperson

GENERAL FILE

LEGISLATIVE BILL 390. Title read. Considered.

Committee [AM447](#), found on page 633, was adopted with 35 ayes, 1 nay, 6 present and not voting, and 7 excused and not voting.

Advanced to Enrollment and Review Initial with 37 ayes, 1 nay, 5 present and not voting, and 6 excused and not voting.

LEGISLATIVE BILL 92. Title read. Considered.

Advanced to Enrollment and Review Initial with 35 ayes, 0 nays, 8 present and not voting, and 6 excused and not voting.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 132A. Introduced by DeBoer, 10.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 132, One Hundred Seventh Legislature, First Session, 2021; and to declare an emergency.

LEGISLATIVE BILL 498A. Introduced by DeBoer, 10.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 498, One Hundred Seventh Legislature, First Session, 2021.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 22. Placed on Final Reading.

LEGISLATIVE BILL 368. Placed on Final Reading.

LEGISLATIVE BILL 369. Placed on Final Reading.

(Signed) Terrell McKinney, Chairperson

GENERAL FILE

LEGISLATIVE BILL 197. Title read. Considered.

Committee [AM51](#), found on page 497, was adopted with 33 ayes, 0 nays, 8 present and not voting, and 8 excused and not voting.

Advanced to Enrollment and Review Initial with 35 ayes, 0 nays, 6 present and not voting, and 8 excused and not voting.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 25. Read. Considered.

LR25 was adopted with 32 ayes, 0 nays, 9 present and not voting, and 8 excused and not voting.

LEGISLATIVE RESOLUTION 29. Read. Considered.

Committee [AM595](#), found on page 687, was adopted with 29 ayes, 0 nays, 13 present and not voting, and 7 excused and not voting.

Senator Hughes offered the following amendment:

[FA6](#)

On page 2, line 12 after "testimony" add: "but only after authorization by the Executive Board".
And page 2, line 31, after the period add: "The committee shall terminate on December 31, 2021."

SENATOR LINDSTROM PRESIDING

Senator Flood requested a division of the question on the Hughes amendment.

The Chair sustained the division of the question.

The first Hughes amendment is as follows:

[FA8](#)

Amend AM595 to LR29.

On page 2, line 31, after the period add: "The committee shall terminate on December 31, 2021".

The second Hughes amendment is as follows:

[FA7](#)

Amend AM595 to LR29.

Page 2, line 12 after "testimony" add: "but only after authorization by the Executive Board".

The first Hughes amendment, [FA8](#), found in this day's Journal, was offered.

Senator M. Hansen offered the following amendment to the first Hughes amendment, [FA8](#):

[FA9](#)

Amendment to FA8.

Strike "2021" and insert "2022".

The M. Hansen amendment was adopted with 36 ayes, 0 nays, 5 present and not voting, and 8 excused and not voting.

The first Hughes amendment, as amended, was adopted with 38 ayes, 0 nays, 3 present and not voting, and 8 excused and not voting.

Pending.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 76. Introduced by Hansen, M., 26; Cavanaugh, J., 9.

PURPOSE: The purpose of this resolution is to complete a comprehensive interim study of court fees as a funding source for the court system and the judicial branch. Nebraska assesses fees as part of the court costs for most, if not all, civil and criminal cases, including those related to traffic citations. Nebraska is not alone in imposing court fees, as other states also assess court fees as a revenue source. Most of the court fees imposed go to fund

the court system, including, but not limited to, funds dedicated to automation costs of the court computer system and to the judges' retirement fund. However, some court costs are earmarked for other state agencies that work with the court system. Nebraska law does provide for the waiver of court costs in certain circumstances due to indigent status or for the discharge of costs that are deemed uncollectible due to the financial inability to pay. In some instances court costs are also paid to the state by counties or cities.

The study shall examine:

- (1) Whether fees should be assessed on all cases or only certain types of cases;
- (2) How court costs and fees in Nebraska compare to other states;
- (3) Whether court fees are an appropriate or effective means of providing funds for the court system or other agencies;
- (4) Whether the current waiver or discharge provisions for court fees are adequate to protect indigent or poor individuals and whether any reform is necessary; and
- (5) How much political subdivisions pay in court fees and whether any adjustment should be made.

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

1. That the Judiciary Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 77. Introduced by Hansen, M., 26.

WHEREAS, Annunciation Greek Orthodox Church has been a landmark in northeast Lincoln for over seventy-five years; and

WHEREAS, March 25, 2021, is the two hundredth anniversary of Greek independence from the Ottoman Empire; and

WHEREAS, the Annunciation to the Theotokos, when Archangel Gabriel appeared to Mary, is also celebrated on March 25th; and

WHEREAS, the Greek Revolution from the Ottoman Empire began when Bishop Germanos of Patras raised the flag of revolution over the Monastery of Agia Lavra; and

WHEREAS, the battle cry of "freedom or death" became the motto of the revolution and of Greece; and

WHEREAS, the revolution ended with the Treaty of Edirne establishing an independent Greek state; and

WHEREAS, Greece and its people have made significant contributions to democracy, debate, and law.

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

1. That the Legislature recognizes March 25, 2021, as the two hundredth anniversary of Greek independence.

2. That a copy of this resolution be sent to Annunciation Greek Orthodox Church in Lincoln, Nebraska.

Laid over.

AMENDMENT(S) - Print in Journal

Senator Flood filed the following amendment to LB83:

AM750

(Amendments to E & R amendments, ER23)

1 1. Insert the following new section:

2 Sec. 3. Section 31-727.02, Reissue Revised Statutes of Nebraska, is

3 amended to read:

4 31-727.02 (1) Except as provided in subsection (5) of section
 5 84-1411, the ~~The~~ clerk or administrator of each sanitary and improvement
 6 district shall notify any municipality or county within whose zoning
 7 jurisdiction such district is located of all meetings of the district
 8 board of trustees or called by the administrator by sending a notice of
 9 such meeting to the clerk of the municipality or county not less than
 10 seven days prior to the date set for any meeting. In the case of meetings
 11 called by the administrator, notice shall be provided to the clerk of the
 12 district not less than seven days prior to the date set for any meeting.

13 (2) Except as provided in subsection (5) of section 84-1411, within
 14 Within thirty days after any meeting of a sanitary and improvement
 15 district board of trustees or called by the administrator, the clerk or
 16 administrator of the district shall transmit to the municipality or
 17 county within whose zoning jurisdiction the sanitary and improvement
 18 district is located a copy of the minutes of such meeting.

19 2. On page 1, lines 10 and 11; and page 2, line 15, strike

20 "teleconference or virtual conference", show the old matter as stricken,
 21 and insert "virtual conferencing".

22 3. On page 2, lines 29 and 30, strike "telephone conference call or
 23 videoconference or virtual conference", show the old matter as stricken,
 24 and insert "virtual conferencing".

25 4. On page 3, line 30; and page 4, lines 2 and 3, strike "telephone
 26 conference call or virtual conference", show the old matter as stricken,
 1 and insert "virtual conferencing".

2 5. On page 4, line 18, strike "or telephone conference" and show as
 3 stricken.

4 6. On page 5, line 21, strike beginning with "notwithstanding"
 5 through "84-1411", show the old matter as stricken, and after the
 6 stricken "84-1411" insert "as defined in section 84-1409".

7 7. On page 6, strike beginning with "telephone" in line 8 through
 8 "or" in line 9 and show the old matter as stricken; and in line 9 after
 9 "conferencing" insert "as defined in section 84-1409".

10 8. On page 10, line 18, after "including" insert "reasonable"; and
 11 in line 31, after "subdivision" insert "or subsection (4) of section
 12 79-2204".

13 9. On page 18, line 8, strike "The", show as stricken, and insert
 14 "Each"; and in line 10 strike "the", show as stricken, and insert "a".

15 10. Renumber the remaining sections and correct the repealer
 16 accordingly.

Senator Murman filed the following amendment to [LB529](#):
[AM719](#)

(Amendments to Standing Committee amendments, AM495)

1 1. Insert the following new sections:

2 Sec. 7. (1) Teachers and other school personnel may use reasonable
 3 physical intervention to safely manage the behavior of a student to:

4 (a) Protect such student, another student, a teacher or other school
 5 personnel, or another person from physical injury; or

6 (b) Secure property in the possession of such student if the
 7 possession of such property by such student poses a threat of physical
 8 injury to such student, another student, a teacher or other school
 9 personnel, or another person.

10 (2) Any physical intervention by a teacher or other school personnel
 11 pursuant to subdivision (1)(a) or (b) of this section shall not be used
 12 for the purpose of inflicting bodily pain as a penalty for disapproved
 13 behavior.

14 (3) Following the use of physical intervention pursuant to this
 15 section, a teacher or other school personnel shall contact and notify the
 16 affected parent or guardian of the use of physical intervention.

17 (4) No teacher or other school personnel shall be subject to
 18 professional or administrative discipline if such physical intervention
 19 was reasonable. Nothing in this section shall be construed to limit any
 20 defense that may be available under any provision of law, including, but
 21 not limited to, any defense relating to self-protection or the protection
 22 of others.

23 Sec. 8. (1) Beginning in school year 2021-22, each school district
 24 shall have a policy that describes the process of removing a student from
 25 a class and returning a student to a class. Such policy shall: (a)
 26 Describe how and when a student may be removed from a class and returned

1 to a class; (b) prescribe a discipline process that is proactive,
 2 instructive, and restorative; and (c) require appropriate communication
 3 between administrators, teachers or other school personnel, students, and
 4 parents or guardians. Such policy shall be made available to the public.

5 (2) Unless prohibited by the federal Individuals with Disabilities
 6 Education Act, 20 U.S.C. 1400 et seq., or a plan developed pursuant to
 7 section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794, as such
 8 acts existed on January 1, 2021, an administrator or administrator's
 9 designee shall immediately remove a student from a class upon request by
 10 a teacher or other school personnel if such teacher or other school
 11 personnel has followed school policy in requesting the removal of such
 12 student.

13 (3) When a student is removed from a class, the goal must be to
 14 return the student to the class as soon as possible after appropriate
 15 instructional or behavioral interventions or supports have been
 16 implemented to increase the likelihood the student will be successful.
 17 For a student with a pattern of disruptive behavior, the school shall
 18 provide additional interventions or supports.

19 (4) No teacher or other school personnel shall be subject to
 20 professional or administrative discipline if such teacher or other school
 21 personnel acted in a reasonable manner and in accordance with school
 22 policy.

23 Sec. 9. The State Department of Education may adopt and promulgate
 24 rules and regulations to carry out the Behavioral Awareness and
 25 Intervention Training and Teacher Support Act.

26 Sec. 10. Section 79-258, Revised Statutes Cumulative Supplement,
 27 2020, is amended to read:

28 79-258 Administrative and teaching personnel may take actions
 29 regarding student behavior, other than those specifically provided in the
 30 Behavioral Awareness and Intervention Training and Teacher Support Act

31 and the Student Discipline Act, which are reasonably necessary to aid the
 1 student, further school purposes, or prevent interference with the
 2 educational process. Such actions may include, but need not be limited
 3 to, counseling of students, parent conferences, referral to restorative
 4 justice practices or services, rearrangement of schedules, requirements
 5 that a student remain in school after regular hours to do additional
 6 work, restriction of extracurricular activity, or requirements that a
 7 student receive counseling, psychological evaluation, or psychiatric
 8 evaluation upon the written consent of a parent or guardian to such
 9 counseling or evaluation.

10 Sec. 11. Section 79-2,144, Revised Statutes Cumulative Supplement,
 11 2020, is amended to read:

12 79-2,144 The state school security director appointed pursuant to
 13 section 79-2,143 shall be responsible for providing leadership and
 14 support for safety and security for the public schools. Duties of the
 15 director include, but are not limited to:

16 (1) Collecting safety and security plans, required pursuant to rules
 17 and regulations of the State Department of Education relating to
 18 accreditation of schools, and other school security information from each
 19 school system in Nebraska. School districts shall provide the state
 20 school security director with the safety and security plans of the school
 21 district and any other security information requested by the director,
 22 but any plans or information submitted by a school district may be
 23 withheld by the department pursuant to subdivision (8) of section
 24 84-712.05;

25 (2) Recommending minimum standards for school security on or before
 26 January 1, 2016, to the State Board of Education;

27 (3) Conducting an assessment of the security of each public school
 28 building, which assessment shall be completed by August 31, 2019;

29 (4) Identifying deficiencies in school security based on the minimum
 30 standards adopted by the State Board of Education and making
 31 recommendations to school boards for remedying such deficiencies;

1 (5) Establishing security awareness and preparedness tools and
 2 training programs for public school staff;

3 (6) Establishing research-based model instructional programs for
 4 staff, students, and parents to address the underlying causes for violent
 5 attacks on schools;

6 (7) Overseeing suicide awareness and prevention training in public
 7 schools pursuant to section 79-2,146;

8 (8) Establishing tornado preparedness standards which shall include,
 9 but not be limited to, ensuring that every school conducts at least two
 10 tornado drills per year;

11 (9) Collecting behavioral awareness and intervention training plans
 12 and certifying compliance or noncompliance with section 4 of this act to
 13 the Commissioner of Education for each school district;

14 ~~(10) (9)~~ Responding to inquiries and requests for assistance
 15 relating to school security from private, denominational, and parochial
 16 schools; and

17 ~~(11) (10)~~ Recommending curricular and extracurricular materials to
 18 assist school districts in preventing and responding to cyberbullying and
 19 digital citizenship issues.

20 Sec. 21. Section 79-1001, Revised Statutes Cumulative Supplement,
 21 2020, is amended to read:

22 79-1001 Sections 79-1001 to 79-1033 and section 23 of this act shall
 23 be known and may be cited as the Tax Equity and Educational Opportunities
 24 Support Act.

25 Sec. 23. (1) For school fiscal year 2021-22 and each school fiscal
 26 year thereafter, using data from the fall personnel report filed pursuant
 27 to section 79-804 for the immediately preceding school fiscal year, each
 28 school district shall receive funding for behavioral awareness and

29 intervention training paid from the Behavioral Training Cash Fund for
30 each school within such school district that has any grade above
31 kindergarten, including, but not limited to, a special education school,
1 an alternative school, or a focus school.
2 (2) Except as otherwise provided in subsection (6) of this section,
3 the behavioral training funding for each school described in subsection
4 (1) of this section shall equal the base training reimbursement plus any
5 additional training reimbursement units calculated pursuant to this
6 section.
7 (3) The base training reimbursement shall be two thousand dollars.
8 (4) Each school that has a full-time teacher equivalent greater than
9 or equal to eighty teachers shall qualify for additional training
10 reimbursement units as follows:
11 (a) Three additional training reimbursement units for each school
12 with a full-time teacher equivalent greater than or equal to two hundred
13 forty teachers;
14 (b) Two additional training reimbursement units for each school with
15 a full-time teacher equivalent greater than or equal to one hundred sixty
16 teachers but less than two hundred forty teachers; and
17 (c) One additional training reimbursement unit for each school with
18 a full-time teacher equivalent greater than or equal to eighty teachers
19 but less than one hundred sixty teachers.
20 (5) The amount to be paid for each additional training reimbursement
21 unit for each school fiscal year shall equal the ratio of (a) the
22 difference of the amount available for distribution in the Behavioral
23 Training Cash Fund on August 10 immediately preceding such school fiscal
24 year minus the total of the base training reimbursements for all school
25 districts divided by (b) the total additional training reimbursement
26 units for all school districts.
27 (6) For any school fiscal year when the amount available for
28 distribution in the Behavioral Training Cash Fund on August 10
29 immediately preceding such school fiscal year is less than the total of
30 the base training reimbursements for all schools as calculated pursuant
31 to subsection (3) of this section, the base training reimbursements shall
1 be reduced proportionally such that the total of the base training
2 reimbursements for all schools equals the amount available for
3 distribution. Payment shall not be made for any additional training
4 reimbursement units pursuant to subsections (4) and (5) of this section
5 for such school fiscal year.
6 (7) For school fiscal year 2021-22, each school district shall
7 qualify for behavioral training funding. For school fiscal year 2022-23
8 and each school fiscal year thereafter, each school district in
9 compliance with the behavioral awareness and intervention training
10 requirements provided in section 4 of this act, as certified by the state
11 school security director, shall be eligible for behavioral training
12 funding.
13 (8) Funds received from the Behavioral Training Cash Fund pursuant
14 to this section shall be considered special grant funds and shall not be
15 included in the calculation of formula resources pursuant to section
16 79-1017.01.
17 (9) Behavioral training funding shall be distributed directly to
18 school districts from the Behavioral Training Cash Fund in the same
19 manner as and in conjunction with funds distributed pursuant to section
20 79-1022.
21 Sec. 24. Section 79-1022, Revised Statutes Cumulative Supplement,
22 2020, is amended to read:
23 79-1022 (1) On or before June 10, 2021 May 1, 2020, and on or before
24 March 1 of each year thereafter, the department shall determine the
25 amounts to be distributed to each local system for the ensuing school
26 fiscal year pursuant to the Tax Equity and Educational Opportunities

27 Support Act and shall certify the amounts to the Director of
 28 Administrative Services, the Auditor of Public Accounts, and each local
 29 system. On or before ~~June 10, 2021~~ ~~May 1, 2020~~, and on or before March 1
 30 of each year thereafter, the department shall report the necessary
 31 funding level for the ensuing school fiscal year to the Governor, the
 1 Appropriations Committee of the Legislature, and the Education Committee
 2 of the Legislature. The report submitted to the committees of the
 3 Legislature shall be submitted electronically. Except as otherwise
 4 provided in this subsection, certified state aid amounts, including
 5 adjustments pursuant to section 79-1065.02, shall be shown as budgeted
 6 non-property-tax receipts and deducted prior to calculating the property
 7 tax request in the local system's general fund budget statement as
 8 provided to the Auditor of Public Accounts pursuant to section 79-1024.
 9 (2) Except as provided in this subsection, subsection (8) of section
 10 79-1016, and sections 79-1005, 79-1033, and 79-1065.02, the amounts
 11 certified pursuant to subsection (1) of this section shall be distributed
 12 in ten as nearly as possible equal payments on the last business day of
 13 each month beginning in September of each ensuing school fiscal year and
 14 ending in June of the following year, except that when a local system is
 15 to receive a monthly payment of less than one thousand dollars, such
 16 payment shall be one lump-sum payment on the last business day of
 17 December during the ensuing school fiscal year.
 18 Sec. 25. Section 79-1022.02, Revised Statutes Cumulative Supplement,
 19 2020, is amended to read:
 20 79-1022.02 Notwithstanding any other provision of law, any
 21 certification of state aid pursuant to section 79-1022, ~~certification of~~
 22 ~~budget authority pursuant to section 79-1023, and certification of~~
 23 ~~applicable allowable reserve percentages pursuant to section 79-1027~~
 24 ~~completed prior to the operative date of this section February 13, 2020,~~
 25 ~~for school fiscal year 2021-22 is 2020-21 are null and void.~~
 26 Sec. 26. Section 79-1031.01, Revised Statutes Cumulative Supplement,
 27 2020, is amended to read:
 28 79-1031.01 The Appropriations Committee of the Legislature shall
 29 annually include the amount necessary to fund the state aid that will be
 30 certified to school districts on or before ~~June 10, 2021~~ ~~May 1, 2020~~, and
 31 on or before March 1 of each year thereafter for each ensuing school
 1 fiscal year in its recommendations to the Legislature to carry out the
 2 requirements of the Tax Equity and Educational Opportunities Support Act.
 3 Sec. 73. Original sections 9-812, 79-258, 79-2,144, 79-1001,
 4 79-1022, 79-1022.02, and 79-1031.01, Revised Statutes Cumulative
 5 Supplement, 2020, are repealed.
 6 2. On page 7, line 27, strike "6" and insert "9"; and strike
 7 beginning with "the" in line 30 through "(i)" in line 31 and insert "each
 8 school district shall".
 9 3. On page 8, strike beginning with "statewide" in line 1 through
 10 "system" in line 3 and insert "to such school district's administrators,
 11 teachers, paraprofessionals, school nurses, and counselors"; after line
 12 13 insert the following new subdivision:
 13 "(c) Any protections and defenses found in the Behavioral Awareness
 14 and Intervention Training and Teacher Support Act shall not be made
 15 contingent on whether or not an employee of a school district has
 16 completed behavioral awareness and intervention training."; in line 14
 17 strike "(c)" and insert "(d)"; in line 21 strike the second "and"; after
 18 line 21 insert the following new subdivisions:
 19 "(iv) Clear guidelines on removing students from and returning
 20 students to a class;
 21 (v) Behavioral interventions and supports that will take place when
 22 a student has been removed from a class;
 23 (vi) Physical intervention for safety; and"; in line 22 strike
 24 "(iv)" and insert "(vii)"; and after line 31 insert the following new

25 subdivision:

26 (e) In addition to the requirements contained in subdivision (1)(d)
 27 of this section, behavioral awareness and intervention training shall be
 28 consistent with the Behavioral Awareness and Intervention Training and
 29 Teacher Support Act, include an awareness of the protections for school
 30 personnel found in the act, include an awareness of the requirement for
 31 written consent of a parent or guardian pursuant to section 79-258, and
 1 include the identification and role of each employee designated as a
 2 behavioral awareness point of contact."
 3 4. On page 9, lines 3 and 4 and 8, strike "Educational Service Unit
 4 Coordinating Council" and insert "state school security director"; in
 5 line 5 strike the second "and" and insert an underscored comma; in line 6
 6 after "section" insert ", and provide any other information required by
 7 rules and regulations adopted and promulgated pursuant to section 9 of
 8 this act"; in line 17 strike "with funding" and after "Fund" insert
 9 "pursuant to section 23 of this act".
 10 5. On page 10, line 12, strike the comma and insert "and"; strike
 11 beginning with the comma in line 14 through "Act" in line 17; and in line
 12 17 after the period insert "The department shall distribute money in the
 13 fund pursuant to section 23 of this act to school districts for
 14 behavioral awareness and intervention training required pursuant to
 15 section 4 of this act."
 16 6. On page 70, line 27, strike "35 to 59" and insert "45 to 69"; and
 17 in line 29 strike "This act becomes" and insert "Sections 2, 12, 13, 14,
 18 15, 16, 17, 18, 19, 20, 22, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37,
 19 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55,
 20 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 72, and 74 of
 21 this act become" and after the period insert "The other sections of this
 22 act become operative on their effective date."
 23 7. Renumber the remaining sections and correct internal references
 24 and the repealer accordingly.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator DeBoer name added to LB108.
 Senator McKinney name added to LB108.
 Senator Day name added to LB108.
 Senator Cavanaugh, J. name added to LB108.
 Senator Aguilar name added to LB247.
 Senator Kolterman name added to LB338.
 Senator Kolterman name added to LB398.
 Senator McDonnell name added to LB398.
 Senator Halloran name added to LB398.

VISITOR(S)

The Doctor of the Day was Dr. Rachel Blake of Lincoln.

ADJOURNMENT

At 5:01 p.m., on a motion by Senator Gragert, the Legislature adjourned until 9:00 a.m., Wednesday, March 24, 2021.

Patrick J. O'Donnell
Clerk of the Legislature