

SIXTY-FIRST DAY - APRIL 14, 2021**LEGISLATIVE JOURNAL****ONE HUNDRED SEVENTH LEGISLATURE
FIRST SESSION****SIXTY-FIRST DAY**

Legislative Chamber, Lincoln, Nebraska
Wednesday, April 14, 2021

PRAYER

The prayer was offered by Senator Hilkemann.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Linehan.

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 Bostar, M. Cavanaugh, B. Hansen, Hunt, Morfeld, Slama, Wayne, and Wishart who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the sixtieth day was approved.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 95. Introduced by Morfeld, 46.

WHEREAS, the Centers for Disease Control and Prevention observe the month of August as National Immunization Awareness Month; and

WHEREAS, a focus on prevention of disease is an important factor in designing adolescent health services; and

WHEREAS, prevention, early intervention, and timely treatment can improve the health status of adolescents and decrease the incidence of many chronic diseases in adulthood; and

WHEREAS, outbreaks of childhood and adolescent vaccine-preventable diseases can cause absenteeism from school and result in absenteeism of parents from work.

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

1. That the Legislature recognizes August 2021 as National Immunization Awareness Month.

Laid over.

SENATOR WILLIAMS PRESIDING

GENERAL FILE

LEGISLATIVE BILL 527A. Title read. Considered.

Advanced to Enrollment and Review Initial with 33 ayes, 0 nays, 10 present and not voting, and 6 excused and not voting.

LEGISLATIVE BILL 664A. Title read. Considered.

Advanced to Enrollment and Review Initial with 41 ayes, 0 nays, 3 present and not voting, and 5 excused and not voting.

SPEAKER HILGERS PRESIDING

SELECT FILE

LEGISLATIVE BILL 9. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 152. [ER40](#), found on page 833, was adopted.

Senator Slama offered her amendment, [AM840](#), found on page 834.

The Slama amendment was adopted with 34 ayes, 2 nays, 8 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 583. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 500. [ER42](#), found on page 842, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 247. Senator Pansing Brooks withdrew her amendment, [AM740](#), found on page 912.

Senator Friesen withdrew his amendment, [AM857](#), found on page 874.

Senator Pansing Brooks offered her amendment, [AM949](#), found on page 951.

The Pansing Brooks amendment was adopted with 38 ayes, 0 nays, 6 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 501. [ER45](#), found on page 895, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 497. [ER46](#), found on page 902, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 527. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 664. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 423. [ER47](#), found on page 902, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 423A. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 507. [ER32](#), found on page 796, was adopted.

Senator Gragert withdrew his amendment, [AM786](#), found on page 795.

Senator Hughes offered his amendment, [AM859](#), found on page 873.

The Hughes amendment was adopted with 41 ayes, 0 nays, 3 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 320. [ER34](#), found on page 796, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 320A. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 639. [ER37](#), found on page 821, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 650. [ER44](#), found on page 863, was adopted.

Senator Flood offered the following amendment:

[AM976](#)

- 1 1. On page 3, line 16, after the period insert "The term includes
- 2 the injection well and equipment used to connect the surface facility and
- 3 equipment to the storage reservoir and underground equipment.".
- 4 2. On page 7, after line 27, insert the following new subdivision:
- 5 "(11) In accordance with the United States Environmental Protection
- 6 Agency Underground Injection Control Program, that the storage operator
- 7 has completed a comprehensive geologic study which includes a seismic
- 8 risk assessment;"; in line 28 strike "(11)" and insert "(12)"; and in
- 9 line 31 strike "(12)" and insert "(13)".
- 10 3. On page 8, line 3, strike "(13)" and insert "(14)"; and in line 9
- 11 strike "(14)" and insert "(15)".

The Flood amendment was adopted with 40 ayes, 0 nays, 5 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 650A. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 338. [ER43](#), found on page 863, was adopted.

Senator Bostelman withdrew his amendments, [AM913](#) and [AM928](#), found on pages 926 and 930.

Senator Bostelman offered the following amendment:

[AM977](#)

(Amendments to AM845)

- 1 1. Strike section 8 and insert the following new sections:
- 2 Sec. 8. The Legislature declares that it is in the public interest
- 3 for the state, cities of all classes, villages, and counties to expend
- 4 federal funds received for the creation and expansion of high-speed
- 5 broadband services throughout the state. Any political subdivision that
- 6 directly receives federal funds used for broadband service enhancement
- 7 purposes shall ensure that the construction of any new infrastructure to
- 8 provide broadband service is scalable to one hundred megabits per second
- 9 or greater for downloading and one hundred megabits per second or greater
- 10 for uploading. Such federal funds shall not be used to serve locations
- 11 currently capable of receiving broadband service at a minimum download
- 12 speed of one hundred megabits per second and a minimum upload speed of
- 13 twenty megabits per second that enables users to originate and receive
- 14 high-quality voice, data, graphics, and video communications using any
- 15 technology. Any broadband infrastructure built with federal funds is
- 16 subject to section 86-594.
- 17 Sec. 11. Since an emergency exists, this act takes effect when

18 passed and approved according to law.

19 2. On page 2, line 15, after the period insert "This section shall
 20 not apply to any disbursements from any Nebraska Telecommunications
 21 Universal Service Fund wireless infrastructure grant program, the purpose
 22 of which is to improve wireless telecommunications service coverage
 23 through grants for the construction of wireless telecommunications
 24 service facilities.".

The Bostelman amendment was adopted with 36 ayes, 0 nays, 9 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 88. Senator Erdman offered his amendment, [AM662](#), found on page 703.

SENATOR HUGHES PRESIDING

SPEAKER HILGERS PRESIDING

Senator Erdman moved for a call of the house. The motion prevailed with 15 ayes, 3 nays, and 31 not voting.

Senator Erdman requested a roll call vote on his amendment.

Voting in the affirmative, 44:

Albrecht	Clements	Groene	Lathrop	Pahls
Arch	Day	Halloran	Linehan	Pansing Brooks
Blood	DeBoer	Hansen, B.	Lowe	Sanders
Bostar	Dorn	Hansen, M.	McCollister	Slama
Bostelman	Erdman	Hilgers	McDonnell	Stinner
Brewer	Flood	Hilkemann	McKinney	Vargas
Briese	Friesen	Hughes	Morfeld	Walz
Cavanaugh, J.	Geist	Hunt	Moser	Wishart
Cavanaugh, M.	Gragert	Kolterman	Murman	

Voting in the negative, 1:

Aguilar

Present and not voting, 1:

Brandt

Excused and not voting, 3:

Lindstrom Wayne Williams

The Erdman amendment was adopted with 44 ayes, 1 nay, 1 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

Senator Murman offered his amendment, [AM661](#), found on page 703.

Pending.

AMENDMENT(S) - Print in Journal

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

[AM620](#)

(Amendments to Standing Committee amendments, AM371)

1 1. On page 6, after line 3 insert the following new subsection:
 2 "(6) The limit in subsection (1) of this section shall not apply to
 3 that portion of a political subdivision's property tax request that will
 4 be used for special education expenditures."; in line 4 strike "(6)" and
 5 insert "(7)"; and in line 12 strike "(7)" and insert "(8)".

Senator Hughes filed the following amendment to [LB616](#):

[AM951](#)

1 1. On page 2, line 17, after "owner" insert "and lienholder".
 2 2. On page 5, line 19, strike "any lienholder" and insert
 3 "lienholders".

Senator Brewer filed the following amendment to [LB236](#):

[AM874](#)

(Amendments to Standing Committee amendments, AM438)

1 1. On page 2, lines 6 and 7, strike "a city of the metropolitan
 2 class or city of the primary class" and insert "more than one hundred
 3 thousand inhabitants".

COMMITTEE REPORT(S)

Revenue

LEGISLATIVE BILL 194. Placed on General File with amendment.

[AM972](#)

1 1. Strike the original sections and insert the following new
 2 sections:
 3 Section 1. Section 77-2902, Reissue Revised Statutes of Nebraska, is
 4 amended to read:
 5 77-2902 For purposes of the Nebraska Job Creation and Mainstreet
 6 Revitalization Act:
 7 (1) Department means the Department of Revenue;
 8 (2) Eligible expenditure means any cost incurred for the improvement
 9 of historically significant real property located in the State of
 10 Nebraska, including, but not limited to, qualified rehabilitation
 11 expenditures as defined in section 47(c)(2) of the Internal Revenue Code
 12 of 1986, as amended, and the related regulations thereunder, if such
 13 improvement is in conformance with the standards;
 14 (3) Historically significant real property means a building or an
 15 at-grade or above-ground structure used for any purpose, except for a
 16 single-family detached residence, which, at the time of final approval of

17 the work by the officer pursuant to section 77-2906, is:

18 (a) Individually listed in the National Register of Historic Places;

19 (b)(i) Located within a district listed in the National Register of
20 Historic Places; and

21 (ii) Determined by the officer as being historically significant to
22 such district;

23 (c)(i) Individually designated pursuant to a landmark ordinance or
24 resolution enacted by a political subdivision of the state, which
25 ordinance or resolution has been approved by the officer; and

26 (ii) Determined by the officer as being historically significant; or

27 (d)(i) Located within a district designated pursuant to a
1 preservation ordinance or resolution enacted by a county, city, or
2 village of the state or political body comprised thereof providing for
3 the rehabilitation, preservation, or restoration of historically
4 significant real property, which ordinance or resolution has been
5 approved by the officer; and

6 (ii) Determined by the officer as contributing to the historical
7 significance or economic viability of such district ~~or to its economic~~
8 ~~viability~~;

9 (4) Improvement means a rehabilitation, preservation, or restoration
10 project that contributes to the basis, functionality, or value of the
11 historically significant real property and has a total cost which equals
12 or exceeds five thousand dollars; ~~the following:~~

13 (a) ~~For historically significant real property that is not located~~
14 ~~in a city of the metropolitan or primary class, twenty-five thousand~~
15 ~~dollars; or~~

16 (b) ~~For historically significant real property that is located in a~~
17 ~~city of the metropolitan or primary class, the greater of (i) twenty-five~~
18 ~~thousand dollars or (ii) twenty-five percent of the historically~~
19 ~~significant real property's assessed value;~~

20 (5) Officer means the State Historic Preservation Officer;

21 (6) Person means any natural person, political subdivision, limited
22 liability company, partnership, private domestic or private foreign
23 corporation, or domestic or foreign nonprofit corporation certified
24 pursuant to section 501(c)(3) of the Internal Revenue Code of 1986, as
25 amended;

26 (7) Placed in service means that either (a) a temporary or final
27 certificate of occupancy has been issued for the improvement or (b) the
28 improvement is sufficiently complete to allow for the intended use of the
29 improvement; and

30 (8) Standards means (a) the Secretary of the Interior's Standards
31 for the Treatment of Historic Properties as promulgated by the United
1 States Department of the Interior or (b) specific standards for the
2 rehabilitation, preservation, and restoration of historically significant
3 real property contained in a duly adopted local preservation ordinance or
4 resolution that has been approved by the officer pursuant to section
5 77-2903.

6 Sec. 2. Section 77-2903, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 77-2903 For purposes of establishing standards under subdivision (8)
9 (b) of section 77-2902, the officer shall approve a duly adopted local
10 preservation ordinance or resolution if such ordinance or resolution
11 meets the following requirements:

12 (1) The ordinance or resolution provides for specific standards and
13 requirements regarding building exteriors that reflect the heritage,
14 values, and character of the political subdivision adopting such
15 ordinance or resolution; and

16 (2) The ordinance or resolution requires that any building to be
17 rehabilitated, preserved, or restored shall have been originally
18 constructed at least fifty years prior to the proposed rehabilitation,

19 preservation, or restoration and the facade of such building shall not
20 have undergone material structural alteration since its original
21 construction, unless the rehabilitation, preservation, or restoration to
22 be performed proposes to restore the facade to substantially its original
23 condition.

24 Sec. 3. Section 77-2904, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 77-2904 (1) Any person incurring eligible expenditures may receive a
27 nonrefundable credit against any income tax imposed by the Nebraska
28 Revenue Act of 1967 or any tax imposed pursuant to sections 44-101 to
29 44-165, 77-907 to 77-918, or 77-3801 to 77-3807 for the year the
30 historically significant real property is placed in service. ~~The amount~~
31 ~~of the credit shall be equal to twenty percent of eligible expenditures~~
1 ~~up to a maximum credit of one million dollars.~~

2 (2) For historically significant real property located in a county
3 that includes a city of the metropolitan class or a city of the primary
4 class, the credit shall be equal to twenty-five percent of eligible
5 expenditures. For historically significant real property located in any
6 other county, the credit shall be equal to thirty percent of eligible
7 expenditures. In all cases, the maximum credit allocated to any one
8 project shall be two million dollars.

9 (3) Any taxpayer that claims a tax credit shall not be required to
10 pay any additional retaliatory tax under section 44-150 as a result of
11 claiming such tax credit. Any tax credit claimed under this section shall
12 be considered a payment of tax for purposes of subsection (1) of section
13 77-2734.03.

14 (4) ~~(2)~~ To claim the credit authorized under this section, a person
15 must first apply and receive an allocation of credits and application
16 approval under section 77-2905 and then request and receive final
17 approval under section 77-2906.

18 ~~(5)~~ ~~(3)~~ Interest shall not be allowed on any refund paid under the
19 Nebraska Job Creation and Mainstreet Revitalization Act.

20 Sec. 4. Section 77-2905, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 77-2905 (1) Prior to commencing work on the historically significant
23 real property, a person shall file an application for credits under the
24 Nebraska Job Creation and Mainstreet Revitalization Act containing all
25 required information with the officer on a form prescribed by the officer
26 and shall include an application fee established by the officer pursuant
27 to section 77-2907. ~~The officer shall not accept any application for~~
28 ~~credits prior to January 1, 2015.~~ The application shall include plans and
29 specifications, an estimate of the cost of the project prepared by a
30 licensed architect, licensed engineer, or licensed contractor, and a
31 request for a specific amount of credits based on such estimate. The
1 officer shall review the application and, within twenty-one days after
2 receiving the application, shall determine whether the information
3 contained therein is complete. The officer shall notify the applicant in
4 writing of the determination within five business days after making the
5 determination. If the officer fails to provide such notification as
6 required, the application shall be deemed complete as of the twenty-first
7 day after the application is received by the officer. If the officer
8 determines the application is complete or if the application is deemed
9 complete pursuant to this section, the officer shall reserve for the
10 benefit of the applicant an allocation of credits in the amount specified
11 in the application and determined by the officer to be reasonable and
12 shall notify the applicant in writing of the amount of the allocation.
13 The allocation does not entitle the applicant to an issuance of credits
14 until the applicant complies with all other requirements of the Nebraska
15 Job Creation and Mainstreet Revitalization Act for the issuance of
16 credits. The date the officer determines the application is complete or
17 the date the application is deemed complete pursuant to this section
18 shall constitute the applicant's priority date for purposes of allocating

19 credits under this section. For complete applications receiving an
 20 allocation under this section, the officer shall determine whether the
 21 application conforms to the standards, and, if so, the officer shall
 22 approve such application or approve such application with conditions. If
 23 the application does not conform to the standards, the officer shall deny
 24 such application. The officer shall promptly provide the person filing
 25 the application and the department with written notice of the officer's
 26 determination. If the officer does not provide a written notice of his or
 27 her determination within thirty days after the date the application is
 28 determined or deemed to be complete pursuant to this section, the
 29 application shall be deemed approved. The officer shall notify the
 30 department of any applications that are deemed approved pursuant to this
 31 section. If the officer denies the application, the credits allocated to
 1 the applicant under this subsection shall be added to the annual amount
 2 available for allocation under subsection (2) of this section. Any denial
 3 of an application by the officer pursuant to this section may be
 4 appealed, and the appeal shall be in accordance with the Administrative
 5 Procedure Act.

6 (2) ~~For calendar years beginning before January 1, 2017, the total~~
 7 ~~amount of credits that may be allocated by the officer under this section~~
 8 ~~in any calendar year shall be limited to fifteen million dollars. For~~
 9 ~~calendar years beginning before January 1, 2022 on or after January 1,~~
 10 ~~2017, the total amount of credits that may be allocated by the officer~~
 11 ~~under this section in any calendar year shall be limited to fifteen~~
 12 ~~million dollars, of which four million dollars shall be reserved for~~
 13 ~~applications seeking an allocation of credits of less than one hundred~~
 14 ~~thousand dollars. For calendar years beginning on or after January 1,~~
 15 ~~2022, the total amount of credits that may be allocated by the officer~~
 16 ~~under this section in any calendar year shall be limited to twelve~~
 17 ~~million dollars, of which four million dollars shall be reserved for~~
 18 ~~applications seeking an allocation of credits of less than one hundred~~
 19 ~~thousand dollars. If the amount of credits allocated in any calendar year~~
 20 ~~is less than the maximum amount of credits available under this section~~
 21 ~~for that year fifteen million dollars, the unused amount shall be carried~~
 22 ~~forward to subsequent years and shall be available for allocation in~~
 23 ~~subsequent years until fully utilized, except as otherwise provided in~~
 24 ~~section 77-2912. If the amount of credits reserved for applications~~
 25 ~~seeking an allocation of credits of less than one hundred thousand~~
 26 ~~dollars is not allocated by April 1 of any calendar year, such~~
 27 ~~unallocated credits for the calendar year shall be available for any~~
 28 ~~application seeking an allocation of credits based upon the applicant's~~
 29 ~~priority date as determined by the officer. The officer shall allocate~~
 30 ~~credits based on priority date, from earliest to latest. If the officer~~
 31 ~~determines that the complete applications for credits in any calendar~~
 1 ~~year exceed the maximum amount of credits available under this section~~
 2 ~~for that year, only those applications with a priority date on or before~~
 3 ~~the date on which the officer makes that determination may receive an~~
 4 ~~allocation in that year, and the officer shall not make additional~~
 5 ~~allocations until sufficient credits are available. If the officer~~
 6 ~~suspends allocations of credits pursuant to this section, applications~~
 7 ~~with priority dates on or before the date of such suspension shall retain~~
 8 ~~their priority dates. Once additional credits are available for~~
 9 ~~allocation, the officer shall once again allocate credits based on~~
 10 ~~priority date, from earliest to latest, even if the priority dates are~~
 11 ~~from a prior calendar year.~~
 12 (3) ~~Prior to December 1 of any year, the holder of an allocation of~~
 13 ~~credits under this section who has not commenced the improvements in his~~
 14 ~~or her approved application shall notify the officer of his or her intent~~
 15 ~~to retain or release the allocation. Any released allocation shall be~~
 16 ~~added to the aggregate amount of credits available for allocation in the~~
 17 ~~following year. Any holder of an allocation who fails to timely notify~~
 18 ~~the officer of such intent shall be deemed to have released the~~
 19 ~~allocation.~~
 20 (3) (4) The holder of an allocation of credits whose application was

21 approved under this section shall start substantial work pursuant to the
 22 approved application within twenty-four months after receiving notice of
 23 approval of the application or, if no notice of approval is sent by the
 24 officer, within twenty-four months after the application is deemed
 25 approved pursuant to this section. Failure to comply with this subsection
 26 shall result in forfeiture of the allocation of credits received under
 27 this section. Any such forfeited allocation shall be added to the
 28 aggregate amount of credits available for allocation for the year in
 29 which the forfeiture occurred.

30 ~~(4)~~ ~~(5)~~ Notwithstanding subsection (1) of this section, the person
 31 applying for the credit under this section may, at its own risk, incur
 1 eligible expenditures up to six months prior to the submission of the
 2 application required under subsection (1) of this section if such
 3 eligible expenditures are limited to architectural fees, engineering,
 4 accounting, and legal fees, and any costs generally related to the
 5 protection of the historically significant real property from
 6 deterioration.

7 Sec. 5. Section 77-2910, Reissue Revised Statutes of Nebraska, is
 8 amended to read:

9 77-2910 (1) The Nebraska State Historical Society and the department
 10 may each adopt and promulgate rules and regulations to carry out the
 11 Nebraska Job Creation and Mainstreet Revitalization Act.
 12 (2) The Nebraska State Historical Society and the department shall
 13 annually issue a joint report electronically to the Revenue Committee of
 14 the Legislature no later than December 31 of each year, ~~2017~~. The report
 15 shall include, but not be limited to, (a) the total number of
 16 applications submitted under the Nebraska Job Creation and Mainstreet
 17 Revitalization Act, (b) the number of applications approved or
 18 conditionally approved, (c) the number of applications outstanding, if
 19 any, (d) the number of applications denied and the basis for denial, (e)
 20 the total amount of eligible expenditures approved, (f) the total amount
 21 of credits issued, claimed, and still available for use, (g) the total
 22 amount of fees collected, (h) the name and address location of each
 23 historically significant real property identified in each application,
 24 whether approved or denied, (i) the total amount of credits transferred,
 25 sold, and assigned and a certification of the ownership of the credits,
 26 (j) the total amount of credits claimed against each tax type by
 27 category, and (k) the total amount of credits recaptured, if any. No
 28 information shall be provided in the report that is protected by state or
 29 federal confidentiality laws.

30 Sec. 6. Section 77-2912, Reissue Revised Statutes of Nebraska, is
 31 amended to read:

1 77-2912 There shall be no new applications filed under the Nebraska
 2 Job Creation and Mainstreet Revitalization Act after December 31, 2029
 3 ~~2022~~. All applications and all credits pending or approved before such
 4 date shall continue in full force and effect, except that no credits
 5 shall be allocated under section 77-2905, issued under section 77-2906,
 6 or used on any tax return or similar filing after December 31, 2034 ~~2027~~.

7 Sec. 7. Original sections 77-2902, 77-2903, 77-2904, 77-2905,
 8 77-2910, and 77-2912, Reissue Revised Statutes of Nebraska, are repealed.

(Signed) Lou Ann Linehan, Chairperson

RECESS

At 11:54 a.m., on a motion by Senator Briese, the Legislature recessed until
 1:30 p.m.

AFTER RECESS

The Legislature reconvened at 1:30 p.m., President Foley presiding.

ROLL CALL

The roll was called and all members were present except Senators Hughes, McDonnell, and Wishart who were excused until they arrive.

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LRs 84 and 86 were adopted.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LRs 84 and 86.

SELECT FILE

LEGISLATIVE BILL 88. Senator Murman renewed his amendment, [AM661](#), found on page 703, and considered in this day's Journal.

Senator M. Hansen offered the following amendment to the Murman amendment:

[FA24](#)

Amend AM661.

Add new language:

On page 2, line 18, add "limited" after the word "be".

On page 4, line 10, add "limited" after the word "be".

Senator M. Hansen withdrew his amendment.

Senator M. Hansen offered the following amendment to the Murman amendment:

[FA25](#)

Amend AM661.

Add the new language:

Strike "All school-sponsored media are deemed to be public forums." on page 2, line 18, and strike "All school-sponsored media are deemed to be public forums." on page 4, line 10.

Senator Morfeld offered the following motion:

[MO36](#)

Invoke cloture pursuant to Rule 7, Section 10.

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

Senator Morfeld requested a roll call vote, in reverse order, on the motion to invoke cloture.

Voting in the affirmative, 30:

Aguilar	Day	Hansen, M.	McDonnell	Stinner
Blood	DeBoer	Hilkemann	McKinney	Vargas
Bostar	Dorn	Hunt	Morfeld	Walz
Brandt	Flood	Kolterman	Pahls	Wayne
Cavanaugh, J.	Geist	Lathrop	Pansing Brooks	Williams
Cavanaugh, M.	Gragert	McCollister	Slama	Wishart

Voting in the negative, 17:

Albrecht	Clements	Halloran	Lindstrom	Sanders
Arch	Erdman	Hansen, B.	Lowe	
Bostelman	Friesen	Hilgers	Moser	
Brewer	Groene	Hughes	Murman	

Present and not voting, 2:

Briese Linehan

The Morfeld motion to invoke cloture failed with 30 ayes, 17 nays, and 2 present and not voting.

The Chair declared the call raised.

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE BILL 380. Placed on Final Reading.
LEGISLATIVE BILL 383. Placed on Final Reading.

LEGISLATIVE BILL 384. Placed on Final Reading.

ST10

The following changes, required to be reported for publication in the Journal, have been made:

1. In the Wayne amendment, AM962:
 - a. Section 27 has been renumbered as section 28; and
 - b. On page 1, line 3, "\$15,000,000" has been struck and "fifteen million dollars" inserted.
2. In the Standing Committee amendments, AM396, on page 30, line 31, "71-808," has been inserted after the second comma.
3. In the E&R amendments, ER49, on page 1, line 3, "71-808," has been inserted after the last comma; in line 6 "appropriate funds and" has been struck; in line 7 "to provide for grants;" has been inserted after the semicolon; and in line 10 "a fund" has been struck and "funds" inserted.

LEGISLATIVE BILL 385. Placed on Final Reading.
LEGISLATIVE BILL 386. Placed on Final Reading.
LEGISLATIVE BILL 386A. Placed on Final Reading.
LEGISLATIVE BILL 666. Placed on Final Reading.

(Signed) Terrell McKinney, Chairperson

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE BILL 271. Placed on Select File with amendment.
[ER59](#) is available in the Bill Room.

LEGISLATIVE BILL 527A. Placed on Select File.
LEGISLATIVE BILL 664A. Placed on Select File.

(Signed) Terrell McKinney, Chairperson

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE BILL 65. Placed on Final Reading.
LEGISLATIVE BILL 105. Placed on Final Reading.
LEGISLATIVE BILL 143. Placed on Final Reading.
LEGISLATIVE BILL 154. Placed on Final Reading.
LEGISLATIVE BILL 180. Placed on Final Reading.
LEGISLATIVE BILL 224. Placed on Final Reading.
LEGISLATIVE BILL 265. Placed on Final Reading.
LEGISLATIVE BILL 312. Placed on Final Reading.
LEGISLATIVE BILL 414. Placed on Final Reading.

(Signed) Terrell McKinney, Chairperson

AMENDMENT(S) - Print in Journal

Senator Briese filed the following amendment to [LB408](#):
[AM973](#)

(Amendments to Standing Committee amendments, AM371)

- 1 1. Strike the original sections and all amendments thereto and
- 2 insert the following new sections:
- 3 Section 1. Sections 1 to 4 of this act shall be known and may be
- 4 cited as the Property Tax Request Act.
- 5 Sec. 2. For purposes of the Property Tax Request Act:
- 6 (1) Approved bonds means bonds as defined in subdivision (1) of
- 7 section 10-134 and approved according to law;
- 8 (2) Political subdivision means any county, city, village, school
- 9 district, learning community, natural resources district, educational
- 10 service unit, or community college;
- 11 (3) Property tax request means the total amount of property taxes
- 12 requested to be raised for a political subdivision through the levy
- 13 imposed pursuant to section 77-1601;
- 14 (4) Real growth percentage means the percentage obtained by dividing
- 15 (a) the political subdivision's real growth value by (b) the political
- 16 subdivision's total real property valuation from the prior year; and
- 17 (5) Real growth value means the increase in a political
- 18 subdivision's real property valuation from the prior year to the current

19 year due to (a) improvements to real property as a result of new
20 construction and additions to existing buildings, (b) any other
21 improvements to real property which increase the value of such property,
22 and (c) annexation of property by the political subdivision.
23 Sec. 3. Section 77-1601.02, Revised Statutes Cumulative Supplement,
24 2020, is amended to read:

25 77-1601.02 (1) If the annual assessment of property would result in
26 an increase in the total property taxes levied by a political subdivision
1 county, municipality, school district, learning community, sanitary and
2 improvement district, natural resources district, educational service
3 unit, or community college, as determined using the previous year's rate
4 of levy, such political subdivision's property tax request for the
5 current year shall be no more than its property tax request in the prior
6 year, and the political subdivision's rate of levy for the current year
7 shall be decreased accordingly when such rate is set by the county board
8 of equalization pursuant to section 77-1601. The governing body of the
9 political subdivision shall pass a resolution or ordinance to set the
10 amount of its property tax request after holding the public hearing
11 required in subsection (3) of this section. If the governing body of a
12 political subdivision seeks to set its property tax request at an amount
13 that exceeds its property tax request in the prior year, it may do so, to
14 the extent allowed under section 4 of this act, after holding the public
15 hearing required in subsection (3) of this section and by passing a
16 resolution or ordinance that complies with subsection (4) of this
17 section.

18 (2) If the annual assessment of property would result in no change
19 or a decrease in the total property taxes levied by a political
20 subdivision county, municipality, school district, learning community,
21 sanitary and improvement district, natural resources district,
22 educational service unit, or community college, as determined using the
23 previous year's rate of levy, such political subdivision's property tax
24 request for the current year shall be no more than its property tax
25 request in the prior year, and the political subdivision's rate of levy
26 for the current year shall be adjusted accordingly when such rate is set
27 by the county board of equalization pursuant to section 77-1601. The
28 governing body of the political subdivision shall pass a resolution or
29 ordinance to set the amount of its property tax request after holding the
30 public hearing required in subsection (3) of this section. If the
31 governing body of a political subdivision seeks to set its property tax
1 request at an amount that exceeds its property tax request in the prior
2 year, it may do so, to the extent allowed under section 4 of this act,
3 after holding the public hearing required in subsection (3) of this
4 section and by passing a resolution or ordinance that complies with
5 subsection (4) of this section.

6 (3) The resolution or ordinance required under this section shall
7 only be passed after a special public hearing called for such purpose is
8 held and after notice is published in a newspaper of general circulation
9 in the area of the political subdivision at least four calendar days
10 prior to the hearing. For purposes of such notice, the four calendar days
11 shall include the day of publication but not the day of hearing. If the
12 political subdivision's total operating budget, not including reserves,
13 does not exceed ten thousand dollars per year or twenty thousand dollars
14 per biennial period, the notice may be posted at the governing body's
15 principal headquarters. The hearing notice shall contain the following
16 information: The certified taxable valuation under section 13-509 for the
17 prior year, the certified taxable valuation under section 13-509 for the
18 current year, and the percentage increase or decrease in such valuations
19 from the prior year to the current year; the dollar amount of the prior
20 year's tax request and the property tax rate that was necessary to fund
21 that tax request; the property tax rate that would be necessary to fund

22 last year's tax request if applied to the current year's valuation; the
23 proposed dollar amount of the tax request for the current year and the
24 property tax rate that will be necessary to fund that tax request; the
25 percentage increase or decrease in the property tax rate from the prior
26 year to the current year; and the percentage increase or decrease in the
27 total operating budget from the prior year to the current year.

28 (4) Any resolution or ordinance setting a political subdivision's
29 property tax request at an amount that exceeds the political
30 subdivision's property tax request in the prior year shall include, but
31 not be limited to, the following information:

1 (a) The name of the political subdivision;

2 (b) The amount of the property tax request;

3 (c) The following statements:

4 (i) The total assessed value of property differs from last year's

5 total assessed value by percent;

6 (ii) The tax rate which would levy the same amount of property taxes

7 as last year, when multiplied by the new total assessed value of

8 property, would be \$..... per \$100 of assessed value;

9 (iii) The (name of political subdivision) proposes to adopt a

10 property tax request that will cause its tax rate to be \$..... per \$100

11 of assessed value; and

12 (iv) Based on the proposed property tax request and changes in other

13 revenue, the total operating budget of (name of political subdivision)

14 will exceed last year's by percent; and

15 (d) The record vote of the governing body in passing such resolution

16 or ordinance.

17 (5) Any resolution or ordinance setting a property tax request under

18 this section shall be certified and forwarded to the county clerk on or

19 before October 13 of the year for which the tax request is to apply.

20 (6) Any levy which is not in compliance with the Property Tax

21 Request Act this section and section 77-1601 shall be construed as an

22 unauthorized levy under section 77-1606.

23 Sec. 4. (1) Except as otherwise provided in this section, a

24 political subdivision's property tax request for any year shall not

25 exceed its request authority. A political subdivision's request authority

26 for any year shall be equal to such political subdivision's property tax

27 request from the prior year increased by three percent. For purposes of

28 calculating request authority under this subsection, the following

29 amounts shall be excluded from the political subdivision's property tax

30 request from the prior year:

31 (a) Any amount approved by voters under subsection (3) of this

1 section that was included in the political subdivision's property tax

2 request in the prior year; and

3 (b) Any amount described in subsection (4) of this section that was

4 included in the political subdivision's property tax request in the prior

5 year.

6 (2) A political subdivision may, by majority vote of its governing

7 body, exceed the limit provided in subsection (1) of this section for no

8 more than two consecutive years, in which case the political

9 subdivision's property tax request shall be reduced in subsequent years

10 to ensure that the average annual increase in the political subdivision's

11 property tax requests over any three-year period does not exceed three

12 percent. For purposes of calculating the annual increases over such

13 three-year period, the amounts described in subdivisions (1)(a) and (b)

14 of this section shall be excluded from the political subdivision's

15 property tax request from the prior year. Such three-year period shall be

16 measured using the year in which the political subdivision exceeds such

17 limit as the first year of the period. If the political subdivision votes

18 to exceed the limit for two consecutive years, the three-year period

19 shall be measured twice using each of the two consecutive years as the

20 first year of the applicable three-year period.
21 (3) A political subdivision may exceed the limit provided in
22 subsection (1) of this section by an amount approved by a majority of
23 registered voters voting on the issue in a primary or general election
24 held in an even-numbered year or in a special election held during the
25 month of May or November in an odd-numbered year. The governing body of
26 the political subdivision shall call for the submission of the issue to
27 the voters by passing a resolution, by majority vote of the governing
28 body, calling for exceeding the limit and delivering a copy of the
29 resolution to the county clerk or election commissioner of every county
30 which contains all or part of the political subdivision. The resolution
31 shall include the amount which would be requested in excess of the limit
1 provided in subsection (1) of this section. Any resolution calling for
2 submission of the issue to the voters at a primary or general election
3 shall be filed with the county clerk or election commissioner no later
4 than March 1 for placement on the primary election ballot or September 1
5 for placement on the general election ballot. Any resolution calling for
6 submission of the issue to the voters at a special election shall be
7 filed with the county clerk or election commissioner no later than March
8 1 for a May special election or September 1 for a November special
9 election. Nothing in this section shall prevent a political subdivision
10 from holding a special election in any month authorized in the Election
11 Act due to the need to request funds as a result of a natural disaster.
12 The election shall be held pursuant to the Election Act. If a majority of
13 the votes cast upon the ballot question are in favor of allowing the
14 political subdivision to exceed the limit in subsection (1) of this
15 section, the political subdivision shall be authorized to do so. If a
16 majority of those voting on the ballot question do not vote to allow the
17 political subdivision to exceed such limit, the political subdivision
18 shall not be authorized to do so.
19 (4)(a) The limit in subsection (1) of this section shall not apply
20 to that portion of a political subdivision's property tax request that is
21 (i) budgeted for capital improvements to address fire or flood mitigation
22 or prevention, an environmental hazard, an accessibility barrier, or a
23 life safety code violation, (ii) pledged to retire approved bonds, (iii)
24 budgeted to pay for repairs to infrastructure damaged by a natural
25 disaster, or (iv) budgeted to pay for the portion of wages and benefits
26 mandated by an order of the Commission of Industrial Relations.
27 (b) For purposes of this subsection:
28 (i) Accessibility barrier means anything which impedes entry into,
29 exit from, or use of any building or facility by all people; and
30 (ii) Environmental hazard means any contamination of the air, water,
31 or land surface or subsurface caused by any substance adversely affecting
1 human health or safety if such substance has been declared hazardous by a
2 federal or state statute, rule, or regulation.
3 (5) A political subdivision may exceed the limit provided in
4 subsection (1) of this section by an amount equal to the political
5 subdivision's property tax request from the prior year multiplied by the
6 political subdivision's real growth percentage.
7 (6)(a) A school district may exceed the limit provided in subsection
8 (1) of this section by an amount equal to (i) the reduction, if any, in
9 the school district's certified state aid amount from the prior school
10 fiscal year to the current school fiscal year resulting from an increase
11 in real property valuation, excluding any reduction in net option funding
12 under section 79-1009, minus (ii) the amount of the school district's
13 property tax request in excess of the limit provided in subsection (1) of
14 this section due to the school district utilizing the exception to such
15 limit authorized in subsection (5) of this section.
16 (b) For purposes of this subsection, certified state aid amount
17 means the amount of state aid certified pursuant to section 79-1022.

18 (7) A political subdivision may choose not to increase its property
19 tax request by the full amount allowed by the political subdivision's
20 request authority calculated under subsection (1) of this section. In
21 such cases, the political subdivision may carry forward one-half of the
22 unused request authority to future years as carryover request authority.
23 Such carryover request authority may then be used in later years to
24 increase the political subdivision's property tax request above the
25 amount calculated under subsection (1) of this section.
26 (8) The limit in subsection (1) of this section shall apply to
27 property tax requests set in 2022 through 2027. For property tax requests
28 set in 2028 and thereafter, such limit shall no longer apply.
29 Sec. 5. Section 13-506, Revised Statutes Cumulative Supplement,
30 2020, is amended to read:
31 13-506 (1) Each governing body shall each year or biennial period
1 conduct a public hearing on its proposed budget statement. Such hearing
2 shall be held separately from any regularly scheduled meeting of the
3 governing body and shall not be limited by time. Notice of place and time
4 of such hearing, together with a summary of the proposed budget
5 statement, shall be published at least four calendar days prior to the
6 date set for hearing in a newspaper of general circulation within the
7 governing body's jurisdiction. For purposes of such notice, the four
8 calendar days shall include the day of publication but not the day of
9 hearing. When the total operating budget, not including reserves, does
10 not exceed ten thousand dollars per year or twenty thousand dollars per
11 biennial period, the proposed budget summary may be posted at the
12 governing body's principal headquarters. At such hearing, the governing
13 body shall make at least three copies of the proposed budget statement
14 available to the public and shall make a presentation outlining key
15 provisions of the proposed budget statement, including, but not limited
16 to, a comparison with the prior year's budget. For any political
17 subdivision that is subject to the Property Tax Request Act, the
18 presentation shall also include information showing that the political
19 subdivision is in compliance with the Property Tax Request Act. Any
20 member of the public desiring to speak on the proposed budget statement
21 shall be allowed to address the governing body at the hearing and shall
22 be given a reasonable amount of time to do so. After such hearing, the
23 proposed budget statement shall be adopted, or amended and adopted as
24 amended, and a written record shall be kept of such hearing. The amount
25 to be received from personal and real property taxation shall be
26 certified to the levying board after the proposed budget statement is
27 adopted or is amended and adopted as amended. If the levying board
28 represents more than one county, a member or a representative of the
29 governing board shall, upon the written request of any represented
30 county, appear and present its budget at the hearing of the requesting
31 county. The certification of the amount to be received from personal and
1 real property taxation shall specify separately (a) the amount to be
2 applied to the payment of principal or interest on bonds issued by the
3 governing body and (b) the amount to be received for all other purposes.
4 If the adopted budget statement reflects a change from that shown in the
5 published proposed budget statement, a summary of such changes shall be
6 published within twenty calendar days after its adoption in the manner
7 provided in this section, but without provision for hearing, setting
8 forth the items changed and the reasons for such changes.
9 (2) Upon approval by the governing body, the budget shall be filed
10 with the auditor. The auditor may review the budget for errors in
11 mathematics, improper accounting, and noncompliance with the Nebraska
12 Budget Act or sections 13-518 to 13-522. If the auditor detects such
13 errors, he or she shall immediately notify the governing body of such
14 errors. The governing body shall correct any such error as provided in
15 section 13-511. Warrants for the payment of expenditures provided in the

16 budget adopted under this section shall be valid notwithstanding any
 17 errors or noncompliance for which the auditor has notified the governing
 18 body.

19 Sec. 6. Section 77-1601, Reissue Revised Statutes of Nebraska, is
 20 amended to read:

21 77-1601 (1) The county board of equalization shall each year, on or
 22 before October 15, levy the necessary taxes for the current year if
 23 within the limit of the law. The levy shall include an amount for
 24 operation of all functions of county government and shall also include
 25 all levies necessary to fund tax requests certified under the Property
 26 Tax Request Act section 77-1601.02 that are authorized as provided in
 27 sections 77-3442 to 77-3444.

28 (2) On or before November 5, the county board of equalization upon
 29 its own motion may act to correct a clerical error which has resulted in
 30 the calculation of an incorrect levy by any political subdivision entity
 31 otherwise authorized to certify a tax request under the Property Tax
 1 Request Act section 77-1601.02. The county board of equalization shall
 2 hold a public hearing to determine what adjustment to the levy is proper,
 3 legal, or necessary. Notice shall be provided to the governing body of
 4 each political subdivision affected by the error. Notice of the hearing
 5 as required by section 84-1411 shall include the following: (a) The time
 6 and place of the hearing, (b) the dollar amount at issue, and (c) a
 7 statement setting forth the nature of the error.

8 (3) Upon the conclusion of the hearing, the county board of
 9 equalization shall issue a corrected levy if it determines that an error
 10 was made in the original levy which warrants correction. The county board
 11 of equalization shall then order (a) the county assessor, county clerk,
 12 and county treasurer to revise assessment books, unit valuation ledgers,
 13 tax statements, and any other tax records to reflect the correction made
 14 and (b) the recertification of the information provided to the Property
 15 Tax Administrator pursuant to section 77-1613.01.

16 Sec. 7. Section 77-1776, Reissue Revised Statutes of Nebraska, is
 17 amended to read:

18 77-1776 Any political subdivision which has received proceeds from a
 19 levy imposed on all taxable property within an entire county which is in
 20 excess of that requested by the political subdivision under the Property
 21 Tax Request Act section 77-1601.02 as a result of a clerical error or
 22 mistake shall, in the fiscal year following receipt, return the excess
 23 tax collections, net of the collection fee, to the county. By July 31 of
 24 the fiscal year following the receipt of any excess tax collections, the
 25 county treasurer shall certify to the political subdivision the amount to
 26 be returned. Such excess tax collections shall be restricted funds in the
 27 budget of the county that receives the funds under section 13-518.

28 Sec. 8. This act becomes operative on January 1, 2022.

29 Sec. 9. Original sections 77-1601 and 77-1776, Reissue Revised
 30 Statutes of Nebraska, and sections 13-506 and 77-1601.02, Revised
 31 Statutes Cumulative Supplement, 2020, are repealed.

Senator M. Hansen filed the following amendment to LB88:

FA23

On page 2, line 18, add "limited" after the word "be".

On page 4, line 10, add "limited after the word "be".

Senator Groene filed the following amendment to LB88:

AM796

1 1. On page 3, after line 23, insert the following new subsection:

2 "(7) A postsecondary educational institution or an employee of such
 3 institution shall not be held liable in any civil or criminal action for
 4 any publication or other expression of matter by a student journalist. A

5 student journalist that is nineteen years of age or older may be held
6 liable in such a civil or criminal action to the extent of such student
7 journalist's responsibility for and involvement in such publication or
8 other expression of matter.".

9 2. On page 5, after line 17, insert the following new subsection:

10 "(7) A public high school or school district or an employee of such
11 school or district shall not be held liable in any civil or criminal
12 action for any publication or other expression of matter by a student
13 journalist. A student journalist that is nineteen years of age or older
14 may be held liable in such a civil or criminal action to the extent of
15 such student journalist's responsibility for and involvement in such
16 publication or other expression of matter."; in line 18 strike "(7)" and
17 insert "(8)"; and in line 23 strike "(8)" and insert "(9)".

Senator Murman filed the following amendment to LB88:

AM657

1 1. On page 3, line 7, strike "So incites students" and insert "Can
2 be reasonably expected to incite students so".

NOTICE OF COMMITTEE HEARING(S)
Health and Human Services
Room 1510

Thursday, April 22, 2021 12:15 p.m.
Donald Ostdiek - State Board of Health
Joel R. Bessmer - State Board of Health
David J. Reese - State Board of Health

(Signed) John Arch, Chairperson

GENERAL FILE

LEGISLATIVE BILL 108. Title read. Considered.

Senator McCollister offered the following amendment:

AM975

1 1. Insert the following new section:
2 Sec. 3. Since an emergency exists, this act takes effect when passed
3 and approved according to law.
4 2. On page 4, strike lines 23 through 28 and insert the following
5 new subdivision:
6 "(ii) Beginning on the effective date of this act, such TANF-funded
7 program or policy shall increase the gross income eligibility limit to
8 one hundred sixty-five percent of the federal Office of Management and
9 Budget income poverty guidelines as allowed under federal law and under
10 C.F.R. 273.2(j)(2), as such law and regulation existed on April 1, 2021,
11 but shall not increase the net income eligibility limit. The department
12 shall evaluate the TANF-funded program or policy created pursuant to this
13 subsection and provide a report electronically to the Health and Human
14 Services Committee of the Legislature and the Legislative Fiscal Analyst
15 on or before December 31, 2022, regarding the gross income eligibility
16 limit and whether it maximizes the number of Nebraska residents being
17 served under the program or policy. The evaluation shall include a
18 recommendation regarding the gross income eligibility limit and a
19 determination of the availability of federal funds for the program or
20 policy.".

Senator McCollister moved for a call of the house. The motion prevailed with 27 ayes, 5 nays, and 17 not voting.

Senator McCollister requested a roll call vote, in reverse order, on his amendment.

Voting in the affirmative, 34:

Aguilar	Day	Hansen, M.	Linehan	Stinner
Blood	DeBoer	Hilgers	McCollister	Vargas
Bostar	Dorn	Hilkemann	McDonnell	Walz
Brandt	Flood	Hunt	McKinney	Wayne
Briese	Friesen	Kolterman	Morfeld	Williams
Cavanaugh, J.	Geist	Lathrop	Moser	Wishart
Cavanaugh, M.	Gragert	Lindstrom	Pansing Brooks	

Voting in the negative, 13:

Albrecht	Brewer	Groene	Lowe	Slama
Arch	Clements	Halloran	Murman	
Bostelman	Erdman	Hughes	Sanders	

Present and not voting, 1:

Hansen, B.

Excused and not voting, 1:

Pahls

The McCollister amendment was adopted with 34 ayes, 13 nays, 1 present and not voting, and 1 excused and not voting.

The Chair declared the call raised.

Senator McCollister moved for a call of the house. The motion prevailed with 21 ayes, 6 nays, and 22 not voting.

Senator McCollister requested a roll call vote, in reverse order, on the advancement of the bill.

Voting in the affirmative, 29:

Aguilar	Cavanaugh, M.	Hansen, M.	McCollister	Vargas
Blood	Day	Hilkemann	McDonnell	Walz
Bostar	DeBoer	Hunt	McKinney	Wayne
Brandt	Dorn	Kolterman	Morfeld	Williams
Briese	Flood	Lathrop	Pansing Brooks	Wishart
Cavanaugh, J.	Friesen	Lindstrom	Stinner	

Voting in the negative, 18:

Albrecht	Clements	Halloran	Linehan	Sanders
Arch	Erdman	Hansen, B.	Lowe	Slama
Bostelman	Geist	Hilgers	Moser	
Brewer	Groene	Hughes	Murman	

Present and not voting, 1:

Gragert

Excused and not voting, 1:

Pahls

Advanced to Enrollment and Review Initial with 29 ayes, 18 nays, 1 present and not voting, and 1 excused and not voting.

The Chair declared the call raised.

LEGISLATIVE BILL 108A. Title read. Considered.

Advanced to Enrollment and Review Initial with 29 ayes, 15 nays, 4 present and not voting, and 1 excused and not voting.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 96. Introduced by Cavanaugh, J., 9.

WHEREAS, Omaha's historic Field Club neighborhood is known nationally for its numerous historic and prominent homes and buildings, among them the Gerald R. Ford Birth Site and the Field Club of Omaha Country Club; and

WHEREAS, Omaha's Field Club Historic District was placed on the National Register of Historic Places on November 15, 2000; and

WHEREAS, the Field Club Historic District consists of three hundred twenty-eight houses and sixteen square blocks; and

WHEREAS, Field Club is a flourishing and active neighborhood consisting of neighbors and families who volunteer their time and resources to preserve the special and close-knit feel of the historic district; and

WHEREAS, the Field Club Homeowners League holds several community events throughout the year, including an annual Independence Day Neighborhood Parade and an annual Luminary Night; and

WHEREAS, the Field Club Homeowners League kicked off Field Club Days on April 10, 2021, to celebrate twenty years of the historic district being on the National Registry of Historic Places.

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

1. That the Legislature recognizes the week of April 10-17, 2021, as Field Club Days.
2. That a copy of this resolution be sent to the Field Club Homeowners League.

Laid over.

AMENDMENT(S) - Print in Journal

Senator Wayne filed the following amendment to [LB156](#):
[AM956](#)

(Amendments to AM737)

1 1. Insert the following new section:

2 Sec. 18. Section 81-12,150, Reissue Revised Statutes of Nebraska, is

3 amended to read:

4 81-12,150 The Department of Economic Development ~~may shall~~ adopt and
5 promulgate rules and regulations to carry out the Site and Building
6 Development Act, including rules and regulations relating to reviewing
7 inland port authority proposals pursuant to section 4 of this act and
8 providing financial assistance to any inland port authority created under
9 the Municipal Inland Port Authority Act.

10 2. On page 5, line 18, after the second comma insert "the department
11 shall evaluate the proposed inland port authority to determine whether
12 the proposal meets the criteria in subsection (1), (2), or (3) of this
13 section, whichever is applicable. Upon a determination that the proposed
14 inland port authority sufficiently meets such criteria,"; in line 22
15 after "authority" insert "sufficiently meets such criteria and"; and in
16 line 23 after the second occurrence of "authority" insert "does not
17 sufficiently meet such criteria or".

18 3. On page 7, line 19, after the comma insert "and construct
19 buildings and other structures".

20 4. On page 8, line 19, strike "and"; in line 22 strike the period
21 and insert "; and"; and after line 22 insert the following subdivision:
22 "(p) Establish and charge fees to businesses and customers utilizing
23 the services offered by the inland port authority within the inland port
24 district as required for the proper maintenance, development, operation,
25 and administration of the inland port authority.".

26 5. On page 9, line 6, after "facilities" insert ", buildings, and
1 infrastructure"; in line 8 after the period insert "An inland port
2 authority may pledge any revenue derived from the sale or lease of
3 property of such authority to the payment of such revenue bonds,"; and in
4 line 18 after "state" insert ", except for assessments under the Nebraska
5 Workers' Compensation Act and any combined tax due or payments in lieu of
6 contributions as required under the Employment Security Law".

7 6. On page 11, line 31, after "county" insert ", as applicable".

8 7. On page 12, line 14, strike "appropriations from", show as
9 stricken, and insert "transfers by"; and in line 23 after "and" insert

10 "five million dollars from the General Fund to the Site and Building
11 Development Fund for".
12 8. Renumber the remaining sections and correct the repealer
13 accordingly.

MESSAGE(S) FROM THE GOVERNOR

April 14, 2021

Patrick J. O'Donnell
Clerk of the Legislature
State Capitol, Room 2018
Lincoln, NE 68509

Dear Mr. O'Donnell:

Engrossed Legislative Bill 252 was received in my office on April 12, 2021.

This bill was signed and delivered to the Secretary of State on April 14, 2021.

Sincerely,
(Signed) Pete Ricketts
Governor

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Williams name added to LB147.
Senator Lindstrom name added to LB147.
Senator Wishart name added to LB147.
Senator McCollister name added to LB147.
Senator Friesen name added to LB236.
Senator Brewer name added to LB454.

VISITOR(S)

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

ADJOURNMENT

At 4:33 p.m., on a motion by Senator Lathrop, the Legislature adjourned until 9:00 a.m., Thursday, April 15, 2021.

Patrick J. O'Donnell
Clerk of the Legislature

