

**THIRTY-EIGHTH DAY - MARCH 9, 2022**

**LEGISLATIVE JOURNAL**

**ONE HUNDRED SEVENTH LEGISLATURE  
SECOND SESSION**

**THIRTY-EIGHTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Wednesday, March 9, 2022

**PRAYER**

The prayer was offered by Senator Erdman.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator Slama.

**ROLL CALL**

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

The roll was called and all members were present except Senators Geist and Lindstrom who were excused; and Senators Bostar, Day, B. Hansen, McCollister, McDonnell, and Wayne who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the thirty-seventh day was approved.

**COMMITTEE REPORT(S)**  
Enrollment and Review

**LEGISLATIVE BILL 697.** Placed on Select File.

**LEGISLATIVE BILL 824.** Placed on Select File with amendment.

[ER134](#)

- 1 1. On page 1, line 2; and page 4, line 14, strike "71-407, 71-6501,"  
2 and insert "71-6501".
- 3 2. On page 1, line 3, after the semicolon insert "to redefine  
4 terms;".

**LEGISLATIVE BILL 795.** Placed on Select File.

**LEGISLATIVE BILL 1147.** Placed on Select File with amendment.

[ER133](#)

1 1. On page 1, line 3, strike "and"; and in line 4 after "section"

2 insert "; and to declare an emergency".

3 2. On page 2, line 29, reinstate the stricken comma.

**LEGISLATIVE BILL 807.** Placed on Select File.

**LEGISLATIVE BILL 698A.** Placed on Select File.

**LEGISLATIVE BILL 804A.** Placed on Select File.

**LEGISLATIVE BILL 1037A.** Placed on Select File.

(Signed) Terrell McKinney, Chairperson

### **BILL ON FIRST READING**

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

**LEGISLATIVE BILL 984A.** Introduced by Moser, 22.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 984, One Hundred Seventh Legislature, Second Session, 2022.

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

Senator Lathrop filed the following amendment to [LB1011](#):

[FA74](#)

Amend Committee Amendment AM1999 to strike any new matter including: Agency No. 46 - Department of Correctional Services

Senator Lathrop filed the following amendment to [LB1011](#):

[FA75](#)

Amend Committee Amendment AM1999 to strike any new matter including: Nebraska Capital Construction Fund

Senator Lathrop filed the following amendment to [LB1011](#):

[FA76](#)

Amend Committee Amendment AM1999 to strike any new matter including: Statewide Tourism and Recreational Water Access and Resource Sustainability

Senator Lathrop filed the following amendment to [LB1011](#):

[FA77](#)

Amend Committee Amendment AM1999 to strike any new matter including: Perkins County Canal Project

Senator Lathrop filed the following amendment to [LB1011](#):

[FA78](#)

Amend Committee Amendment AM1999 to strike any new matter including: Agency No. 7 - Governor

Senator Lathrop filed the following amendment to [LB1011](#):

[FA79](#)

Amend Committee Amendment AM1999 to strike any new matter including: Program No. 18 - Governor's Policy Research Office

### GENERAL FILE

**LEGISLATIVE BILL 519.** Title read. Considered.

Committee [AM1781](#), found on page 511, was adopted with 33 ayes, 0 nays, 7 present and not voting, and 9 excused and not voting.

Advanced to Enrollment and Review Initial with 29 ayes, 6 nays, 5 present and not voting, and 9 excused and not voting.

**LEGISLATIVE BILL 598.** Title read. Considered.

Committee [AM549](#), found on page 697, First Session, 2021, was offered.

Senator Hunt [AM2126](#), found on page 718, was withdrawn.

The committee amendment was adopted with 40 ayes, 0 nays, 2 present and not voting, and 7 excused and not voting.

Advanced to Enrollment and Review Initial with 32 ayes, 0 nays, 10 present and not voting, and 7 excused and not voting.

**LEGISLATIVE BILL 1023.** Title read. Considered.

Committee [AM1914](#), found on page 652, was offered.

### SENATOR WILLIAMS PRESIDING

Committee [AM1914](#), was adopted with 30 ayes, 2 nays, 11 present and not voting, and 6 excused and not voting.

Pending.

### COMMITTEE REPORT(S)

Appropriations

**LEGISLATIVE BILL 1193.** Placed on General File.

(Signed) John Stinner, Chairperson

Revenue

**LEGISLATIVE BILL 1261.** Placed on General File with amendment.

[AM2211](#)

1 1. On page 2, line 7, strike "2022", show as stricken, and insert  
2 "2027".

(Signed) Lou Ann Linehan, Chairperson

Enrollment and Review

**LEGISLATIVE BILL 450A.** Placed on Final Reading.

(Signed) Terrell McKinney, Chairperson

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

Senator Lathrop filed the following amendment to LB1011:

[AM2110](#)

- 1 1. Strike section 1.
- 2 2. Renumber the remaining sections and correct internal references
- 3 accordingly.

Senator Lathrop filed the following amendment to LB1011:

[AM2222](#)

(Amendments to AM2110)

- 1 1. Strike amendment 2 and insert the following new section:
- 2 Section 1. For purposes of this act, FY2021-22 means the period from
- 3 July 1, 2022 to June 30, 2023.

Senator Lathrop filed the following amendment to LB1011:

[AM2111](#)

- 1 1. Strike section 2.
- 2 2. Renumber the remaining sections and correct internal references
- 3 accordingly.

Senator Lathrop filed the following amendment to LB1011:

[AM2224](#)

(Amendments to AM2111)

- 1 1. Strike amendment 2 and insert the following new section:
- 2 Section 1. There are hereby appropriated the sums set forth in this
- 3 act.

Senator Lathrop filed the following amendment to LB1011:

[AM2112](#)

- 1 1. Strike section 3.
- 2 2. Renumber the remaining sections and correct internal references
- 3 accordingly.

Senator Lathrop filed the following amendment to LB1011:

[AM2225](#)

(Amendments to AM2112)

- 1 1. Strike amendment 2 and insert the following new section:
- 2 Section 1. All unexpended amounts are hereby lapsed.

Senator Lathrop filed the following amendment to LB1011:

[AM2113](#)

- 1 1. Strike section 4.
- 2 2. Renumber the remaining sections and correct internal references
- 3 accordingly.

Senator Lathrop filed the following amendment to LB1011:

[AM2226](#)

(Amendments to AM2113)

- 1 1. Strike amendment 2 and insert the following new section:
- 2 Section 1. All unexpended balances are hereby reappropriated.

Senator Brewer filed the following amendment to LB709:

[AM2171](#)

(Amendments to Standing Committee amendments, AM1936)

- 1 1. On page 2, line 4, strike "and" and insert an underscored comma;
- 2 in line 7 after "Code" insert ", and shall be selected from a list of
- 3 journeyman electricians recommended by such organization"; in line 12
- 4 after "Code" insert "and shall be selected from a list of electrical
- 5 contractors or master electricians recommended by such organization"; and
- 6 strike lines 25 through 31 and insert the following new subdivisions:
- 7 "(i)(A) The applicant holds (I) a credential in another state that
- 8 has a reciprocal credentialing agreement with the State of Nebraska for
- 9 such credential as determined by the board, (II) a military occupational
- 10 specialty in the United States Military, or (III) a license with a
- 11 prerequisite of apprentice registration and successful completion of an
- 12 apprenticeship training program registered by the United States
- 13 Department of Labor; and
- 14 (B) The credential, military occupational specialty, or license is
- 15 similar to a license issued pursuant to the State Electrical Act and is
- 16 for an occupation with a similar scope of practice, as determined by the
- 17 board."
- 18 2. On page 3, strike line 1.

## RESOLUTION(S)

**LEGISLATIVE RESOLUTION 321.** Introduced by Murman, 38.

WHEREAS, the sixtieth annual United States Senate Youth Program will be held virtually from Washington, D.C., on March 5, 2022, through March 10, 2022; and

WHEREAS, Ellie Janda is an outstanding student at Blue Hill High School; and

WHEREAS, Ellie has distinguished herself in leadership, academics, and volunteerism; and

WHEREAS, Ellie was selected as one of two delegates from Nebraska for the sixtieth annual United States Senate Youth Program and was chosen to be part of a group of one hundred four student delegates from across the nation who will attend the program's Washington Week virtually; and

WHEREAS, Ellie will receive an accompanying undergraduate college scholarship of \$10,000; 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, SECOND SESSION:

1. That the Legislature congratulates Ellie Janda on being selected as a delegate to the sixtieth annual United States Senate Youth Program.
2. That copies of this resolution be sent to Blue Hill High School and Ellie Janda.

Laid over.

**LEGISLATIVE RESOLUTION 322.** Introduced by McKinney, 11.

WHEREAS, the 2022 Nebraska School Activities Association State Wrestling Tournament was held from February 17 through February 19 at the CHI Health Center Omaha; and

WHEREAS, Tyler Stewart, Tyson Terry, and Dameonte Lindsay wrestled for the Omaha North Boys Wrestling team and Ann Marie Meiman and La'Nie Green wrestled for the Omaha North Girls Wrestling Team; and

WHEREAS, Tyler Stewart won the Class A 195-pound state championship match, his 2nd state championship win; and

WHEREAS, Tyson Terry won the Class A 285-pound state championship match, going an undefeated 39-0 and becoming the second freshman ever to win the heavyweight division; and

WHEREAS, Dameonte Lindsay earned fourth place in the Class A 145-pound division; and

WHEREAS, Ann Marie Meiman earned fifth place in the Girls 132-pound division; and

WHEREAS, La'Nie Green earned fourth place in the Girls 152-pound division; and

WHEREAS, the Omaha North Boys Wrestling team earned a top-ten finish in the 2022 Nebraska State Wrestling Tournament; 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, SECOND SESSION:

1. That the Legislature congratulates the Omaha North wrestlers Tyler Stewart, Tyson Terry, Dameonte Lindsay, Ann Marie Meiman, and La'Nie Green on their success in the 2022 Nebraska State Wrestling Tournament.
2. That the Legislature congratulates the Omaha North Boys Wrestling Team on its top-ten finish in the 2022 Nebraska State Wrestling Tournament.
3. That copies of this resolution be sent to Omaha North High School, Tyler Stewart, Tyson Terry, Dameonte Lindsay, Ann Marie Meiman, and La'Nie Green, as well as Omaha North Wrestling Coaches Danial Carlson, Steven Kirchner, James Jones Jr., and Robert Ozuna.

Laid over.

**LEGISLATIVE RESOLUTION 323.** Introduced by McKinney, 11.

WHEREAS, Ready RP Nationals Wrestling Team provides invaluable mentorship and coaching to the young men and women wrestlers of North Omaha; and

WHEREAS, Roger Parker is the director and head coach of Ready RP Nationals Wrestling Team; and

WHEREAS, Ready RP Nationals Wrestling Team serves more than one hundred youths every year, with many of its members going on to wrestle at the collegiate, national, and international levels; and

WHEREAS, Ready RP Nationals Wrestling Team has created a haven for the youth of North Omaha to learn and grow not only in wrestling, but in education and their personal lives; and

WHEREAS, the inspirational work of Ready RP Nationals Wrestling Team and Roger Parker continues the legacy of the late great Coach Joe Edmonson in mentoring and guiding the youth of North Omaha.

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

1. That the Legislature recognizes Roger Parker and Ready RP Nationals Wrestling Team for their commitment to mentoring and coaching young men and women wrestlers in the North Omaha Community.

2. That a copy of this resolution be sent to Roger Parker.

Laid over.

**LEGISLATIVE RESOLUTION 324.** Introduced by McKinney, 11.

WHEREAS, B&B Sports Academy was founded by Terence "Bud" Crawford and Brian "BoMac" McIntyre; and

WHEREAS, B&B Sports Academy is a community based athletic center in North Omaha that builds up body, mind, and character; and

WHEREAS, the coaches of B&B Sports Academy focus not just on providing boxing and fitness training to young men and women, but also on teaching them about life skills, respect, and dignity; and

WHEREAS, B&B Sports Academy provides positive and structured activities that teach confidence, discipline, and healthy habits for a lifetime; and

WHEREAS, Terence "Bud" Crawford and Brian "BoMac" McIntyre have performed a tremendous service for the community of North Omaha by founding B&B Sports Academy as a source of mentorship and coaching for youth.

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

1. That the Legislature recognizes B&B Sports Academy and its founders Terence "Bud" Crawford and Brian "BoMac" McIntyre for their commitment to mentoring and coaching young men and women boxers in the North Omaha community.

2. That copies of this resolution be sent to Terence "Bud" Crawford and Brian "BoMac" McIntyre.

Laid over.

**LEGISLATIVE RESOLUTION 325.** Introduced by McKinney, 11.

WHEREAS, the Malcolm X Memorial Foundation was founded by Rowena Moore in 1971; and

WHEREAS, the Malcolm X Memorial Foundation works to bring residents together to commemorate the legacy of El-Hajj Malik El-Shabazz most commonly known as Malcolm X; and

WHEREAS, the Malcolm X Memorial Foundation helps empower and educate its community by providing educational programs, a community radio station, town hall forums, and other special events all held on the grounds of the birth site of Malcolm X; and

WHEREAS, a central goal of the Malcolm X Memorial Foundation is to educate the public using Malcolm X's human rights teachings on a local, national, and international scale; and

WHEREAS, Malcolm X Memorial Foundation aims to improve its community through civic engagement, direct action, economic empowerment, scholarship, service, and the liberation of the human spirit.

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

1. That the Legislature recognizes the Malcom X Memorial Foundation for its work in the community.

2. That a copy of this resolution be sent to the Malcolm X Memorial Foundation.

Laid over.

**LEGISLATIVE RESOLUTION 326.** Introduced by McKinney, 11.

WHEREAS, ReConnect, Inc., was founded in 2012 by LaVon Stennis-Williams; and

WHEREAS, ReConnect, Inc., is a non-profit organization dedicated to providing support and services to youth and adults involved in the criminal justice system or at risk of involvement; and

WHEREAS, the primary goal of ReConnect, Inc., is empowering its clients by providing them the tools needed to transform their lives and the communities in which they live in order for them to inspire other individuals to strive for success; and

WHEREAS, ReConnect, Inc., works to reduce recidivism, truancy, high school dropout rates, and unemployment within the community; and

WHEREAS, ReConnect, Inc., has helped over 500 individuals both in the prison systems and in post-release from incarceration prepare for returning to their community.

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

1. That the Legislature recognizes ReConnect, Inc., and its founder and executive director LaVon Stennis-Williams for assisting citizens and youth returning to the community.

2. That copies of this resolution be sent ReConnect, Inc., and LaVon Stennis-Williams.

Laid over.

#### **EXPLANATION(S) OF VOTE(S)**

Had I been present, I would have voted "aye" on final passage of LBs 567, 704, 749e, 786, 791, and 847.

(Signed) Wendy DeBoer

#### **GENERAL FILE**

**LEGISLATIVE BILL 1023.** Considered.

Advanced to Enrollment and Review Initial with 29 ayes, 4 nays, 10 present and not voting, and 6 excused and not voting.

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

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

Senator Bostar name added to LB717.

Senator Aguilar name added to LB933.

#### **RECESS**

At 12:08 p.m., on a motion by Senator Jacobson, 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 Senator Geist who was excused; and Senators Blood, Bostar, M. Cavanaugh, Day, Dorn, Halloran, B. Hansen, Hilkemann, Hunt, Lindstrom, Linehan, McKinney, Pansing Brooks, Stinner, Vargas, and Walz who were excused until they arrive.

**COMMITTEE REPORT(S)**  
Health and Human Services

**LEGISLATIVE BILL 932.** Placed on General File with amendment.AM2241

1 1. Strike the original sections and insert the following new  
2 sections:  
3 Section 1. Section 43-907, Reissue Revised Statutes of Nebraska, is  
4 amended to read:  
5 43-907 (1) Unless a guardian shall have been appointed by a court  
6 of competent jurisdiction, the Department of Health and Human Services  
7 shall take custody of and exercise general control over assets owned by  
8 children under the charge of the department. Children owning assets shall  
9 at all times pay for personal items. Assets over and above a maximum of  
10 one thousand dollars and current income shall be available for  
11 reimbursement to the state for the cost of care. Assets may be deposited  
12 in a checking account, invested in United States bonds, or deposited in a  
13 savings account insured by the United States Government. All income  
14 received from the investment or deposit of assets shall be credited to  
15 the individual child whose assets were invested or deposited. The  
16 department shall make and maintain detailed records showing all receipts,  
17 investments, and expenditures of assets owned by children under the  
18 charge of the department.  
19 (2) When the Department of Health and Human Services serves as  
20 representative payee or in any fiduciary capacity for a child beneficiary  
21 of social security benefits, the department shall provide:  
22 (a) Immediate notice to the child beneficiary, in an age-appropriate  
23 manner, and the child's guardian ad litem, of (i) the department's  
24 receipt of the child's first payment of social security benefits,  
25 including the amount received, and (ii) where the payment was deposited;  
26 (b) Notice and accounting to the juvenile court on a biannual basis  
27 beginning January 1, 2023, regarding the department's receipt, use, and  
1 conservation of the child's social security benefits in accordance with  
2 this section including:  
3 (i) The dates and amounts of social security benefits received on  
4 behalf of the child since any prior notification;  
5 (ii) An accounting of the child's assets and resources relating to  
6 the receipt of social security benefits, including all earnings, assets,  
7 and other resources, programs, or accounts maintained on behalf of the  
8 child receiving such social security benefits; and  
9 (iii) Records of any communication with the Social Security  
10 Administration regarding the child beneficiary's receipt of social  
11 security benefits since any prior notification; and  
12 (c) All accounting records regarding the department's receipt, use,  
13 and conservation of the child's social security benefits, including an  
14 accounting of all existing earnings, assets, and other resources,  
15 programs, or accounts maintained on behalf of the child receiving such  
16 social security benefits, to the child beneficiary, the child's guardian  
17 ad litem or attorney, or the child's parent upon:  
18 (i) Request from the child beneficiary, the child's guardian ad  
19 litem or attorney, or the child's parent; and  
20 (ii) Termination of the department's role as the child beneficiary's  
21 representative payee.  
22 (3) On or before October 1, 2023, the Department of Health and Human  
23 Services shall adopt and promulgate rules and regulations to carry out  
24 subsection (2) of this section consistent with federal requirements  
25 regarding representative payees for social security beneficiaries.  
26 Sec. 2. Original section 43-907, Reissue Revised Statutes of  
27 Nebraska, is repealed.

**RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 327.** Introduced by Vargas, 7.

**PURPOSE:** The purpose of this resolution is to propose an interim study to examine severe maternal morbidity and make recommendations that will improve the quality of care for mothers and babies. The study shall include, but not be limited to, a examination of:

- (1) National and best practices related to the prevention of severe maternal morbidity;
- (2) The known causes of severe maternal morbidity in Nebraska;
- (3) The status of the state's current system of monitoring severe maternal morbidity;
- (4) Racial, economic, and geographic disparities that exist in severe maternal morbidity in Nebraska;
- (5) Potential programs to address severe maternal morbidity and improve outcomes for mothers, as well as funding opportunities for such programs; and
- (6) Potential statutory or administrative changes that would support improved outcomes for maternal health care.

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

1. That the Health and Human Services 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.

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

Senator Albrecht filed the following amendment to [LB933](#):

[AM2208](#)

- 1 1. On page 3, line 23, strike "act" and insert "Nebraska Human Life
- 2 Protection Act".

**GENERAL FILE**

**LEGISLATIVE BILL 1015.** Title read. Considered.

Pending.

**COMMITTEE REPORT(S)**

Education

**LEGISLATIVE BILL 912.** Placed on General File with amendment.

[AM2214](#)

1 1. Strike the original sections and insert the following new  
2 sections:  
3 Section 1. (1) The State Department of Education shall establish a  
4 mental health first aid training program for teachers and other personnel  
5 employed by a school district or an educational service unit  
6 participating in a grant under subsection (2) of section 79-1054.  
7 (2) The mental health first aid training is to be delivered by  
8 trainers who are properly certified by a national organization for  
9 behavioral health to provide training meeting the requirements of this  
10 section. The program shall also provide an opportunity for teachers and  
11 other designated personnel to complete the training necessary to become  
12 certified by a national organization for behavioral health to provide  
13 mental health first aid training to other teachers and designated  
14 personnel.  
15 (3) Mental health first aid training shall include training on:  
16 (a) The skills, resources, and knowledge necessary to assist  
17 students in crisis to connect with appropriate local mental health care  
18 services;  
19 (b) Mental health resources, including the location of local  
20 community mental health centers; and  
21 (c) Action plans and protocols for referral to such resources.  
22 (4) A recipient of mental health first aid training shall also  
23 receive instruction in preparation to:  
24 (a) Safely de-escalate crisis situations;  
25 (b) Recognize the signs and symptoms of mental illness, including  
26 such psychiatric conditions as major clinical depression and anxiety  
27 disorders; and  
28 (c) Timely refer a student to mental health services in the early  
29 stages of the development of a mental disorder to avoid subsequent  
30 behavioral health care and to enhance the effectiveness of mental health  
31 services.  
32 (5) It is the intent of the Legislature that the mental health first  
33 aid training program under this section shall be funded using lottery  
34 funds under section 9-812.  
35 Sec. 2. Section 79-1054, Revised Statutes Cumulative Supplement,  
36 2020, is amended to read:  
37 79-1054 (1)(a) This subsection applies until July 1, 2024.  
38 (b) (1) The State Board of Education shall establish a competitive  
39 innovation grant program with funding from the Nebraska Education  
40 Improvement Fund pursuant to section 9-812. Grantees shall be a school  
41 district, an educational service unit, or a combination of entities that  
42 includes at least one school district or educational service unit. For  
43 grantees that consist of a combination of entities, a participating  
44 school district or educational service unit shall be designated to act as  
45 the fiscal agent and administer the program funded by the grant. The  
46 state board shall only award grants pursuant to applications that the  
47 state board deems to be sufficiently innovative and to have a high chance  
48 of success.  
49 (c) (2) An application for a grant pursuant to this subsection (1)  
50 of this section shall describe:  
51 (i) (a) Specific measurable objectives for improving education  
52 outcomes for early childhood students, elementary students, middle school  
53 students, or high school students or for improving the transitions  
54 between any successive stages of education or between education and the  
55 workforce;  
56 (ii) (b) The method for annually evaluating progress toward a  
57 measurable objective, with a summative evaluation of progress submitted  
58 to the state board and electronically to the Education Committee of the  
59 Legislature on or before July 1, 2019;

2 (iii) (e) The potential for the project to be both scalable and  
3 replicable; and  
4 (iv) (4) Any cost savings that could be achieved by reductions in  
5 other programs if the funded program is successful.  
6 (d) (3) Based on evaluations received on or before July 1, 2019, for  
7 each grant, the State Board of Education shall recommend the grant  
8 project as:  
9 (i) (a) Representing a best practice;  
10 (ii) (b) A model for a state-supported program; or  
11 (iii) (e) A local issue for further study.  
12 (e) (4) On or before December 1, 2017, and on or before December 1  
13 of each year thereafter, the state board shall electronically submit a  
14 report to the Clerk of the Legislature on all such grants, including, but  
15 not limited to, the results of the evaluations for each grant. The state  
16 board may adopt and promulgate rules and regulations to carry out this  
17 subsection ~~section~~, including, but not limited to, application  
18 procedures, selection procedures, and annual evaluation reporting  
19 procedures.  
20 (2)(a) This subsection applies beginning July 1, 2024.  
21 (b) The State Board of Education shall establish innovation grant  
22 programs in areas, including, but not limited to, (i) mental health first  
23 aid, (ii) early literacy, (iii) quality instructional materials, (iv)  
24 personalized learning through digital education, or (v) other innovation  
25 areas identified by the board. It is the intent of the Legislature that  
26 such grant programs shall be funded using lottery funds under section  
27 9-812. Grantees shall be a school district, an educational service unit,  
28 or a combination of entities that includes at least one school district  
29 or educational service unit.  
30 (c) An application for participating in an innovation grant pursuant  
31 to this subsection shall describe:  
1 (i) Specific measurable objectives for improving education outcomes  
2 for early childhood students, elementary students, middle school  
3 students, or high school students or for improving the transitions  
4 between any successive stages of education or between education and the  
5 workforce;  
6 (ii) Participation in a method for annually evaluating progress  
7 toward a measurable objective, with a summative evaluation of progress  
8 submitted to the state board and electronically to the Education  
9 Committee of the Legislature on or before July 1 of each year;  
10 (iii) The potential for the grant program to be both scalable and  
11 replicable; and  
12 (iv) Any cost savings that could be achieved by reductions in other  
13 programs if the grant program is successful.  
14 (d) Based on evaluations received on or before July 1 of each year  
15 for each grant program, the State Board of Education shall recommend the  
16 grant program as:  
17 (i) Representing a best practice;  
18 (ii) A model for a state-supported program; or  
19 (iii) A local issue for further study.  
20 (e) On or before December 1 of each year, the state board shall  
21 electronically submit a report to the Clerk of the Legislature on all  
22 such grant programs, including, but not limited to, the results of the  
23 evaluations for each grant program. The state board may adopt and  
24 promulgate rules and regulations to carry out this subsection, including,  
25 but not limited to, application procedures, selection procedures, and  
26 annual evaluation reporting procedures.  
27 (3) (5) The Department of Education Innovative Grant Fund is  
28 created. The fund shall be administered by the State Department of  
29 Education and shall consist of transfers pursuant to section 9-812,  
30 repayments of grant funds, and interest payments received in the course

31 of administering this section. The fund shall be used to carry out this  
 1 section. Any money in the fund available for investment shall be invested  
 2 by the state investment officer pursuant to the Nebraska Capital  
 3 Expansion Act and the Nebraska State Funds Investment Act.  
 4 Sec. 3. Section 1 of this act becomes operative on July 1, 2024.  
 5 The other sections of this act become operative on their effective date.  
 6 Sec. 4. Original section 79-1054, Revised Statutes Cumulative  
 7 Supplement, 2020, is repealed.

**LEGISLATIVE BILL 1158.** Placed on General File with amendment.

AM2143

1 1. Strike the original sections and insert the following new  
 2 sections:  
 3 Section 1. Section 79-530, Reissue Revised Statutes of Nebraska, is  
 4 amended to read:  
 5 79-530 The Legislature finds and declares:  
 6 (1) That ~~parental~~ involvement of parents and guardians is a key  
 7 factor in the education of children;  
 8 (2) That parents or guardians need to be informed of the educational  
 9 practices affecting their children; and  
 10 (3) That public schools should foster and facilitate parents' and  
 11 guardians' access to ~~parental~~ information about, and involvement in,  
 12 educational practices affecting their children.  
 13 It is the intent of the Legislature, through the enactment of  
 14 sections 79-531 to 79-533 and sections 5, 6, and 7 of this act, to  
 15 strengthen the level of ~~parental~~ involvement and participation by parents  
 16 and guardians in the public school system of the state.  
 17 Sec. 2. Section 79-531, Reissue Revised Statutes of Nebraska, is  
 18 amended to read:  
 19 79-531 On or before July 1, ~~2023~~ ~~1995~~, each public school district  
 20 in the state shall develop and adopt a policy stating how the district  
 21 will ~~seek to~~ involve parents and guardians in the education of their  
 22 children ~~schools~~ and the rights of each parent or guardian to:  
 23 ~~(1) Access what parents' rights shall be relating to access to the~~  
 24 ~~schools, testing information, and curriculum; and matters.~~  
 25 ~~(2) Request that a child be excused from specific instruction or~~  
 26 ~~activities.~~  
 27 Sec. 3. Section 79-532, Reissue Revised Statutes of Nebraska, is  
 1 amended to read:  
 2 79-532 (1) The policy required by section 79-531 shall include, but  
 3 need not be limited to, the following:  
 4 (a) ~~(1) How the school district will provide access to parents or~~  
 5 ~~guardians concerning textbooks; ; tests; activities information; digital~~  
 6 ~~materials; websites or applications used for learning; training materials~~  
 7 ~~for teachers, administrators, and staff; procedures for the review and~~  
 8 ~~approval of training materials, learning materials, and activities; ; and~~  
 9 other curriculum materials used in the school district;  
 10 (b) ~~(2) How the school district will accommodate handle~~ requests by  
 11 parents or guardians to attend and monitor courses, assemblies,  
 12 counseling sessions, and other instructional activities;  
 13 (c) ~~(3) Under what circumstances parents or guardians may ask that~~  
 14 their children be excused from testing, classroom instruction, learning  
 15 materials, activities, guest speaker events, and other school experiences  
 16 the parents or guardians may find objectionable;  
 17 (d) ~~(4) How the school district will provide access to records of~~  
 18 students;  
 19 (e) ~~(5) What the school district's testing policy will be; and~~  
 20 (f) ~~(6) How the school district participates in surveys of students~~  
 21 and the right of parents or guardians to remove their children from such  
 22 surveys.

23 (2) Nothing in this section shall be construed to require disclosure  
24 of information in violation of the federal Family Educational Rights and  
25 Privacy Act of 1974, as amended, 20 U.S.C. 1232g, or any federal  
26 regulations and applicable guidelines adopted in accordance with such  
27 act, as such act, regulations, and guidelines existed on January 1, 2022.  
28 Sec. 4. Section 79-533, Reissue Revised Statutes of Nebraska, is  
29 amended to read:  
30 79-533 The policy required by section 79-531 shall be developed with  
31 parental input from parents and guardians and shall be the subject of a  
1 public hearing before the school board or board of education of the  
2 school district before adoption by the board. The policy shall be  
3 reviewed annually and either altered and adopted as altered or reaffirmed  
4 by the board following a public hearing. Any public hearing under this  
5 section shall include a reasonable opportunity for public comments.  
6 Sec. 5. By August 1, 2023, each school district shall make the  
7 policy required by section 79-531 accessible on the school district's  
8 public website. The policy shall be accessible by a prominently displayed  
9 link on such website. If the policy is altered, the new version of the  
10 policy shall be made accessible within a reasonable time thereafter.  
11 Sec. 6. To the extent practicable, each public school district  
12 shall make a reasonable effort to make any learning materials, including  
13 original materials, available for inspection by a parent or guardian upon  
14 request.  
15 Sec. 7. If the Commissioner of Education determines that any school  
16 district has intentionally refused, in a material manner, to comply with  
17 sections 79-531 to 79-533 and sections 5 and 6 of this act, the  
18 commissioner shall notify the school district of the noncompliance and  
19 allow the school district a reasonable time to comply. If the  
20 commissioner determines, after such time has elapsed, that the school  
21 district is not in compliance and has not made a good faith attempt to  
22 comply, the commissioner shall take appropriate remedial action within  
23 the commissioner's authority, up to and including qualifying such  
24 noncompliance as a violation of the rules and regulations for the  
25 accreditation of schools.  
26 Sec. 8. Original sections 79-530, 79-531, 79-532, and 79-533,  
27 Reissue Revised Statutes of Nebraska, are repealed.

(Signed) Lynne Walz, Chairperson

General Affairs

**LEGISLATIVE BILL 876.** Placed on General File with amendment.  
[AM2188](#) is available in the Bill Room.

(Signed) Tom Briese, Chairperson

Banking, Commerce and Insurance

**LEGISLATIVE BILL 943.** Placed on General File.

(Signed) Matt Williams, Chairperson

**BILL ON FIRST READING**

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

**LEGISLATIVE BILL 896A.** Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 896, One Hundred Seventh Legislature, Second Session, 2022.

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

Senator Albrecht filed the following amendment to [LB1011](#):  
[AM2244](#)

(Amendments to Standing Committee amendments, AM1999)

- 1 1. Insert the following new section:
- 2 Sec. 39. AGENCY NO. 13 — STATE DEPARTMENT OF EDUCATION
- 3 Program No. 25 - Education, Administration, and Support
- 4 It is the intent of the Legislature that no funds appropriated to
- 5 Agency 13, Program 25, Education, Administration, and Support, shall be
- 6 used to research, adopt, or implement state sex education standards for
- 7 Nebraska schools. This prohibition on the use of funds applies regardless
- 8 of whether the standards are proposed as mandatory or voluntary
- 9 standards.
- 10 2. Renumber the remaining sections and change internal references
- 11 accordingly.

Senator Lathrop filed the following amendment to [LB1013](#):

[FA80](#)

Amend Committee Amendment AM2001 to strike any new matter including: Nebraska Capital Construction Fund

Senator Lathrop filed the following amendment to [LB1013](#):

[FA81](#)

Amend Committee Amendment AM2001 to strike any new matter including: Perkins County Canal

Senator Lathrop filed the following amendment to [LB1013](#):

[FA82](#)

Amend Committee Amendment AM2001 to strike any new matter including: State Treasurer

Senator Lathrop filed the following amendment to [LB1013](#):

[FA83](#)

Amend Committee Amendment AM2001 to strike any new matter including: Cash Reserve Fund

Senator Lathrop filed the following amendment to [LB1013](#):

[FA84](#)

Amend Committee Amendment AM2001 to strike any new matter including: Department of Administrative Services

Senator Lathrop filed the following amendment to [LB1013](#):

[FA85](#)

Amend Committee Amendment AM2001 to strike any new matter including: Million dollars

Senator Lathrop filed the following amendment to [LB1013](#):

[AM2252](#)

(Amendments to AM2001)

- 1 1. Strike subsection (1) of section 1.
- 2 2. Renumber the remaining subsections in section 1 and correct
- 3 internal references accordingly.

Senator Lathrop filed the following amendment to [LB1013](#):

[AM2256](#)

(Amendments to AM2252)

- 1 1. Strike amendment 2 and insert the following new subsection (1) in
- 2 section 1:
- 3 "(1) The Cash Reserve Fund is hereby created."

Senator Lathrop filed the following amendment to [LB1013](#):

[AM2253](#)

(Amendments to AM2001)

- 1 1. Strike subsection (2) of section 1.
- 2 2. Renumber the remaining subsections in section 1 and correct
- 3 internal references accordingly.

Senator Lathrop filed the following amendment to [LB1013](#):

[AM2257](#)

(Amendments to AM2253)

- 1 1. Strike amendment 2 and insert the following new subsection (2) in
- 2 section 1:
- 3 "(2) The Treasurer shall transfer funds from the Cash Reserve Fund
- 4 to the General Fund upon certification by the Director of Administrative
- 5 Services that the current cash balance is inadequate."

Senator Lathrop filed the following amendment to [LB1013](#):

[AM2254](#)

(Amendments to AM2001)

- 1 1. Strike subsection (3) of section 1.
- 2 2. Renumber the remaining subsections in section 1 and correct
- 3 internal references accordingly.

Senator Lathrop filed the following amendment to [LB1013](#):

[AM2258](#)

(Amendments to AM2254)

- 1 1. Strike amendment 2 and insert the following new subsection (3) in
- 2 section 1:
- 3 "(3) The Cash Reserve Fund shall receive federal funds."

Senator Lathrop filed the following amendment to [LB1013](#):

[AM2255](#)

(Amendments to AM2001)

- 1 1. Strike subsection (4) of section 1.
- 2 2. Renumber the remaining subsections in section 1 and correct
- 3 internal references accordingly.

Senator Lathrop filed the following amendment to LB1013:

[AM2259](#)

(Amendments to AM2255)

- 1 1. Strike amendment 2 and insert the following new subsection (4) in
- 2 section 1:
- 3 "(4) The State Treasurer shall transfer zero dollars to the Nebraska
- 4 Capital Construction Fund.".

Senator Albrecht filed the following amendment to LB1011:

[AM2260](#)

(Amendments to Standing Committee amendments, AM1999)

- 1 1. Insert the following new section:
- 2 Sec. 39. AGENCY NO. 13 — STATE DEPARTMENT OF EDUCATION
- 3 Program No. 25 - Education, Administration, and Support
- 4 It is the intent of the Legislature that no funds appropriated to
- 5 Agency 13, Program 25, Education, Administration, and Support, shall be
- 6 used to research, adopt, or implement state sex education standards for
- 7 Nebraska schools. This prohibition on the use of funds applies regardless
- 8 of whether the standards are proposed as mandatory or voluntary
- 9 standards.
- 10 2. Renumber the remaining sections and change internal references
- 11 accordingly.

Senator Albrecht filed the following amendment to LB1011:

[AM2261](#)

(Amendments to Final Reading copy)

- 1 1. Insert the following new section:
- 2 Sec. 39. AGENCY NO. 13 — STATE DEPARTMENT OF EDUCATION
- 3 Program No. 25 - Education, Administration, and Support
- 4 It is the intent of the Legislature that no funds appropriated to
- 5 Agency 13, Program 25, Education, Administration, and Support, shall be
- 6 used to research, adopt, or implement state sex education standards for
- 7 Nebraska schools. This prohibition on the use of funds applies regardless
- 8 of whether the standards are proposed as mandatory or voluntary
- 9 standards.
- 10 2. Renumber the remaining sections and change internal references
- 11 accordingly.

Senator Briese filed the following amendment to LB876:

[AM2189](#)

- 1 1. On page 4, line 17, strike "conducts" and insert "operates".

Senator Briese filed the following amendment to LB876:

[AM2191](#)

(Amendments to Standing Committee amendments, AM2188)

- 1 1. On page 15, line 15, strike "operating" and insert "conducting".

## GENERAL FILE

**LEGISLATIVE BILL 1015.** Considered.

## SENATOR ARCH PRESIDING

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

Advanced to Enrollment and Review Initial with 36 ayes, 3 nays, 9 present and not voting, and 1 excused and not voting.

The Chair declared the call raised.

### COMMITTEE REPORT(S)

Education

**LEGISLATIVE BILL 902.** Placed on General File with amendment. [AM2194](#) is available in the Bill Room.

**LEGISLATIVE BILL 1218.** Placed on General File with amendment. [AM2213](#) is available in the Bill Room.

(Signed) Lynne Walz, Chairperson

### GENERAL FILE

**LEGISLATIVE BILL 1073.** Title read. Considered.

Committee [AM1969](#), found on page 612, was offered.

Senator Wayne moved for a call of the house. The motion prevailed with 35 ayes, 4 nays, and 10 not voting.

Committee [AM1969](#), was adopted with 29 ayes, 8 nays, 9 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review Initial with 29 ayes, 7 nays, 10 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

### AMENDMENT(S) - Print in Journal

Senator Briese filed the following amendment to [LB876](#):

[AM2276](#)

(Amendments to Standing Committee amendments, AM2188)

1 1. On page 15, line 15, strike "operating" and insert "conducting".

Senator Morfeld filed the following amendment to [LB1045](#):

[AM2268](#)

(Amendments to Standing Committee amendments, AM2081)

1 1. On page 2, line 2, strike "Remit payment of" and insert "Pay" and  
2 after "dollars" insert ", forty million dollars of which shall be used by  
3 the public power supplier for the deployment of broadband service in  
4 unserved areas and underserved areas, as such terms are defined in  
5 section 86-1302, served by the public power supplier, with the remainder  
6 remitted".

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

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

Senator Wayne name added to LB59.  
Senator Wayne name added to LB75.  
Senator Wayne name added to LB91.  
Senator Wayne name added to LB567.  
Senator Wayne name added to LB691.  
Senator Wayne name added to LB697.  
Senator Wayne name added to LB779.  
Senator Wayne name added to LB780.  
Senator Wayne name added to LB786.  
Senator Wayne name added to LB791.  
Senator Wayne name added to LB807.  
Senator Wayne name added to LB808.  
Senator Sanders name added to LB813.  
Senator Wayne name added to LB824.  
Senator Wayne name added to LB847.  
Senator Erdman name added to LB933.  
Senator Wayne name added to LB971.  
Senator Wayne name added to LB1173.  
Senator Wayne name added to LB1204.  
Senator Linehan name added to LR318.  
Senator Aguilar name added to LR318.

**WITHDRAW - Cointroducer(s)**

Senator Wayne name withdrawn from LB1037.

**VISITOR(S)**

Visitors to the Chamber were members of the March for Dimes, Omaha; Nebraska Chapter of the American Foundation for Suicide Prevention from across the state; Senator Hilkemann's wife, Julie, and his five grandchildren from Waco, Texas; Catholics at the Capitol from all across the state; Friends of Senator Erdman's from Bridgeport; and Hiroshi Tajima, Consulate-General of Japan in Chicago, and three of his associates.

The Doctor of the Day was Dr. Joe Miller of Omaha.

**ADJOURNMENT**

At 5:05 p.m., on a motion by Senator Linehan, the Legislature adjourned until 9:00 a.m., Thursday, March 10, 2022.

Patrick J. O'Donnell  
Clerk of the Legislature