

FIFTY-SECOND DAY - MARCH 31, 2022**LEGISLATIVE JOURNAL****ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION****FIFTY-SECOND DAY**

Legislative Chamber, Lincoln, Nebraska
Thursday, March 31, 2022

PRAYER

The prayer was offered by Pastor Charles Tschetter, Community Bible Church, Omaha.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Gragert.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Senator Hughes presiding.

The roll was called and all members were present except Senators Geist, Lindstrom, and Pahls who were excused; and Senators Bostar, Day, DeBoer, B. Hansen, Hilkemann, Hunt, Lathrop, McCollister, McDonnell, Morfeld, Pansing Brooks, Vargas, Walz, Wayne, and Wishart who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

Page 1006, line 28, Strike "FA166" and insert "FA164".
The Journal for the forty-eighth day was approved as corrected.

The Journal for the fifty-first day was approved.

REPORTS

Agency reports electronically filed with the Legislature can be found on the [Nebraska Legislature's website](#).

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of March 30, 2022, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Patrick J. O'Donnell
Clerk of the Legislature

Magana, Joseph
Americans for Prosperity (Withdrawn 03/30/2022)

BILL ON FIRST READING

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

LEGISLATIVE BILL 777A. Introduced by Brewer, 43.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 777, One Hundred Seventh Legislature, Second Session, 2022.

GENERAL FILE

LEGISLATIVE BILL 1068. Title read. Considered.

Senator Blood offered the following amendment:

[AM2564](#)

1 1. Strike the original sections and insert the following new
2 sections:
3 Section 1. Section 71-829, Reissue Revised Statutes of Nebraska, is
4 amended to read:
5 71-829 (1) The Legislature hereby finds and declares that:
6 (a) Ninety-five percent of counties in Nebraska are classified as
7 behavioral health profession shortage areas by the federal Health
8 Resources and Services Administration and the Nebraska Department of
9 Health and Human Services;
10 (b) There are severe behavioral health workforce shortages in rural
11 and underserved areas of the state which negatively impact access to
12 appropriate behavioral health services for Nebraska residents; and
13 (c) Nebraska must act to address immediate needs and implement long-
14 term strategies to alleviate education, recruitment, and retention
15 challenges in the behavioral health field.
16 ~~The Legislature finds that there are insufficient behavioral health~~
17 ~~professionals in the Nebraska behavioral health workforce and further~~
18 ~~that there are insufficient behavioral health professionals trained in~~
19 ~~evidence-based practice. This workforce shortage leads to inadequate~~
20 ~~accessibility and response to the behavioral health needs of Nebraskans~~
21 ~~of all ages: Children; adolescents; and adults. These shortages have led~~
22 ~~to well-documented problems of consumers waiting for long periods of time~~
23 ~~in inappropriate settings because appropriate placement and care is not~~
24 ~~available. As a result, mentally ill patients end up in hospital~~
25 ~~emergency rooms which are the most expensive level of care or are~~
26 ~~incarcerated and do not receive adequate care, if any.~~

27 As the state moves from institutional to community-based behavioral
1 health services, the behavioral health services workforce shortage is
2 increasingly felt by the inability to hire and retain behavioral health
3 professionals in Nebraska. In Laws 2004, LB-1083, the Legislature pledged
4 to "promote activities in research and education to improve the quality
5 of behavioral health services, the recruitment and retention of
6 behavioral health professionals, and the availability of behavioral
7 health services". The purpose of the Behavioral Health Workforce Act is
8 to realize the commitment made in LB-1083 to improve community-based
9 behavioral health services for Nebraskans and thus focus on addressing
10 behavioral health issues before they become a crisis through increasing
11 the number of behavioral health professionals and train these
12 professionals in evidence-based practice and alternative delivery methods
13 which will improve the quality of care, including utilizing the existing
14 infrastructure and telehealth services which will expand outreach to more
15 rural areas in Nebraska.

16 Sec. 2. Section 71-830, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 71-830 (1) The Behavioral Health Education Center is created and
19 shall be administered by the University of Nebraska Medical Center.

20 (2) The center shall:

21 (a)(i) Provide funds for up to ten two additional medical residents,
22 physician assistants, or psychiatric nurse practitioners in a Nebraska-
23 based psychiatry program each year ~~starting in 2010 until a total of~~
24 eight additional psychiatry residents are added in 2013. The center shall
25 provide psychiatric residency training experiences that serve rural
26 Nebraska and other underserved areas. As part of ~~the his or her residency~~
27 training experience experiences, each center-funded resident, physician
28 assistant, or psychiatric nurse practitioner shall participate in the
29 rural training for a minimum of three months one year. A minimum of three
30 ~~two~~ of the ten eight center-funded residents, physician assistants, or
31 psychiatric nurse practitioners shall be active in the rural training
1 each year; and

2 (ii) Provide funds for up to twelve five one-year doctoral-level
3 psychology internships in Nebraska ~~within twelve months after July 18,~~
4 ~~2014, and every year thereafter and increase the number of interns in the~~
5 program to ten within thirty-six months after July 18, 2014. The interns
6 shall be placed in communities so as to increase access to behavioral
7 health services for patients residing in rural and underserved areas of
8 Nebraska; and

9 (iii) Provide funds for up to ten one-year mental health therapist
10 internships or practicums in Nebraska. The trainees shall be placed in
11 rural and underserved communities in order to increase access to
12 behavioral health services for patients residing in such areas of
13 Nebraska;

14 (b) Focus on the training of behavioral health professionals in
15 telehealth techniques, including taking advantage of a telehealth network
16 that exists, and other innovative means of care delivery in order to
17 increase access to behavioral health services for all Nebraskans;

18 (c) Analyze the geographic and demographic availability of Nebraska
19 behavioral health professionals, including psychiatrists, social workers,
20 community rehabilitation workers, psychologists, substance abuse
21 counselors, licensed mental health practitioners, behavioral analysts,
22 peer support providers, primary care physicians, nurses, nurse
23 practitioners, pharmacists, and physician assistants;

24 (d) Prioritize the need for additional professionals by type and
25 location;

26 (e) Establish learning collaborative partnerships with other higher
27 education institutions in the state, hospitals, law enforcement,
28 community-based agencies, public school districts, and consumers and

29 their families in order to develop evidence-based, recovery-focused,
 30 interdisciplinary curricula and training for behavioral health
 31 professionals delivering behavioral health services in community-based
 1 agencies, hospitals, and law enforcement. Development and dissemination
 2 of such curricula and training shall address the identified priority
 3 needs for behavioral health professionals; ~~and~~
 4 (f) ~~Establish and operate six~~ Beginning in 2011, develop two
 5 ~~interdisciplinary behavioral health training sites each year until a~~
 6 ~~total of six sites have been developed.~~ Four of the six sites shall be in
 7 counties with a population of fewer than fifty thousand inhabitants. Each
 8 site shall provide annual interdisciplinary training opportunities for a
 9 minimum of ~~six~~ three behavioral health professionals; ~~and~~ -
 10 (g) Educate behavioral health providers and facilities to integrate
 11 behavioral health care into primary care practice and licensed health
 12 care facilities in order to place well-trained behavioral health
 13 providers into primary care practices, behavioral health practices, and
 14 rural hospitals for the purpose of increasing access to behavioral health
 15 services.
 16 (3) No later than December 1 of every odd-numbered year, the center
 17 shall prepare a report of its activities under the Behavioral Health
 18 Workforce Act. The report shall be filed electronically with the Clerk of
 19 the Legislature and shall be provided electronically to any member of the
 20 Legislature upon request.
 21 Sec. 3. The University of Nebraska shall conduct an assessment of
 22 the environmental and human health effects of toxic chemicals. The
 23 assessment shall include:
 24 (1) An evaluation of adverse long-term environmental, ecological,
 25 and human health effects of the chemicals released during (a) the
 26 production of ethanol made from grain or seed treated with pesticide and
 27 (b) the storage of byproducts created by the production of ethanol made
 28 from grain or seed treated with pesticide; and
 29 (2) An assessment of the effects of polluted ground water, soil, and
 30 air relating to any ethanol production facility.
 31 Sec. 4. Original sections 71-829 and 71-830, Reissue Revised
 1 Statutes of Nebraska, are repealed.
 2 Sec. 5. Since an emergency exists, this act takes effect when
 3 passed and approved according to law.

Senator Erdman requested a ruling of the Chair on whether the Blood amendment is germane to the bill.

The Chair ruled the Blood amendment is not germane to the bill.

Senator Blood challenged the ruling of the Chair. The question is, "Shall the Chair be overruled?"

Senator Blood moved for a call of the house. The motion prevailed with 27 ayes, 6 nays, and 16 not voting.

Senator Blood requested a roll call vote, in reverse order, on the motion to overrule the Chair.

Voting in the affirmative, 24:

Blood	Cavanaugh, M.	Hansen, M.	McDonnell	Vargas
Bostar	Day	Hilkemann	McKinney	Walz
Bostelman	DeBoer	Kolterman	Morfeld	Wayne
Brandt	Dorn	Lathrop	Pansing Brooks	Wishart
Cavanaugh, J.	Gragert	McCollister	Stinner	

Voting in the negative, 19:

Albrecht	Clements	Halloran	Jacobson	Murman
Arch	Erdman	Hansen, B.	Linehan	Slama
Brewer	Flood	Hilgers	Lowe	Williams
Briese	Friesen	Hughes	Moser	

Present and not voting, 2:

Aguilar	Sanders
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Excused and not voting, 4:

Geist	Hunt	Lindstrom	Pahls
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The Blood motion to overrule the Chair prevailed with 24 ayes, 19 nays, 2 present and not voting, and 4 excused and not voting.

The Chair was overruled.

The Chair declared the call raised.

SENATOR WILLIAMS PRESIDING

Senator Blood moved for a call of the house. The motion prevailed with 21 ayes, 4 nays, and 24 not voting.

Senator Blood requested a roll call vote, in reverse order, on her amendment.

Voting in the affirmative, 31:

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

Voting in the negative, 6:

Albrecht Erdman Hughes
 Clements Friesen Linehan

Present and not voting, 6:

Arch Hansen, B. Lowe
 Halloran Jacobson Murman

Absent and not voting, 1:

Hilgers

Excused and not voting, 5:

Briese Geist Lindstrom Pahls Slama

The Blood amendment was adopted with 31 ayes, 6 nays, 6 present and not voting, 1 absent and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review Initial with 34 ayes, 4 nays, 6 present and not voting, and 5 excused and not voting.

COMMITTEE REPORT(S)

Transportation and Telecommunications

LEGISLATIVE BILL 761. Indefinitely postponed.
LEGISLATIVE BILL 913. Indefinitely postponed.
LEGISLATIVE BILL 914. Indefinitely postponed.
LEGISLATIVE BILL 1021. Indefinitely postponed.
LEGISLATIVE BILL 1022. Indefinitely postponed.
LEGISLATIVE BILL 1145. Indefinitely postponed.
LEGISLATIVE BILL 1214. Indefinitely postponed.
LEGISLATIVE BILL 1234. Indefinitely postponed.
LEGISLATIVE BILL 1259. Indefinitely postponed.
LEGISLATIVE BILL 1266. Indefinitely postponed.

The Transportation and Telecommunications Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Barbara J. Keegan - Board of Public Roads Classifications and Standards
 James A. Litchfield - Board of Public Roads Classifications and Standards
 Brandie S. Neemann - Board of Public Roads Classifications and Standards
 Edward R., Sr. Wootton - Board of Public Roads Classifications and Standards

Aye: 7. Albrecht, Bostelman, Cavanaugh, M., Friesen, Geist, Hughes, Moser. Nay: 0. Absent: 1. DeBoer. Present and not voting: 0.

The Transportation and Telecommunications Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Thomas R. McCaslin - Nebraska Motor Vehicle Industry Licensing Board
Chad J. Tessman - Nebraska Motor Vehicle Industry Licensing Board

Aye: 7. Albrecht, Bostelman, Cavanaugh, M., Friesen, Geist, Hughes, Moser. Nay: 0. Absent: 1. DeBoer. Present and not voting: 0.

(Signed) Curt Friesen, Chairperson

AMENDMENT(S) - Print in Journal

Senator Wayne filed the following amendment to 917A:

[AM2640](#)

1 1. On page 2, line 1, strike "\$152,218" and insert "\$202,931".

Senator DeBoer filed the following amendment to LB873:

[AM2685](#) is available in the Bill Room.

GENERAL FILE

LEGISLATIVE BILL 1068A. Title read. Considered.

Senator Stinner offered the following amendment:

[AM2683](#)

1 1. On page 2, line 2, strike "FY2021-22" and insert "FY2022-23"; and
2 in line 3 strike "FY2022-23" and insert "FY2023-24".

The Stinner amendment was adopted with 30 ayes, 2 nays, 12 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review Initial with 29 ayes, 4 nays, 11 present and not voting, and 5 excused and not voting.

LEGISLATIVE BILL 977. Title read. Considered.

Committee [AM2310](#), found on page 835, was adopted with 34 ayes, 0 nays, 9 present and not voting, and 6 excused and not voting.

Advanced to Enrollment and Review Initial with 34 ayes, 0 nays, 9 present and not voting, and 6 excused and not voting.

LEGISLATIVE BILL 977A. Title read. Considered.

Advanced to Enrollment and Review Initial with 35 ayes, 0 nays, 7 present and not voting, and 7 excused and not voting.

LEGISLATIVE BILL 792. Title read. Considered.

Committee [AM2430](#), found on page 944, was adopted with 32 ayes, 0 nays, 9 present and not voting, and 8 excused and not voting.

Advanced to Enrollment and Review Initial with 33 ayes, 0 nays, 8 present and not voting, and 8 excused and not voting.

SENATOR ARCH PRESIDING

LEGISLATIVE BILL 927. Considered.

Committee [AM2023](#), found on page 635 and considered on page 828, was renewed.

Senator McKinney asked unanimous consent to withdraw his amendment, [AM2242](#), found on page 824 and considered on page 828, to the committee amendment and replace it with his substitute amendment, [AM2632](#), found on page 1082, to the committee amendment. No objections. So ordered.

The McKinney amendment was adopted with 28 ayes, 0 nays, 11 present and not voting, and 10 excused and not voting.

Senator B. Hansen offered his amendment, [AM2505](#), found on page 941, to the committee amendment.

The B. Hansen amendment was adopted with 29 ayes, 0 nays, 9 present and not voting, and 11 excused and not voting.

Senator M. Hansen withdrew his amendment, [FA172](#), found on page 1007.

Senator Flood withdrew his amendment, [AM2677](#), found on page 1100.

The committee amendment, as amended, was adopted with 27 ayes, 0 nays, 11 present and not voting, and 11 excused and not voting.

Advanced to Enrollment and Review Initial with 31 ayes, 0 nays, 8 present and not voting, and 10 excused and not voting.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 876. Placed on Select File with amendment. [ER162](#) is available in the Bill Room.

LEGISLATIVE BILL 750A. Placed on Select File.

(Signed) Terrell McKinney, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 426. Introduced by Clements, 2.

WHEREAS, in December 2022, John Surman, Chairperson of the Eagle Village Board of Trustees, will step down after twenty-four years of public service; and

WHEREAS, John moved to Eagle in November 1980 and was appointed to serve on the board of trustees in 1996; and

WHEREAS, John has served as chairperson on four separate occasions, spanning a total of eight years; and

WHEREAS, John has shown dedication to the community of Eagle and the state during his two decades of public service.

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

1. That the Legislature thanks John Surman for his service to his community and the state over the last two decades.
2. That a copy of this resolution be sent to John Surman.

Laid over.

LEGISLATIVE RESOLUTION 427. Introduced by Stinner, 48.

WHEREAS, Backyard Farmer, the longest running, locally-produced non-syndicated television series in the nation, is celebrating its seventieth season; and

WHEREAS, Backyard Farmer is a cooperative television program produced by the Cooperative Extension Service of the University of Nebraska-Lincoln and Nebraska Educational Television, delivering science-based information about home lawns, gardens, and landscapes with an emphasis on Nebraska; and

WHEREAS, the show is broadcast live to a statewide and regional audience and available online and through social media channels across the nation, putting Nebraska and its university front and center for this information and creating connections between the panelists and the viewers.

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

1. That the Legislature commemorates Backyard Farmer, the longest-running, locally-produced non-syndicated television series in the nation, on its seventieth season.

Laid over.

AMENDMENT(S) - Print in Journal

Senator Hilkemann filed the following amendment to LB933:

AM2641

- 1 1. Strike section 7.
- 2 2. On page 2, lines 4 and 6, strike "9" and insert "8"; and in line
- 3 21 strike "is a Class IIA felony" and insert "shall be reported to the
- 4 Board of Medicine and Surgery for appropriate disciplinary action
- 5 pursuant to subdivision (7) of section 38-179".
- 6 3. Renumber the remaining sections accordingly.

Senator Morfeld filed the following amendment to LB1045:

AM2622

(Amendments to Standing Committee amendments, AM2081)

- 1 1. Strike section 2 and insert the following new section:
- 2 Section 1. Section 49-14,101.02, Reissue Revised Statutes of
- 3 Nebraska, is amended to read:
- 4 49-14,101.02 (1) For purposes of this section, public resources
- 5 means personnel, property, resources, or funds under the official care
- 6 and control of (a) a public official or public employee or (b) a member
- 7 of a board of directors or an employee of a corporation organized under
- 8 the Electric Cooperative Corporation Act.
- 9 (2) Except as otherwise provided in this section, a public official
- 10 or public employee or a person described in subdivision (1)(b) of this
- 11 section shall not use or authorize the use of public resources for the
- 12 purpose of campaigning for or against the nomination or election of a
- 13 candidate or the qualification, passage, or defeat of a ballot question.
- 14 (3) This section does not prohibit a public official or public
- 15 employee from making government facilities available to a person for
- 16 campaign purposes if the identity of the candidate or the support for or
- 17 opposition to the ballot question is not a factor in making the
- 18 government facility available or a factor in determining the cost or
- 19 conditions of use.
- 20 (4) This section does not prohibit a governing body from discussing
- 21 and voting upon a resolution supporting or opposing a ballot question or
- 22 a public corporation organized under Chapter 70 from otherwise supporting
- 23 or opposing a ballot question concerning the sale or purchase of its
- 24 assets.
- 25 (5) This section does not prohibit a public official or a public
- 26 employee under the direct supervision of a public official from
- 1 responding to specific inquiries by the press or the public as to his or
- 2 her opinion regarding a ballot question or from providing information in
- 3 response to a request for information.
- 4 (6) This section does not prohibit a member of the Legislature from
- 5 making use of public resources in expressing his or her opinion regarding
- 6 a candidate or a ballot question or from communicating that opinion. A
- 7 member is not authorized by this section to utilize mass mailings or
- 8 other mass communications at public expense for the purpose of
- 9 campaigning for or against the nomination or election of a candidate. A
- 10 member is not authorized by this section to utilize mass mailings at
- 11 public expense for the purpose of qualifying, supporting, or opposing a
- 12 ballot question.
- 13 (7) This subsection applies to public officials other than members
- 14 of the Legislature provided for in subsection (6) of this section. This
- 15 section does not prohibit, in the normal course of his or her duties, a
- 16 public official or a public employee under the direct supervision of a
- 17 public official from using public resources to research and prepare
- 18 materials to assist the government body for which the individual is a
- 19 public official or public employee in determining the effect of the
- 20 ballot question on the government body. This section does not authorize

21 mass mailings, mass duplication, or other mass communications at public
 22 expense for the purpose of qualifying, supporting, or opposing a ballot
 23 question. Mass communications shall not include placing public records
 24 demonstrating the consequences of the passage or defeat of a ballot
 25 question affecting the government body for which the individual is a
 26 public official or public employee on existing websites of such
 27 government body.
 28 (8) Nothing in this section prohibits a public official or a
 29 director described in subdivision (1)(b) of this section from campaigning
 30 for or against the qualification, passage, or defeat of a ballot question
 31 or the nomination or election of a candidate when no public resources are
 1 used.
 2 (9) Nothing in this section prohibits a public employee or an
 3 employee described in subdivision (1)(b) of this section from campaigning
 4 for or against the qualification, passage, or defeat of a ballot question
 5 or the nomination or election of a candidate when no public resources are
 6 used. Except as otherwise provided in this section, a public employee
 7 shall not engage in campaign activity for or against the qualification,
 8 passage, or defeat of a ballot question or the nomination or election of
 9 a candidate while on government work time or when otherwise engaged in
 10 his or her official duties.
 11 (10) This section does not prohibit an employee of the Legislature
 12 from using public resources consistent with this section for the purpose
 13 of researching or campaigning for or against the qualification, passage,
 14 or defeat of a ballot question if the employee is under the direction and
 15 supervision of a member of the Legislature.
 16 (11) Nothing in this section prohibits a public official or public
 17 employee from identifying himself or herself by his or her official
 18 title.
 19 2. Renumber the remaining sections and correct the repealer
 20 accordingly.

Senator Morfeld filed the following amendment to [LB1045](#):
[AM2621](#)

(Amendments to Standing Committee amendments, AM2081)

1 1. Strike section 2 and insert the following new sections:
 2 Sec. 2. Section 70-703, Reissue Revised Statutes of Nebraska, is
 3 amended to read:
 4 70-703 Cooperative, nonprofit, membership corporations may be
 5 organized for the purpose of engaging in rural electrification and the
 6 furnishing of electric energy at retail to persons in rural areas not
 7 served with electrical energy through existing facilities within such
 8 rural areas.
 9 Sec. 3. Section 70-704, Reissue Revised Statutes of Nebraska, is
 10 amended to read:
 11 70-704 Each corporation shall have power: (1) To sue and be sued,
 12 complain, and defend, in its corporate name; (2) to have perpetual
 13 succession unless a limited period of duration is stated in its articles
 14 of incorporation; (3) to adopt a corporate seal, which may be altered at
 15 pleasure, and to use it or a facsimile thereof, as required by law; (4)
 16 to generate ~~and manufacture~~, purchase for retail distribution,
 17 ~~acquire, and accumulate~~ electric energy and to transmit, distribute, and
 18 sell ~~at retail, furnish, and dispose of~~ such electric energy; (5) to
 19 acquire, own, hold, use, exercise and, to the extent permitted by law, to
 20 sell, mortgage, pledge, hypothecate, and in any manner dispose of
 21 franchises, rights, privileges, licenses, rights-of-way, and easements
 22 necessary, useful, or appropriate; (6) to purchase, receive, lease as
 23 lessee, or in any other manner acquire, own, hold, maintain, sell,
 24 exchange, and use any and all real and personal property or any interest
 25 therein for the purposes expressed herein; (7) to borrow money and
 26 otherwise contract indebtedness, to issue its obligations therefor, and
 1 to secure the payment thereof by mortgage, pledge, or deed of trust of
 2 all or any of its property, assets, franchises, revenue, or income; (8)

3 to sell and convey, mortgage, pledge, lease as lessor, and otherwise
 4 dispose of all or any part of its property and assets; (9) to have the
 5 same powers now exercised by law by public light and power districts or
 6 private corporations to use any of the streets, highways, or public lands
 7 of the state or its political subdivisions in the manner provided by law;
 8 (10) to have and exercise the power of eminent domain for the purposes
 9 expressed in section 70-703 in the manner set forth in sections 76-704 to
 10 76-724 and to have the powers and be subject to the restrictions of
 11 electric light and power corporations and districts as regards the use
 12 and occupation of public highways and the manner or method of
 13 construction and physical operation of plants, systems, and transmission
 14 lines; (11) to accept gifts or grants of money, services, or property,
 15 real or personal; (12) to make any and all contracts necessary or
 16 convenient for the exercise of the powers granted herein; (13) to fix,
 17 regulate, and collect rates, fees, rents, or other charges for electric
 18 energy furnished by the corporation; (14) to elect or appoint officers,
 19 agents, and employees of the corporation and to define their duties and
 20 fix their compensation; (15) to make and alter bylaws not inconsistent
 21 with the articles of incorporation or with the laws of this state for the
 22 administration and regulation of the affairs of the corporation; and (16)
 23 to sell or lease its dark fiber pursuant to sections 86-574 to 86-578;
 24 and (17) to do and perform, either for itself or its members or for any
 25 other corporation organized under the Electric Cooperative Corporation
 26 Act or for the members thereof, any and all acts and things and to have
 27 and exercise any and all powers as may be necessary, convenient, or
 28 appropriate to effectuate the purpose for which the corporation is
 29 organized. Notwithstanding any law, ordinance, resolution, or regulation
 30 of any political subdivision to the contrary, each corporation may
 31 receive funds and extend loans pursuant to the Nebraska Investment
 1 Finance Authority Act.
 2 Sec. 4. Section 70-705, Reissue Revised Statutes of Nebraska, is
 3 amended to read:
 4 70-705 Any twenty or more natural persons, residents of the
 5 territory to be served by the corporation, of the age of twenty-one years
 6 or more, residents of this state, may act as incorporators of a
 7 corporation to be organized under the Electric Cooperative Corporation
 8 Act sections 70-701 to 70-738 by executing articles of incorporation as
 9 provided under the act. A corporation organized and existing under the
 10 authority of the act shall be engaged in the sale of electricity at
 11 retail to end users. Any organization or corporation not so engaged may
 12 not exercise any authority granted in the Electric Cooperative
 13 Corporation Act. ~~in said sections.~~
 14 2. Renumber the remaining sections and correct the repealer
 15 accordingly.

GENERAL FILE

LEGISLATIVE BILL 686. Considered.

Senator M. Cavanaugh withdrew her motion, [MO193](#), found and considered on page 1080, to bracket.

Senator M. Cavanaugh offered the following motion:

[MO202](#)

Bracket until April 6, 2022.

Pending.

SELECT FILE

LEGISLATIVE BILL 1024. [ER154](#), found on page 947, was adopted.

Senator Wayne offered the following amendment:
[AM2687](#) is available in the Bill Room.

SENATOR HUGHES PRESIDING

The Wayne amendment was adopted with 43 ayes, 0 nays, 1 present and not voting, and 5 excused and not voting.

Senator Wayne offered the following amendment:
[FA195](#)

Amend AM2687: 1. On page 14, line 23 strike "priority" and insert "grants"
2. On page 15, line 4 strike "nonprofit organization or political subdivision" and insert "public or private entity"

SENATOR WILLIAMS PRESIDING

The Wayne 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.

MOTION(S) - Return LB1014 to Select File

Senator Wayne moved to return LB1014 to Select File for his specific amendment, [AM2652](#), found on page 1097.

The Wayne motion to return prevailed with 35 ayes, 0 nays, 9 present and not voting, and 5 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 1014. The Wayne specific amendment, [AM2652](#), found on page 1097, was adopted with 41 ayes, 0 nays, 3 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review for Reengrossment.

LEGISLATIVE BILL 698A. Senator M. Cavanaugh withdrew her motion, [MO197](#), found and considered on page 1084, to bracket.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 741A. Senator DeBoer offered her amendment, [AM2650](#), found on page 1100.

The DeBoer amendment was adopted with 33 ayes, 0 nays, 10 present and not voting, and 6 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 750A. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 752A. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 804A. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 848A. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 1037A. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 1241A. Senator Lathrop offered his amendment, [AM2639](#), found on page 1081.

The Lathrop amendment was adopted with 35 ayes, 0 nays, 9 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 91. [ER116](#), found on page 694, was adopted.

Senator M. Cavanaugh withdrew her amendment, [FA86](#), found on page 795.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 59. Senator M. Cavanaugh withdrew her amendment, [FA87](#), found on page 796.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 75. [ER115](#), found on page 694, was adopted.

Senator M. Cavanaugh withdrew her amendment, [FA88](#), found on page 796.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 705. [ER112](#), found on page 694, was adopted.

Senator M. Cavanaugh withdrew her amendment, [FA89](#), found on page 796.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 1148. [ER114](#), found on page 695, was adopted.

Senator M. Cavanaugh withdrew her amendment, [FA90](#), found on page 796.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 971. [ER113](#), found on page 695, was adopted.

Senator M. Cavanaugh withdrew her amendment, [FA91](#), found on page 797.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 691. Senator M. Cavanaugh withdrew her amendment, [FA92](#), found on page 797.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 1178. Senator M. Cavanaugh withdrew her amendment, [FA93](#), found on page 797.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 697. Senator M. Cavanaugh withdrew her amendment, [FA94](#), found on page 799.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 697A. [ER152](#), found on page 950, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 824. [ER134](#), found on page 771, was adopted.

Senator M. Cavanaugh withdrew her amendment, [FA95](#), found on page 799.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 795. Senator M. Cavanaugh withdrew her amendment, [FA96](#), found on page 799.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 1147. [ER133](#), found on page 772, was adopted.

Senator M. Cavanaugh withdrew her amendment, [FA97](#), found on page 799.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 807. Senator M. Cavanaugh withdrew her amendment, [FA98](#), found on page 800.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 779. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 808. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 1092. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 1204. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 1184. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 1165. Advanced to Enrollment and Review for Engrossment.

SPEAKER HILGERS PRESIDING

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LRs 350, 352, 353, 356, 357, and 358 were adopted.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LRs 350, 352, 353, 356, 357, and 358.

SENATOR WILLIAMS PRESIDING

SELECT FILE

LEGISLATIVE BILL 855. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 905. [ER145](#), found on page 874, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 1082. [ER147](#), found on page 889, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 1137. [ER146](#), found on page 889, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 742. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 983. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 908. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 856. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 1007. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 829. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 851. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 1124. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 1057. [ER149](#), found on page 889, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 29. Senator Wayne offered his amendment, [AM2390](#), found on page 873.

The Wayne amendment was adopted with 35 ayes, 0 nays, 9 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

AMENDMENT(S) - Print in Journal

Senator DeBoer filed the following amendment to LB1045:

[AM2623](#)

(Amendments to Standing Committee amendments, AM2081)

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

Senator Brewer filed the following amendment to LB843:

[AM2689](#)

(Amendments to Standing Committee amendments, AM2075)

- 1 1. Strike section 43 and insert the following new section:
- 2 Sec. 43. (1) The Secretary of State, election commissioners, and
- 3 county clerks shall not accept or use any gift, grant, or donation from
- 4 any private entity for the purpose of preparing for, administering, or
- 5 conducting an election unless the money received as a result of such
- 6 gift, grant, or donation is appropriated to the Secretary of State for
- 7 such use by the Legislature.
- 8 (2) This section does not prohibit (a) the acceptance of an in-kind
- 9 contribution of food or beverages for election workers during the
- 10 administration of an election or (b) the actual use of a public or
- 11 private building, without charge or for a reduced fee, for the purposes
- 12 of conducting an election, including use as a polling place or for
- 13 election training purposes.
- 14 2. On page 15, strike lines 17 and 18.
- 15 3. On page 34, strike lines 5 and 6.
- 16 4. On page 43, strike lines 8 through 10.

Senator M. Hansen filed the following amendment to LB1045:

[AM2624](#)

(Amendments to Standing Committee amendments, AM2081)

- 1 1. Strike section 3.
- 2 2. On page 5, line 1, strike "Reliable or reliability" and insert
- 3 "Reliability".
- 4 3. Renumber the remaining sections and correct the repealer
- 5 accordingly.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Vargas name added to LB741.

Senator Vargas name added to LB1069.

VISITOR(S)

Visitors to the Chamber were fourth-grade students from Fire Ridge Elementary, Elkhorn; fourth-grade students including Senator Dorn's granddaughter, Deighton, and their teachers from Freeman Elementary, Adams; high school students and their teacher from Southwest High School, Bartley; fourth-grade students and their teachers from Seymour Elementary, Ralston; and fourth-grade students from Rockbrook Elementary, Omaha.

The Doctor of the Day was Dr. Josue Gutierrez of Crete.

ADJOURNMENT

At 2:58 p.m., on a motion by Senator Stinner, the Legislature adjourned until 9:00 a.m., Tuesday, April 5, 2022.

Patrick J. O'Donnell
Clerk of the Legislature

