

**CARRYOVER
LEGISLATION**

**Bill Titles and Resolutions
Introduced in the
One Hundred Seventh Legislature, First Session, 2021,
and Pending Before the
One Hundred Seventh Legislature, Second Session, 2022**

January 5, 2022

03-01-10-2021

STATUS OF CARRYOVER

BILLS

AND

RESOLUTIONS

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General File (112): (323A 496A) 91 48 97 LR20CA 47 155 245 453 59 283 514
203 242 250 660 332 251 243 243A 587 587A 38 344 344A 631 436 75 86 136
210 178 408 555 446 467 124 444 471 333 19 19A 121 592 359 359A 294 442
442A 443 233 352 20 117 137 473 473A 13 445 49 440 301 357 377 599 200
641 198 325 437 310 378 211 629 28 204 661 215 16 498 498A 50 258 258A
598 214 292 364 567 454 454A 569 516 626 474 474A 525 LR11CA 542 431
135 290 290A 450 73 523 194 557 489 502 LR14

Select File (15): (241 - 6/10/21) 323 510 88 281 529 529A 132 132A 496 568
376 376A 54 298

Failed on Final Reading (1): 452A

BILLS HELD BY COMMITTEES:

Agriculture (5): 235 571 584 614 LR24

Appropriations (35): 27 42 140 141 142 192 193 208 225 264 279 304 340 341
342 353 361 391 421 426 438 449 462 464 465 469 488 493 526 576 585 588
646 662 671

Bank., Com. & Ins. (12): 30 270 280 314 375 439 530 535 602 612 648 654

Business & Labor (14): 122 171 172 207 249 420 441 463 480 512 594 632 667
684

Education (17): 36 60 153 286 287 289 518 550 565 607 623 640 642 651 675
LR13CA LR21CA

Executive Board (16): 107 123 212 393 409 605 657 658 659 LR18CA LR28
LR107 LR118 LR121 LR130 LR159

General Affairs (11): 72 80 311 511 536 545 560 578 580 608 LR26CA

Gov., Mil. & Vet. Affs. (34): 8 11 29 43 61 76 112 125 158 179 188 195 213
257 263 267 284 303 345 349 362 424 435 475 477 482 577 590 635 652
LR3CA LR10CA LR24CA LR27CA

Hlth. & Human Serv. (31): 15 67 68 127 129 183 202 238 262 328 356 374 392
413 416 418 425 427 429 447 490 491 494 495 541 554 609 637 643 645 677

Judiciary (116): 7 31 32 33 34 45 46 52 53 56 71 85 89 95 102 104 109 110 111
114 116 118 119 120 128 130 138 150 151 157 160 167 173 186 187 196 199
201 205 206 216 217 227 229 230 231 244 246 259 268 269 276 277 278 282
300 308 309 315 319 321 326 330 331 334 335 348 358 360 370 394 397 402
403 404 417 419 458 470 472 481 484 492 499 505 517 519 537 543 546 548
551 552 559 563 593 601 603 620 621 624 634 636 638 663 LR2CA LR85
LR248 LR249 LR253 LR254 LR256 LR257 LR258 LR259 LR260

Natural Resources (24): 190 191 223 266 305 395 399 468 483 506 513 562 573
589 591 606 615 617 618 627 668 683 LR48 LR102

Nebr. Ret. Sys. (8): 24 144 145 146 184 478 582 586

Redistricting (0):

Revenue (37): 79 98 115 133 134 165 175 176 182 237 299 329 346 347 350
367 410 422 430 433 434 457 524 531 547 564 596 597 611 613 622 655 672
676 679 680 LR22CA

Trans. & Telecom. (25): 12 82 164 226 293 339 398 455 456 460 486 504 508
520 522 534 539 575 581 600 604 610 619 633 670

Urban Affairs (10): 96 168 219 220 221 228 515 553 653 LR49

(Totals in parentheses include bills, A bills, and resolutions of each section.)

TITLES TO BILLS

LEGISLATIVE BILL 7. Introducer by Blood, 3; Day, 49.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-801 and 28-801.01, Reissue Revised Statutes of Nebraska, and sections 28-101, 28-416, and 28-441, Revised Statutes Cumulative Supplement, 2020; to provide immunity from arrest and prosecution for certain controlled substances and prostitution violations by witnesses and victims of violent crimes and persons cooperating with law enforcement; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 8. Introducer by Blood, 3; Hunt, 8; McCollister, 20; Morfeld, 46; Dorn, 30; Hansen, M., 26; Cavanaugh, M., 6; Day, 49; Cavanaugh, J., 9; Wayne, 13; McDonnell, 5; Pansing Brooks, 28.

A BILL FOR AN ACT relating to the Nebraska Political Accountability and Disclosure Act; to amend section 49-1403, Reissue Revised Statutes of Nebraska, and sections 49-1401, 49-1463.01, 49-1467, and 49-1469, Revised Statutes Cumulative Supplement, 2020; to define a term; to change reporting requirements for independent expenditures; to require reporting regarding electioneering communications; to provide for late filing fees; to provide a penalty; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 11. Introducer by Blood, 3; McCollister, 20; Hansen, M., 26; Hunt, 8.

A BILL FOR AN ACT relating to the Election Act; to amend sections 32-312.02, 32-808, 32-941, and 32-943, Reissue Revised Statutes of Nebraska, and sections 32-312 and 32-330, Revised Statutes Cumulative Supplement, 2020; to change requirements to register to vote, availability of voter registration information, and provisions regarding ballots for early voting; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 12. Introducer by Blood, 3; Cavanaugh, J., 9; Hansen, M., 26; Morfeld, 46; Wayne, 13.

A BILL FOR AN ACT relating to transportation; to require the Department of Transportation to conduct a commuter rail service study and report.

LEGISLATIVE BILL 13. Introducer by Blood, 3.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-1206, Revised Statutes Cumulative Supplement, 2020; to prohibit possession of a deadly weapon by a person in this state subject to a valid foreign protection order relating to domestic or family abuse; and to repeal the original section.

LEGISLATIVE BILL 15. Introducer by Blood, 3; Hilkemann, 4; Day, 49; Murman, 38.

A BILL FOR AN ACT relating to occupational therapy; to amend section 38-2516, Reissue Revised Statutes of Nebraska; to adopt the Occupational Therapy Practice

Interstate Compact; to authorize practice as an occupational therapist or occupational therapy assistant as prescribed; and to repeal the original section.

LEGISLATIVE BILL 16. Introducer by Kolterman, 24.

A BILL FOR AN ACT relating to the Judges Retirement Act; to amend section 24-703, Reissue Revised Statutes of Nebraska; to provide for state contributions to the Nebraska Retirement Fund for Judges as prescribed; to harmonize provisions; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 19. Introducer by Kolterman, 24; Blood, 3.

A BILL FOR AN ACT relating to the Cosmetology, Electrology, Esthetics, Nail Technology, and Body Art Practice Act; to amend sections 38-1008, 38-1033, 38-1035, 38-1037, 38-1040, 38-1041, 38-1044, 38-1053, 38-1054, 38-1055, 38-1060, 38-1064, 38-10,167, and 38-10,169, Reissue Revised Statutes of Nebraska, and sections 38-1001, 38-1004, 38-1061, 38-1062, 38-1066, 38-1067, 38-1069, 38-1075, 38-10,128, and 38-10,171, Revised Statutes Cumulative Supplement, 2020; to define and redefine terms; to change provisions relating to permanent color technology and licensure by examination; to provide for registration of a guest body artist and licensure of a temporary body art facility and a nail technology apprentice salon; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 19A. Introducer by Kolterman, 24.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 19, One Hundred Seventh Legislature, First Session, 2021.

LEGISLATIVE BILL 20. Introducer by Blood, 3; Hunt, 8; Day, 49; Cavanaugh, J., 9; Pansing Brooks, 28; Hansen, M., 26.

A BILL FOR AN ACT relating to public health and welfare; to amend section 68-901, Revised Statutes Cumulative Supplement, 2020; to provide requirements for insurance coverage of prescribed contraceptives and obtaining prescribed contraceptives under the medical assistance program; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 24. Introducer by Kolterman, 24; Lathrop, 12.

A BILL FOR AN ACT relating to the Nebraska Judges Retirement System; to amend sections 24-703, 33-106.02, 33-123, 33-124, 33-125, 33-126.02, 33-126.03, and 33-126.06, Reissue Revised Statutes of Nebraska, and section 25-2804, Revised Statutes Cumulative Supplement, 2020; to change the Nebraska Retirement Fund for Judges fee and remittance procedures; to change distribution of certain court fees relating to the Nebraska Retirement Fund for Judges; to eliminate obsolete provisions; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 27. Introducer by Wayne, 13.

A BILL FOR AN ACT relating to appropriations; to state intent relating to appropriations to the Nebraska State Historical Society as prescribed; and to declare an emergency.

LEGISLATIVE BILL 28. Introducer by Wayne, 13.

A BILL FOR AN ACT relating to criminal procedure; to amend sections 29-2101 and 29-2103, Reissue Revised Statutes of Nebraska; to change provisions relating to motions for a new trial; to provide for applicability; and to repeal the original sections.

LEGISLATIVE BILL 29. Introducer by Wayne, 13; Hunt, 8.

A BILL FOR AN ACT relating to holidays; to amend sections 25-2221 and 62-301, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to holidays; and to repeal the original sections.

LEGISLATIVE BILL 30. Introducer by Wayne, 13; Hunt, 8.

A BILL FOR AN ACT relating to insurance; to limit the cost of prescription insulin drugs; and to provide a duty for the Revisor of Statutes.

LEGISLATIVE BILL 31. Introducer by Wayne, 13.

A BILL FOR AN ACT relating to courts; to state findings; to define terms; to authorize punitive damages as prescribed; and to require punitive damages to be appropriated for the use of the common schools.

LEGISLATIVE BILL 32. Introducer by Pansing Brooks, 28.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-111, 28-204, 28-320.01, 28-320.02, 28-1205, 28-1212.02, 28-1212.04, 28-1463.04, and 29-2204.02, Reissue Revised Statutes of Nebraska, and sections 28-101, 28-105, 28-115, 28-201, 28-202, 28-416, 28-813.01, 28-929, 28-1206, 28-1463.05, 29-1816, and 83-1,122.01, Revised Statutes Cumulative Supplement, 2020; to provide for new felony classifications; to change penalties; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 33. Introducer by Pansing Brooks, 28.

A BILL FOR AN ACT relating to criminal procedure; to amend section 29-2204, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to sentencing; and to repeal the original section.

LEGISLATIVE BILL 34. Introducer by Pansing Brooks, 28; Vargas, 7; Wayne, 13.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-105.02 and 29-2204.02, Reissue Revised Statutes of Nebraska, and sections 28-105, 28-105.01, and 29-2204, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to sentences for certain offenses committed by persons under

twenty-one years of age; to require consideration of certain factors at sentencing; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 36. Introducer by Erdman, 47; Brewer, 43; Clements, 2; Halloran, 33; McDonnell, 5; Gragert, 40.

A BILL FOR AN ACT relating to schools; to require display of the national motto; to authorize contributions; and to provide duties for the Attorney General.

LEGISLATIVE BILL 38. Introducer by Lindstrom, 18.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-1113, 77-2505, and 77-2909, Reissue Revised Statutes of Nebraska; to change provisions related to certain tax credits and retaliatory taxes as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 42. Introducer by Dorn, 30.

A BILL FOR AN ACT relating to the Hall of Fame Trust Fund; to amend section 72-729.01, Reissue Revised Statutes of Nebraska; to provide for transfers of funds from the General Fund; to state intent regarding transfers of funds; and to repeal the original section.

LEGISLATIVE BILL 43. Introducer by Hansen, M., 26.

A BILL FOR AN ACT relating to elections; to amend sections 11-119, 11-125, 11-126, 22-417, 32-207, 32-211, 32-213, 32-214, 32-217, 32-218, 32-219, 32-242, 32-555, 32-615, 32-811, 32-1049, and 32-1201, Reissue Revised Statutes of Nebraska, and sections 11-105, 11-115, 23-405, 23-2518, 32-101, and 32-208, Revised Statutes Cumulative Supplement, 2020; to provide for election of election commissioners; to change and eliminate provisions related to official bonds, consolidation of county offices, deputy county clerks for elections, civil service commissions, chief deputy election commissioners, removal from office, and vacancies; to harmonize provisions; to provide operative dates; to repeal the original sections; to outright repeal sections 32-209 and 32-210, Reissue Revised Statutes of Nebraska; and to declare an emergency.

LEGISLATIVE BILL 45. Introducer by Hansen, M., 26; Hunt, 8.

A BILL FOR AN ACT relating to the Uniform Residential Landlord and Tenant Act; to eliminate continuance provisions that allow for continuances only for extraordinary causes and require deposits of rental payments; and to outright repeal section 76-1443, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 46. Introducer by Hansen, M., 26; Hunt, 8.

A BILL FOR AN ACT relating to the Uniform Residential Landlord and Tenant Act; to amend sections 76-1442 and 76-1446, Reissue Revised Statutes of Nebraska; to eliminate an alternative service provision; to harmonize provisions; to repeal the original sections; and to outright repeal section 76-1442.01, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 47. Introducer by Hansen, M., 26.

A BILL FOR AN ACT relating to children and families; to amend section 43-512.03, Reissue Revised Statutes of Nebraska, and section 42-369, Revised Statutes Cumulative Supplement, 2020; to require notice of obligee remedies in child support orders; to make obligees parties to certain child support enforcement proceedings; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 48. Introducer by Hansen, M., 26; Hunt, 8.

A BILL FOR AN ACT relating to marriage; to amend sections 42-102, 42-373, and 42-375, Reissue Revised Statutes of Nebraska; to eliminate a disqualification for marriage and change provisions relating to annulments; and to repeal the original sections.

LEGISLATIVE BILL 49. Introducer by Hansen, M., 26; Blood, 3; Hunt, 8.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-1418, Revised Statutes Cumulative Supplement, 2020; to change the penalty for use of tobacco or a nicotine product by a person under the age of twenty-one; and to repeal the original section.

LEGISLATIVE BILL 50. Introducer by Groene, 42.

A BILL FOR AN ACT relating to the Licensing of Truth and Deception Examiners Act; to amend sections 81-1902, 81-1903, 81-1910, 81-1914, 81-1915, 81-1916, 81-1917, 81-1918, 81-1919, 81-1923, 81-1924, 81-1925, 81-1928, 81-1930, 81-1934, 81-1935, and 81-1936, Reissue Revised Statutes of Nebraska; to change provisions relating to voice analysis examiners and voice stress analyzers; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 52. Introducer by Lathrop, 12.

A BILL FOR AN ACT relating to civil actions; to provide for immunity for injury or death resulting from COVID-19 exposure; and to define terms.

LEGISLATIVE BILL 53. Introducer by Lathrop, 12.

A BILL FOR AN ACT relating to the Nebraska Hospital-Medical Liability Act; to amend section 44-2855, Reissue Revised Statutes of Nebraska; to provide for immunity for health care providers acting in conformance with the crisis standard of care during a COVID-19 state of emergency; to define terms; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 54. Introducer by Lathrop, 12.

A BILL FOR AN ACT relating to tort claims; to amend sections 13-910 and 81-8,219, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to claims for certain intentional torts; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 56. Introducer by Lathrop, 12; Hunt, 8.

A BILL FOR AN ACT relating to the Nebraska Treatment and Corrections Act; to amend section 83-1,110, Reissue Revised Statutes of Nebraska, and section 83-1,102, Revised Statutes Cumulative Supplement, 2020; to provide powers and duties with respect to the administration and supervision of parole; to change provisions relating to eligibility for parole and provide for applicability; and to repeal the original sections.

LEGISLATIVE BILL 59. Introducer by Stinner, 48; Blood, 3; Hunt, 8.

A BILL FOR AN ACT relating to the Nebraska Tourism Commission; to amend sections 81-3728, 81-3729, and 81-3730, Revised Statutes Cumulative Supplement, 2020; to provide powers and duties regarding tourism promotional products; to provide and change provisions regarding revenue received by the commission; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 60. Introducer by Kolterman, 24.

A BILL FOR AN ACT relating to community colleges; to amend sections 85-1402, 85-1517, 85-1520, 85-1521, and 85-1535, Reissue Revised Statutes of Nebraska, and section 77-3442, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to tax levies as prescribed; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 61. Introducer by Kolterman, 24; Blood, 3.

A BILL FOR AN ACT relating to state government; to amend section 73-504, Reissue Revised Statutes of Nebraska; to provide formal protest procedures for certain contracts for services; to provide duties for the Department of Administrative Services; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 67. Introducer by Day, 49; Blood, 3.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend section 68-907, Reissue Revised Statutes of Nebraska; to change and eliminate definitions relating to school-based health centers; and to repeal the original section.

LEGISLATIVE BILL 68. Introducer by Day, 49; Blood, 3.

A BILL FOR AN ACT relating to social services; to amend section 68-1206, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to when a provider may be reimbursed for services provided to an absent child; and to repeal the original section.

LEGISLATIVE BILL 71. Introducer by Wayne, 13.

A BILL FOR AN ACT relating to tort claims; to amend sections 13-901 and 81-8,235, Reissue Revised Statutes of Nebraska, and sections 13-910 and 81-8,219, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to

claims for certain intentional torts; to provide for applicability; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 72. Introducer by Geist, 25; Blood, 3; Lowe, 37; Hunt, 8; Hansen, M., 26; Vargas, 7; Brandt, 32.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend sections 53-123.04 and 53-124, Revised Statutes Cumulative Supplement, 2020; to provide for the sale of alcoholic liquor not in the original package as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 73. Introducer by Geist, 25; McDonnell, 5; Brewer, 43.

A BILL FOR AN ACT relating to the Nebraska Racetrack Gaming Act; to amend section 4, Initiative Law 2020, No. 431; to change provisions relating to the distribution of funds collected under the Nebraska Racetrack Gaming Act; and to repeal the original section.

LEGISLATIVE BILL 75. Introducer by Gragert, 40; Murman, 38.

A BILL FOR AN ACT relating to county government; to amend sections 23-299 and 51-201, Reissue Revised Statutes of Nebraska; to change provisions relating to the discontinuance of township organization in any county with a township library; to change provisions relating to the levying and collection of tax for certain libraries; and to repeal the original sections.

LEGISLATIVE BILL 76. Introducer by Slama, 1; Murman, 38; Lindstrom, 18.

A BILL FOR AN ACT relating to presidential electors; to amend sections 32-710, 32-713, 32-714, and 32-1038, Reissue Revised Statutes of Nebraska; to change apportionment of Nebraska's electoral college votes; and to repeal the original sections.

LEGISLATIVE BILL 79. Introducer by Briese, 41.

A BILL FOR AN ACT relating to property taxes; to amend section 77-4212, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to the minimum amount of relief granted under the Property Tax Credit Act; and to repeal the original section.

LEGISLATIVE BILL 80. Introducer by Briese, 41.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-124.01, Revised Statutes Cumulative Supplement, 2020; to decrease annual shipping license fees for manufacture direct sales and retail direct sales; and to repeal the original section.

LEGISLATIVE BILL 82. Introducer by Hilkeemann, 4.

A BILL FOR AN ACT relating to the Motor Vehicle Registration Act; to amend section 60-3,187, Revised Statutes Cumulative Supplement, 2020; to change the

motor vehicle tax schedule fractions; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 85. Introducer by Bostelman, 23; Brewer, 43; Clements, 2.

A BILL FOR AN ACT relating to the Concealed Handgun Permit Act; to amend section 69-2436, Reissue Revised Statutes of Nebraska; to provide for notice of expiration of a permit by the Nebraska State Patrol; to eliminate an obsolete provision; and to repeal the original section.

LEGISLATIVE BILL 86. Introducer by Bostelman, 23.

A BILL FOR AN ACT relating to public health and welfare; to amend sections 38-101 and 71-2454, Revised Statutes Cumulative Supplement, 2020; to require certain credential holders to register for the prescription drug monitoring system; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 88. Introducer by Morfeld, 46; Blood, 3; Hansen, M., 26; Hunt, 8; Cavanaugh, M., 6; Slama, 1; McDonnell, 5; Flood, 19.

A BILL FOR AN ACT relating to journalism; to define terms; to provide protection for freedom of speech and freedom of the press for student journalists; to provide protection for student media advisers; and to provide exceptions.

LEGISLATIVE BILL 89. Introducer by Morfeld, 46; Hunt, 8.

A BILL FOR AN ACT relating to minors; to amend section 43-2101, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to the age of majority; and to repeal the original section.

LEGISLATIVE BILL 91. Introducer by Brandt, 32.

A BILL FOR AN ACT relating to the Nebraska Seed Law; to amend sections 81-2,147.02, 81-2,147.03, and 81-2,147.06, Reissue Revised Statutes of Nebraska, and section 81-2,147.01, Revised Statutes Cumulative Supplement, 2020; to define and redefine terms; to change provisions for seed relating to labeling, germination testing, and tetrazolium (TZ) testing; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 95. Introducer by DeBoer, 10.

A BILL FOR AN ACT relating to civil procedure; to amend section 25-1056, Reissue Revised Statutes of Nebraska; to change provisions relating to garnishment summonses; and to repeal the original section.

LEGISLATIVE BILL 96. Introducer by DeBoer, 10.

A BILL FOR AN ACT relating to sanitary and improvement districts; to amend section 31-745, Reissue Revised Statutes of Nebraska; to change hearing and notice requirements as prescribed; and to repeal the original section.

LEGISLATIVE BILL 97. Introducer by DeBoer, 10; Hunt, 8.

A BILL FOR AN ACT relating to adoptions; to amend sections 43-101, 43-104, 43-104.08, 43-104.13, 43-104.15, 43-104.18, 43-104.19, 43-107, 43-108, 43-111, 43-111.01, 43-112, 43-115, and 43-146.01, Reissue Revised Statutes of Nebraska, and sections 43-102 and 43-1411, Revised Statutes Cumulative Supplement, 2020; to provide for adoption by two persons jointly; to define a term; to change provisions relating to consent to adoption, home studies, and terminology; to eliminate obsolete provisions; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 98. Introducer by Walz, 15.

A BILL FOR AN ACT relating to property taxes; to amend sections 77-1344 and 77-1347, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to agricultural or horticultural land receiving special valuation; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 102. Introducer by Dorn, 30.

A BILL FOR AN ACT relating to courts; to amend sections 22-417, 23-120, 23-121, 24-337.04, 24-507, 32-524, 33-106.02, and 43-512.05, Reissue Revised Statutes of Nebraska; to authorize county boards to eliminate the office of elected clerk of the district court as prescribed; to change provisions relating to consolidation of county offices, duties of counties to supply materials, and residency requirements for elected clerks of the district courts; to provide for transitioning the duties of clerk of the district court in certain counties to clerk magistrates; to change certain county employees to state employees; to change provisions relating to elections for clerks of the district court; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 104. Introducer by Friesen, 34.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-519, Reissue Revised Statutes of Nebraska; to provide for aggregation of pecuniary losses for criminal mischief violations; and to repeal the original section.

LEGISLATIVE BILL 107. Introducer by McCollister, 20; DeBoer, 10; Vargas, 7; Hunt, 8.

A BILL FOR AN ACT relating to redistricting; to adopt the Redistricting Act; and to declare an emergency.

LEGISLATIVE BILL 109. Introducer by Pansing Brooks, 28; Hunt, 8; Vargas, 7; Wayne, 13; McKinney, 11; Hansen, M., 26.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-906, Reissue Revised Statutes of Nebraska; to change provisions relating to obstruction of a peace officer; and to repeal the original section.

LEGISLATIVE BILL 110. Introducer by Pansing Brooks, 28; Hunt, 8; Vargas, 7; Wayne, 13; McKinney, 11.

A BILL FOR AN ACT relating to the use of force; to amend sections 28-1406, 28-1409, 28-1412, and 28-1414, Reissue Revised Statutes of Nebraska; to require a peace officer to intervene in cases of excessive force; to require reports; to prohibit retaliation; to define and redefine terms; to change provisions relating to affirmative defenses for the use of force in law enforcement; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 111. Introducer by Albrecht, 17.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-519, 28-524, and 29-2221, Reissue Revised Statutes of Nebraska, and sections 28-101, 28-115, 28-929, 28-929.01, 28-929.02, 28-930, 28-931, 28-934, 28-1351, 28-1354, and 29-901, Revised Statutes Cumulative Supplement, 2020; to change and eliminate provisions and penalties relating to offenses involving assault on an officer, emergency responder, certain employees, or a health care professional; to define and redefine terms; to change provisions and penalties relating to criminal mischief and unauthorized application of graffiti; to require restitution as prescribed; to prohibit certain acts involving laser pointers and other devices, rioting, inciting a riot, disrupting public meetings, and obstructing a public way; to change provisions relating to bail; to provide penalties; to harmonize provisions; to repeal the original sections; and to outright repeal section 28-931.01, Revised Statutes Cumulative Supplement, 2020.

LEGISLATIVE BILL 112. Introducer by Albrecht, 17; Brewer, 43.

A BILL FOR AN ACT relating to the Open Meetings Act; to amend section 84-1412, Reissue Revised Statutes of Nebraska; to require a public body to allow members of the public an opportunity to speak at each meeting; and to repeal the original section.

LEGISLATIVE BILL 114. Introducer by McCollister, 20; Hunt, 8.

A BILL FOR AN ACT relating to criminal procedure; to adopt the Clean Slate Act.

LEGISLATIVE BILL 115. Introducer by McCollister, 20.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2704.24 and 77-27,132, Reissue Revised Statutes of Nebraska, and section 71-7611, Revised Statutes Cumulative Supplement, 2020; to impose sales and use taxes on candy and soft drinks; to distribute sales tax proceeds to the Nebraska Health Care Cash Fund as prescribed; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 116. Introducer by McCollister, 20; Hunt, 8.

A BILL FOR AN ACT relating to firearms; to amend sections 69-2404, 69-2405, 69-2406, 69-2426, and 69-2432, Reissue Revised Statutes of Nebraska; to change provisions relating to handgun transfer certificates; to change a fee; to provide for dissemination of information regarding firearm safety and suicide prevention and require suicide prevention training; to change provisions relating to appeals; to

provide penalties; to define a term; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 117. Introducer by Cavanaugh, M., 6; McKinney, 11; Hansen, M., 26; Hunt, 8.

A BILL FOR AN ACT relating to schools; to amend section 79-10,137, Reissue Revised Statutes of Nebraska; to adopt the Hunger-Free Schools Act; to restate legislative findings; to eliminate provisions relating to reimbursement for school breakfast programs; to repeal the original section; and to outright repeal sections 79-10,138 and 79-10,139, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 118. Introducer by Morfeld, 46.

A BILL FOR AN ACT relating to protection orders; to amend sections 28-311.09, 28-311.11, 42-924, and 42-924.02, Revised Statutes Cumulative Supplement, 2020; to change the duration of harassment, sexual assault, and domestic abuse protection orders from one year to five years; to change requirements for affidavits; and to repeal the original sections.

LEGISLATIVE BILL 119. Introducer by Cavanaugh, M., 6; Blood, 3; McKinney, 11; Hunt, 8.

A BILL FOR AN ACT relating to the Healthy Pregnancies for Incarcerated Women Act; to amend sections 47-1001 and 47-1003, Revised Statutes Cumulative Supplement, 2020; to define terms; to provide for breastfeeding and milk expression by a prisoner or detainee and for a mother and infant to live together; to require a parent separation policy; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 120. Introducer by Hunt, 8; Blood, 3; Pansing Brooks, 28; Hansen, M., 26; DeBoer, 10; Cavanaugh, J., 9.

A BILL FOR AN ACT relating to discrimination; to amend sections 18-1724, 23-2525, 23-2531, 23-2541, 29-401, 48-215, 48-1101, 48-1104, 48-1105, 48-1106, 48-1107, 48-1113, 48-1115, 48-1122, 48-1124, 49-801, 81-1355, and 81-1356, Reissue Revised Statutes of Nebraska, and sections 48-628.13, 48-1111, 48-1117, and 48-1119, Revised Statutes Cumulative Supplement, 2020; to prohibit discrimination based upon sexual orientation and gender identity as prescribed; to define terms; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 121. Introducer by Hunt, 8; Blood, 3; McCollister, 20; McKinney, 11; Pansing Brooks, 28; Kolterman, 24.

A BILL FOR AN ACT relating to public assistance; to amend section 68-1017.02, Reissue Revised Statutes of Nebraska; to change provisions relating to eligibility for Supplemental Nutrition Assistance Program benefits as prescribed; and to repeal the original section.

LEGISLATIVE BILL 122. Introducer by Hunt, 8.

A BILL FOR AN ACT relating to the Wage and Hour Act; to amend section 48-1203, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to the minimum wage; and to repeal the original section.

LEGISLATIVE BILL 123. Introducer by Cavanaugh, M., 6.

A BILL FOR AN ACT relating to the Legislative Council; to amend section 50-410, Reissue Revised Statutes of Nebraska; to change provisions regarding certain meetings; and to repeal the original section.

LEGISLATIVE BILL 124. Introducer by McCollister, 20.

A BILL FOR AN ACT relating to the Office of Inspector General of the Nebraska Correctional System Act; to amend section 47-918, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to reports; and to repeal the original section.

LEGISLATIVE BILL 125. Introducer by McCollister, 20; Hunt, 8; Blood, 3.

A BILL FOR AN ACT relating to the Election Act; to amend sections 32-801, 32-812, 32-813, 32-817, 32-1003, 32-1004, 32-1005, 32-1006, 32-1119, and 32-1122, Reissue Revised Statutes of Nebraska, and sections 32-101, 32-103, 32-202, 32-816, 32-901, and 32-1008, Revised Statutes Cumulative Supplement, 2020; to define terms; to provide for ranked-choice voting for certain offices; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 127. Introducer by Cavanaugh, M., 6.

A BILL FOR AN ACT relating to the Nebraska Juvenile Code; to amend section 43-284.02, Reissue Revised Statutes of Nebraska; to change provisions relating to payments to guardians of former wards; and to repeal the original section.

LEGISLATIVE BILL 128. Introducer by McCollister, 20; Hunt, 8; Hansen, M., 26.

A BILL FOR AN ACT relating to civil actions; to adopt the Residential Tenant Clean Slate Act; and to provide an operative date.

LEGISLATIVE BILL 129. Introducer by McCollister, 20; Hunt, 8.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend section 68-949, Reissue Revised Statutes of Nebraska, and section 68-915, Revised Statutes Cumulative Supplement, 2020; to provide for eligibility for certain children; to provide duties; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 130. Introducer by McCollister, 20; Hunt, 8.

A BILL FOR AN ACT relating to the Board of Parole; to amend sections 83-189 and 83-190, Reissue Revised Statutes of Nebraska; to change membership provisions; and to repeal the original sections.

LEGISLATIVE BILL 132. Introducer by DeBoer, 10; Brandt, 32; Dorn, 30; Hilkemann, 4; McCollister, 20; McKinney, 11; Stinner, 48; Walz, 15; Wishart, 27; Hansen, M., 26; Hunt, 8; Kolterman, 24.

A BILL FOR AN ACT relating to school finance; to create the School Financing Review Commission; to provide powers and duties; and to declare an emergency.

LEGISLATIVE BILL 132A. Introducer by DeBoer, 10.

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

LEGISLATIVE BILL 133. Introducer by Erdman, 47; Albrecht, 17; Brewer, 43; Briese, 41; Clements, 2; Halloran, 33; Lowe, 37; McDonnell, 5; Murman, 38.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 13-501, 13-2813, 77-201, 77-2004, 77-2005, 77-2006, 77-27,148, 77-3507, and 85-2231, Reissue Revised Statutes of Nebraska, and sections 13-319, 18-2147, 77-2701, 77-3506, 77-3508, 77-6406, 77-6827, 79-1001, and 84-612, Revised Statutes Cumulative Supplement, 2020; to adopt the Nebraska EPIC Consumption Tax Act; to terminate the Nebraska Budget Act, tax-increment financing, the property tax, the inheritance tax, sales and use taxes, the income tax, the homestead exemption, the Tax Equity and Educational Opportunities Support Act, and the Community College Aid Act as prescribed; to change an application deadline under the Imagine Nebraska Act; to transfer funds from the Cash Reserve Fund; and to repeal the original sections.

LEGISLATIVE BILL 134. Introducer by Brandt, 32; Blood, 3; Day, 49; DeBoer, 10; Dorn, 30; Friesen, 34; Gragert, 40; Halloran, 33; Hunt, 8; McCollister, 20; Murman, 38; Pansing Brooks, 28; Vargas, 7; Walz, 15; Wayne, 13; Wishart, 27.

A BILL FOR AN ACT relating to tax incentive programs; to amend sections 77-27,187.02 and 77-5723, Reissue Revised Statutes of Nebraska, and sections 77-2711, 77-27,119, 77-6828, 84-602.01, 84-602.03, and 84-602.04, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to the disclosure and confidentiality of information on tax incentive programs; to change the Taxpayer Transparency Act to require the posting and reporting of information relating to tax incentive programs; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 135. Introducer by Wishart, 27; DeBoer, 10; Hunt, 8; Brandt, 32.

A BILL FOR AN ACT relating to the Special Education Act; to amend sections 79-1142 and 79-1145, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to reimbursements; to eliminate obsolete provisions; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 136. Introducer by Vargas, 7.

A BILL FOR AN ACT relating to the Student Discipline Act; to amend section 79-265, Reissue Revised Statutes of Nebraska; to change procedures regarding short-term suspensions; and to repeal the original section.

LEGISLATIVE BILL 137. Introducer by Vargas, 7.

A BILL FOR AN ACT relating to the Step Up to Quality Child Care Act; to amend section 71-1962, Revised Statutes Cumulative Supplement, 2020; to change reporting requirements for the Nebraska Early Childhood Professional Record System; and to repeal the original section.

LEGISLATIVE BILL 138. Introducer by Vargas, 7; Hunt, 8.

A BILL FOR AN ACT relating to immigration; to require law enforcement agencies, jails, and the Nebraska State Patrol to provide notice prior to entering into agreements to enforce federal immigration law; to require law enforcement agencies and jails to provide information to the Nebraska Commission on Law Enforcement and Criminal Justice; to provide the Auditor of Public Accounts with authority to conduct audits of noncomplying law enforcement agencies, jails, political subdivisions, and the patrol.

LEGISLATIVE BILL 140. Introducer by Stinner, 48.

A BILL FOR AN ACT relating to railroad safety; to amend sections 74-1317, 74-1318, 75-401, 75-402, and 75-405, Reissue Revised Statutes of Nebraska, and section 75-109.01, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to the purpose of the Grade Crossing Protection Fund; to provide for fund transfers as prescribed; to provide duties; to create a fund; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 141. Introducer by Stinner, 48; Lowe, 37.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the University of Nebraska at Kearney.

LEGISLATIVE BILL 142. Introducer by Stinner, 48.

A BILL FOR AN ACT relating to the Nebraska Cultural Preservation Endowment Fund; to amend section 82-331, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to a fund transfer limit and a termination date; and to repeal the original section.

LEGISLATIVE BILL 144. Introducer by Kolterman, 24.

A BILL FOR AN ACT relating to the Class V School Employees Retirement Act; to amend section 79-978, Revised Statutes Cumulative Supplement, 2020; to define terms; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 145. Introducer by Kolterman, 24.

A BILL FOR AN ACT relating to the Class V School Employees Retirement Act; to amend sections 79-978.01, 79-987, 79-9,122, and 79-9,123, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to audits, reporting, and cost billing and payments; to eliminate obsolete provisions; to provide for a compliance audit by the board of trustees, an audit by the Auditor of Public Accounts, and an examination by the Public Employees Retirement Board as prescribed; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 146. Introducer by Kolterman, 24.

A BILL FOR AN ACT relating to retirement; to amend sections 79-902 and 79-978, Revised Statutes Cumulative Supplement, 2020; to define and redefine terms under the School Employees Retirement Act and Class V School Employees Retirement Act; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 150. Introducer by Morfeld, 46.

A BILL FOR AN ACT relating to courts; to amend section 33-156, Reissue Revised Statutes of Nebraska; to change the indigent defense fee; and to repeal the original section.

LEGISLATIVE BILL 151. Introducer by Morfeld, 46.

A BILL FOR AN ACT relating to criminal procedure; to adopt the Prosecutorial Transparency Act; and to provide severability.

LEGISLATIVE BILL 153. Introducer by Wayne, 13.

A BILL FOR AN ACT relating to schools; to amend sections 79-528 and 79-1003, Revised Statutes Cumulative Supplement, 2020; to change reporting requirements; to define and redefine terms; to include virtual school students in the calculation of aid under the Tax Equity and Educational Opportunities Support Act; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 155. Introducer by Wayne, 13.

A BILL FOR AN ACT relating to paternity; to amend section 43-1411, Revised Statutes Cumulative Supplement, 2020; to define a term; and to repeal the original section.

LEGISLATIVE BILL 157. Introducer by Wayne, 13.

A BILL FOR AN ACT relating to criminal procedure; to amend section 29-1401, Reissue Revised Statutes of Nebraska; to change provisions relating to grand juries called in cases of death occurring during apprehension or custody; to require appointment of a special prosecutor; and to repeal the original section.

LEGISLATIVE BILL 158. Introducer by Wayne, 13; Hansen, M., 26; Hunt, 8; McCollister, 20.

A BILL FOR AN ACT relating to voting rights; to amend sections 29-112, 29-113, 32-313, and 32-1530, Reissue Revised Statutes of Nebraska, and sections 29-2264, 32-312, and 83-1,118, Revised Statutes Cumulative Supplement, 2020; to provide for the restoration of voting rights upon completion of a felony sentence; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 160. Introducer by Wayne, 13.

A BILL FOR AN ACT relating to the Nebraska Hospital-Medical Liability Act; to amend sections 44-2824, 44-2827, 44-2830, 44-2831.01, 44-2832, and 44-2833, Reissue Revised Statutes of Nebraska, and section 44-2825, Revised Statutes Cumulative Supplement, 2020; to increase caps on medical malpractice liability; to change provisions relating to proof of financial responsibility and the Excess Liability Fund; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 164. Introducer by Erdman, 47.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend section 60-6,190, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to the establishment of state speed limits by local authorities; and to repeal the original section.

LEGISLATIVE BILL 165. Introducer by Erdman, 47; Brewer, 43.

A BILL FOR AN ACT relating to property taxes; to amend sections 77-1301, 77-1307, 77-1308, 77-1309, and 77-1725.01, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to the assessment of real property that suffers significant property damage; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 167. Introducer by Geist, 25; Lowe, 37; Murman, 38; Slama, 1.

A BILL FOR AN ACT relating to fundamental rights; to amend sections 13-901 and 81-8,235, Reissue Revised Statutes of Nebraska; to protect religious services as prescribed; to define terms; to authorize tort claims under the Political Subdivisions Tort Claims Act and the State Tort Claims Act; to harmonize provisions; to provide severability; and to repeal the original sections.

LEGISLATIVE BILL 168. Introducer by Hansen, M., 26.

A BILL FOR AN ACT relating to sanitary and improvement districts; to amend sections 31-727 and 31-730, Reissue Revised Statutes of Nebraska; to terminate authorization for the creation of new districts as prescribed; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 171. Introducer by Hansen, M., 26; Hunt, 8.

A BILL FOR AN ACT relating to the Employment Security Law; to amend sections 48-624, 48-626, and 48-628.17, Revised Statutes Cumulative Supplement, 2020; to

change provisions relating to weekly benefit amounts and maximum annual amounts as prescribed; to eliminate obsolete language; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 172. Introducer by Hansen, M., 26; Hunt, 8.

A BILL FOR AN ACT relating to the Employment Security Law; to amend section 48-625, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to benefit payments; and to repeal the original section.

LEGISLATIVE BILL 173. Introducer by Hansen, B., 16; Lowe, 37; Brandt, 32; Erdman, 47; Clements, 2.

A BILL FOR AN ACT relating to firearms; to amend section 28-1202, Reissue Revised Statutes of Nebraska; to change provisions relating to carrying a concealed weapon; to define a term; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 175. Introducer by Friesen, 34.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-27,132, Reissue Revised Statutes of Nebraska; to change the distribution of certain sales and use tax revenue as prescribed; to create a fund; to authorize the use of funds for certain infrastructure projects; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 176. Introducer by Lindstrom, 18.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2701, 77-2715.07, 77-2717, and 77-2734.03, Revised Statutes Cumulative Supplement, 2020; to provide an income tax credit for certain agricultural producers; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 178. Introducer by Lindstrom, 18; Pahls, 31.

A BILL FOR AN ACT relating to public utilities; to adopt the Infrastructure Improvement and Replacement Assistance Act; and to declare an emergency.

LEGISLATIVE BILL 179. Introducer by Linehan, 39.

A BILL FOR AN ACT relating to county assessors; to amend sections 23-3201, 23-3202, 23-3203, 23-3204, 23-3209, 77-115, and 77-1339, Reissue Revised Statutes of Nebraska, and sections 23-405 and 23-2518, Revised Statutes Cumulative Supplement, 2020; to terminate the terms of elected county assessors; to provide for appointment of county assessors; to harmonize provisions; to provide operative dates; to repeal the original sections; and to outright repeal section 32-519, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 182. Introducer by Linehan, 39.

A BILL FOR AN ACT relating to sales and use taxes; to amend section 77-2701.16, Revised Statutes Cumulative Supplement, 2020; to exclude certain income from the

definition of gross receipts; to harmonize provisions; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 183. Introducer by Hunt, 8; Cavanaugh, M., 6; Day, 49; McKinney, 11; Pansing Brooks, 28.

A BILL FOR AN ACT relating to hospitals; to amend section 71-448, Reissue Revised Statutes of Nebraska; to adopt the Sexual Assault Emergency Care Act; to provide for disciplinary action against a hospital's license; to provide severability; and to repeal the original section.

LEGISLATIVE BILL 184. Introducer by Brewer, 43.

A BILL FOR AN ACT relating to retirement; to amend section 84-1601, Reissue Revised Statutes of Nebraska, and sections 81-2025 and 81-2032, Revised Statutes Cumulative Supplement, 2020; to provide for a premium deduction for certain retired Nebraska State Patrol employees as prescribed; and to repeal the original sections.

LEGISLATIVE BILL 186. Introducer by Hilkemann, 4.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-311, Reissue Revised Statutes of Nebraska; to change provisions relating to criminal child enticement; and to repeal the original section.

LEGISLATIVE BILL 187. Introducer by Cavanaugh, M., 6; Blood, 3.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-318, Revised Statutes Cumulative Supplement, 2020; to change the definition of sexual penetration; and to repeal the original section.

LEGISLATIVE BILL 188. Introducer by Halloran, 33; Brewer, 43; Groene, 42; Lowe, 37; Briese, 41; Hansen, B., 16; Erdman, 47; Slama, 1; Lindstrom, 18; Clements, 2.

A BILL FOR AN ACT relating to firearms; to adopt the Second Amendment Preservation Act; and to provide severability.

LEGISLATIVE BILL 190. Introducer by Hughes, 44.

A BILL FOR AN ACT relating to the Water Sustainability Fund; to amend section 61-222, Revised Statutes Cumulative Supplement, 2020; to provide a restriction and an exception relating to distributions from the fund as prescribed; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 191. Introducer by Hughes, 44.

A BILL FOR AN ACT relating to the Irrigation District Act; to amend section 46-102, Revised Statutes Cumulative Supplement, 2020; to redefine an elector as prescribed; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 192. Introducer by Wishart, 27; DeBoer, 10; Wayne, 13.

A BILL FOR AN ACT relating to appropriations; to state intent regarding appropriations for law enforcement training and certification.

LEGISLATIVE BILL 193. Introducer by Wishart, 27; DeBoer, 10; Wayne, 13.

A BILL FOR AN ACT relating to appropriations; to state intent regarding appropriations for law enforcement training.

LEGISLATIVE BILL 194. Introducer by Vargas, 7; Flood, 19; Pahls, 31; Wishart, 27; Lindstrom, 18.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2901, 77-2902, 77-2903, 77-2904, 77-2905, 77-2909, and 77-2910, Reissue Revised Statutes of Nebraska, and section 77-2906, Revised Statutes Cumulative Supplement, 2020; to change the Nebraska Job Creation and Mainstreet Revitalization Act as prescribed; to eliminate certain deadlines for applications and the use of credits; to harmonize provisions; to repeal the original sections; and to outright repeal section 77-2912, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 195. Introducer by Halloran, 33; Bostelman, 23; Brewer, 43; Briese, 41; Clements, 2; Erdman, 47; Friesen, 34; Gragert, 40; Hansen, B., 16; Kolterman, 24; Lindstrom, 18; Linehan, 39; Lowe, 37; McDonnell, 5; Murman, 38; Slama, 1; Williams, 36.

A BILL FOR AN ACT relating to the Constitution of the United States; to adopt the Faithful Delegate to Federal Article V Convention Act.

LEGISLATIVE BILL 196. Introducer by Vargas, 7; Hunt, 8; Lathrop, 12; McKinney, 11; Morfeld, 46.

A BILL FOR AN ACT relating to the Nebraska Fair Housing Act; to amend sections 20-139, 20-301, 20-303, 20-317, 20-318, 20-320, 20-321, 20-322, and 20-325, Reissue Revised Statutes of Nebraska; to define a term; to change provisions relating to discrimination; and to repeal the original sections.

LEGISLATIVE BILL 198. Introducer by Vargas, 7; Hunt, 8; Morfeld, 46; Pansing Brooks, 28.

A BILL FOR AN ACT relating to the Student Discipline Act; to amend sections 79-254, 79-256, 79-265, 79-266, 79-267, 79-268, 79-269, 79-272, 79-276, 79-278, 79-282, 79-283, and 79-287, Reissue Revised Statutes of Nebraska; to redefine a term; to change provisions relating to intent, suspension, expulsion, reassignment, discipline, and hearings; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 199. Introducer by Vargas, 7; Hunt, 8.

A BILL FOR AN ACT relating to privacy; to adopt the Face Surveillance Privacy Act.

LEGISLATIVE BILL 200. Introducer by Vargas, 7; Hunt, 8; Morfeld, 46.

A BILL FOR AN ACT relating to schools; to amend section 79-729, Reissue Revised Statutes of Nebraska; to add a high school graduation requirement and provide an exception as prescribed; to provide a duty for schools to submit data to the State Department of Education; to provide duties for the Commissioner of Education and require an annual report to the Legislature; to provide for rules and regulations as prescribed; and to repeal the original section.

LEGISLATIVE BILL 201. Introducer by Pansing Brooks, 28; McKinney, 11; Vargas, 7; Wayne, 13; Wishart, 27.

A BILL FOR AN ACT relating to juveniles; to amend section 43-246.01, Reissue Revised Statutes of Nebraska, and sections 29-1816 and 43-274, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to the jurisdiction of county, district, and juvenile courts; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 202. Introducer by Pansing Brooks, 28; Bostar, 29; Brewer, 43; Hunt, 8; McKinney, 11; Vargas, 7; Walz, 15; Wayne, 13; Williams, 36; Wishart, 27.

A BILL FOR AN ACT relating to child welfare; to amend sections 43-4505 and 71-1902, Reissue Revised Statutes of Nebraska, and sections 43-1311.03, 43-4502, 43-4504, 43-4508, 43-4510, 43-4511.01, and 43-4514, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to a written independent living transition proposal as prescribed; to restate intent; to change provisions relating to eligibility, extended services and support, and court-appointed representation under the Young Adult Bridge to Independence Act; to provide powers and duties; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 203. Introducer by Pansing Brooks, 28; Blood, 3; Hunt, 8; McKinney, 11; Wayne, 13; Wishart, 27; Hansen, M., 26.

A BILL FOR AN ACT relating to postsecondary education; to prescribe requirements for publicly funded colleges and universities regarding the criminal history and juvenile court record information of applicants for admission.

LEGISLATIVE BILL 204. Introducer by Slama, 1.

A BILL FOR AN ACT relating to the Sex Offender Registration Act; to section 29-4004, Reissue Revised Statutes of Nebraska, and sections 29-4003 and 29-4007, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to registration duties; to add a registrable offense and provide for applicability; to add notification requirements; and to repeal the original sections.

LEGISLATIVE BILL 205. Introducer by Hunt, 8; Bostar, 29; Cavanaugh, M., 6; Hansen, M., 26; McCollister, 20; McKinney, 11; Morfeld, 46; Pansing Brooks, 28; Wayne, 13.

A BILL FOR AN ACT relating to the Uniform Residential Landlord and Tenant Act; to amend section 76-1431, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to unpaid periodic rent; and to repeal the original section.

LEGISLATIVE BILL 206. Introducer by McDonnell, 5.

A BILL FOR AN ACT relating to the Nebraska Criminal Code; to amend sections 28-501, 28-502, 28-503, 28-504, 28-505, 28-520, 28-522, and 28-524, Reissue Revised Statutes of Nebraska; to change provisions and penalties relating to arson, trespass, and unauthorized application of graffiti; to define and redefine terms; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 207. Introducer by McDonnell, 5; Hunt, 8.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation Act; to amend section 48-119, Reissue Revised Statutes of Nebraska; to change provisions relating to the date when compensation begins; and to repeal the original section.

LEGISLATIVE BILL 208. Introducer by McDonnell, 5.

A BILL FOR AN ACT relating to appropriations; to state intent relating to funding for development districts.

LEGISLATIVE BILL 210. Introducer by Murman, 38; Albrecht, 17; Clements, 2; Halloran, 33; Hansen, B., 16; Slama, 1.

A BILL FOR AN ACT relating to schools; to amend section 79-2,136, Revised Statutes Cumulative Supplement, 2020; to change provisions regarding part-time enrollment; to provide duties regarding extracurricular activities as prescribed; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 211. Introducer by Murman, 38; Albrecht, 17; Clements, 2; Gragert, 40; Halloran, 33; Hansen, B., 16; Murman, 38.

A BILL FOR AN ACT relating to the Uniform Credentialing Act; to amend section 38-1708, Reissue Revised Statutes of Nebraska, and sections 38-101, 38-121, and 38-186, Revised Statutes Cumulative Supplement, 2020; to adopt the Reflexologist Registration Act; to provide an exemption from the Massage Therapy Practice Act; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 212. Introducer by Cavanaugh, M., 6; Erdman, 47; Wayne, 13.

A BILL FOR AN ACT relating to public records; to amend sections 84-712 and 84-712.01, Reissue Revised Statutes of Nebraska; to prohibit charging a fee for official requests for public records by members of the Legislature and set a deadline for fulfilling such requests; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 213. Introducer by Briese, 41; Halloran, 33; Lowe, 37; McCollister, 20.

A BILL FOR AN ACT relating to state government; to provide for an efficiency review of state agencies as prescribed.

LEGISLATIVE BILL 214. Introducer by Linehan, 39; Bostelman, 23.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-101 and 77-1359, Reissue Revised Statutes of Nebraska; to define certain terms for purposes of property taxes; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 215. Introducer by Hughes, 44.

A BILL FOR AN ACT relating to telecommunications; to amend sections 86-435 and 86-457, Reissue Revised Statutes of Nebraska, and section 86-903, Revised Statutes Cumulative Supplement, 2020; to change 911 service surcharge provisions under the Emergency Telephone Communications Systems Act, the Enhanced Wireless 911 Services Act, and the Prepaid Wireless Surcharge Act as prescribed; and to repeal the original sections.

LEGISLATIVE BILL 216. Introducer by Wayne, 13.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-101, Revised Statutes Cumulative Supplement, 2020; to prohibit certain statements by a peace officer; to provide a penalty; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 217. Introducer by Wayne, 13; Hunt, 8.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-101, Revised Statutes Cumulative Supplement, 2020; to prohibit the filing of a false report by a peace officer; to provide a penalty; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 219. Introducer by Wayne, 13.

A BILL FOR AN ACT relating to cities and villages; to amend section 14-1801, Reissue Revised Statutes of Nebraska, and section 18-802, Revised Statutes Cumulative Supplement, 2020; to change legislative declarations and findings relating to traffic congestion; and to repeal the original sections.

LEGISLATIVE BILL 220. Introducer by Wayne, 13.

A BILL FOR AN ACT relating to the state building code; to amend section 71-6405, Reissue Revised Statutes of Nebraska, and sections 71-6404 and 71-6406, Revised Statutes Cumulative Supplement, 2020; to define a term; to change the applicability of provisions to public buildings; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 221. Introducer by Wayne, 13.

A BILL FOR AN ACT relating to plumbing codes; to amend section 18-1915, Reissue Revised Statutes of Nebraska, and sections 18-132 and 23-172, Revised Statutes Cumulative Supplement, 2020; to provide for the applicability of the 2021 Uniform Plumbing Code in certain cities, villages, and counties; to eliminate duplicative provisions; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 223. Introducer by Erdman, 47; Brewer, 43; Halloran, 33; Murman, 38; Wayne, 13.

A BILL FOR AN ACT relating to game and parks; to amend section 37-308.01, Reissue Revised Statutes of Nebraska; to authorize the carrying of a firearm for protection while archery hunting; and to repeal the original section.

LEGISLATIVE BILL 225. Introducer by Hilkemann, 4.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Department of Health and Human Services.

LEGISLATIVE BILL 226. Introducer by Hilkemann, 4.

A BILL FOR AN ACT relating to motor vehicles; to amend section 60-3,185, Revised Statutes Cumulative Supplement, 2020; to limit motor vehicle tax exemptions as prescribed; and to repeal the original section.

LEGISLATIVE BILL 227. Introducer by Morfeld, 46.

A BILL FOR AN ACT relating to public safety; to amend section 28-111, Reissue Revised Statutes of Nebraska, and sections 28-101 and 28-907, Revised Statutes Cumulative Supplement, 2020; to adopt the Doxing Prevention Act; to change provisions relating to penalty enhancements and false reporting; to define terms; to provide and change penalties; to provide for civil causes of action; to harmonize provisions; to provide severability; and to repeal the original sections.

LEGISLATIVE BILL 228. Introducer by Morfeld, 46.

A BILL FOR AN ACT relating to the Property Assessed Clean Energy Act; to amend sections 13-3203, 13-3204, and 13-3205, Revised Statutes Cumulative Supplement, 2020; to redefine a term; to change provisions relating to requirements for ordinances and resolutions and assessment contract provisions; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 229. Introducer by Hunt, 8; Cavanaugh, M., 6; DeBoer, 10.

A BILL FOR AN ACT relating to the Nebraska Criminal Code; to amend sections 28-109, 28-110, 28-111, 28-112, 28-113, and 28-114, Reissue Revised Statutes of Nebraska; to define a term; to provide for enhanced penalties for commission of a crime because of a victim's gender identity or association with a person of a certain gender identity; to include assault by strangulation or suffocation as an offense to which enhanced penalties apply; to change provisions relating to legislative intent, civil actions, and duties of the Nebraska Commission on Law Enforcement and Criminal Justice; and to repeal the original sections.

LEGISLATIVE BILL 230. Introducer by Hunt, 8; Cavanaugh, J., 9; Hansen, M., 26; Cavanaugh, M., 6.

A BILL FOR AN ACT relating to civil rights; to amend sections 18-1724, 20-113, 20-132, 20-134, 20-139, 20-317, 20-318, 20-320, 20-321, 20-322, 20-325, 29-401, and 49-801, Reissue Revised Statutes of Nebraska; to prohibit discrimination on the basis of sexual orientation or gender identity in public accommodations and under the Nebraska Fair Housing Act; to change powers of cities and villages relating to discrimination; to define a term; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 231. Introducer by Hunt, 8; Cavanaugh, J., 9; Hansen, M., 26.

A BILL FOR AN ACT relating to conversion therapy; to amend sections 38-101, 38-178, and 38-2894, Revised Statutes Cumulative Supplement, 2020; to prohibit conversion therapy and provide for disciplinary sanctions under the Uniform Credentialing Act as prescribed; to provide for a deceptive trade practice; to define terms; to prohibit the use of funds for conversion therapy as prescribed; to eliminate a duty of the Revisor of Statutes; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 233. Introducer by Friesen, 34.

A BILL FOR AN ACT relating to sales and use taxes; to amend sections 77-2703 and 77-2708, Revised Statutes Cumulative Supplement, 2020; to provide sales and use tax collection duties for certain peer-to-peer rentals of vehicles; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 235. Introducer by Brewer, 43; Albrecht, 17; Erdman, 47; Halloran, 33; Lowe, 37; Slama, 1; Brandt, 32.

A BILL FOR AN ACT relating to the Nebraska Meat and Poultry Inspection Law; to amend section 54-1901, Reissue Revised Statutes of Nebraska; to state intent to implement a cooperative state inspection program pursuant to federal law; to provide powers and duties for the Department of Agriculture; to create a fund; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 237. Introducer by Brewer, 43; Erdman, 47; Halloran, 33; Lindstrom, 18; Murman, 38; Bostar, 29; Hansen, B., 16; Wayne, 13.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to the taxation of benefits received under the federal Social Security Act; and to repeal the original section.

LEGISLATIVE BILL 238. Introducer by McDonnell, 5.

A BILL FOR AN ACT relating to the Ground Emergency Medical Transport Act; to amend sections 68-977, 68-978, 68-979, 68-981, 68-982, 68-983, 68-985, and

68-986, Reissue Revised Statutes of Nebraska; to define and eliminate terms; to restate intent; to change provisions relating to supplemental reimbursement eligibility and payment; to change references to an intergovernmental transfer program and capitation payments and provide for a certified public expenditure program; to update federal references; to change Department of Health and Human Services duties and powers as prescribed; to eliminate a provision relating to commencement of increased capitation payments; to harmonize provisions; to repeal the original sections; to outright repeal section 68-988, Reissue Revised Statutes of Nebraska; and to declare an emergency.

LEGISLATIVE BILL 241. Introducer by Vargas, 7; Aguilar, 35; Brandt, 32; Hansen, M., 26; Hunt, 8; Lathrop, 12; McDonnell, 5; Pansing Brooks, 28; Wayne, 13; Cavanaugh, M., 6; McCollister, 20; Cavanaugh, J., 9; McKinney, 11.

A BILL FOR AN ACT relating to labor; to adopt the Meatpacking Employees COVID-19 Protection Act; and to declare an emergency.

LEGISLATIVE BILL 242. Introducer by Brandt, 32; Albrecht, 17; Bostar, 29; Cavanaugh, J., 9; Dorn, 30; Erdman, 47; Flood, 19; Geist, 25; Halloran, 33; Hansen, B., 16; Hansen, M., 26; Kolterman, 24; Lindstrom, 18; Linehan, 39; McCollister, 20; Morfeld, 46; Pahls, 31; Pansing Brooks, 28; Stinner, 48; Walz, 15; Williams, 36; Wishart, 27; Blood, 3.

A BILL FOR AN ACT relating to political subdivisions; to amend sections 13-2904 and 39-2805, Reissue Revised Statutes of Nebraska, and sections 13-2914 and 39-2822, Revised Statutes Cumulative Supplement, 2020; to change provisions of the Political Subdivisions Construction Alternatives Act and Transportation Innovation Act relating to design-build contracts, construction management at risk contracts, and county bridges; to eliminate obsolete provisions; to provide a designation for terminated program funds; to create the County Bridge Incentive Program; to provide duties for the Department of Transportation; and to repeal the original sections.

LEGISLATIVE BILL 243. Introducer by Bostar, 29; Cavanaugh, J., 9; Day, 49; Hansen, M., 26; Hunt, 8; McKinney, 11; Morfeld, 46; Pansing Brooks, 28.

A BILL FOR AN ACT relating to education; to amend section 85-1539, Reissue Revised Statutes of Nebraska, and sections 85-1412 and 85-2104, Revised Statutes Cumulative Supplement, 2020; to adopt the Access College Early Tech Promise Program Act; to provide duties; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 243A. Introducer by Bostar, 29.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 243, One Hundred Seventh Legislature, First Session, 2021.

LEGISLATIVE BILL 244. Introducer by Clements, 2; Arch, 14; Bostelman, 23; Brewer, 43; Briese, 41; Erdman, 47; Halloran, 33; Lowe, 37; Murman, 38; Slama, 1.

A BILL FOR AN ACT relating to the Concealed Handgun Permit Act; to amend section 69-2436, Reissue Revised Statutes of Nebraska; to change renewal provisions; and to repeal the original section.

LEGISLATIVE BILL 245. Introducer by DeBoer, 10; Wayne, 13; Wishart, 27.

A BILL FOR AN ACT relating to adoptions; to amend sections 25-309, 43-101, 43-104, 43-104.01, 43-104.02, 43-104.03, 43-104.04, 43-104.05, 43-104.08, 43-104.09, 43-104.12, 43-104.13, 43-104.14, 43-104.16, 43-104.17, 43-104.18, 43-104.22, 43-104.23, 43-105, 43-106, 43-108, 43-109, 43-111, 43-111.01, 43-112, 43-115, 43-146.01, and 43-906, Reissue Revised Statutes of Nebraska, and sections 25-307, 43-102, and 43-1411, Revised Statutes Cumulative Supplement, 2020; to define terms and change terminology; to change provisions relating to petitions for adoptions, adoptive home studies, consents to adoptions, fathers, the biological father registry, notices, petitions for adjudication of paternity, and notices to possible biological fathers; to eliminate provisions relating to guardians ad litem; to harmonize provisions; to repeal the original sections; and to outright repeal sections 43-104.19, 43-104.20, 43-104.21, and 43-104.25, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 246. Introducer by DeBoer, 10; Cavanaugh, J., 9; Hunt, 8.

A BILL FOR AN ACT relating to landlord and tenant; to amend sections 25-21,219, 76-1441, and 76-14,101, Reissue Revised Statutes of Nebraska; to change provisions relating to the applicability of forcible entry and detainer and actions for possession under the Uniform Residential Landlord and Tenant Act and the Mobile Home Landlord and Tenant Act; and to repeal the original sections.

LEGISLATIVE BILL 249. Introducer by Pansing Brooks, 28; Cavanaugh, J., 9; Cavanaugh, M., 6; Day, 49; Hansen, M., 26; Hunt, 8; McCollister, 20; McKinney, 11; Vargas, 7.

A BILL FOR AN ACT relating to the Nebraska Fair Employment Practice Act; to amend section 48-1111, Revised Statutes Cumulative Supplement, 2020; to prohibit employers from inquiring about and using wage rate history as prescribed; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 250. Introducer by Hunt, 8; Geist, 25; Sanders, 45; Linehan, 39.

A BILL FOR AN ACT relating to interior designers; to amend section 84-617, Reissue Revised Statutes of Nebraska; to adopt the Interior Design Voluntary Registration Act; to provide penalties; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 251. Introducer by Cavanaugh, M., 6; DeBoer, 10; Flood, 19; Hansen, M., 26; Hilkemann, 4; Hunt, 8; McCollister, 20; Morfeld, 46; Walz, 15; Wayne, 13; Wishart, 27.

A BILL FOR AN ACT relating to organ and tissue donation; to amend section 71-4827, Reissue Revised Statutes of Nebraska, and section 60-494, Revised

Statutes Cumulative Supplement, 2020; to change the age for organ and tissue donation as prescribed; and to repeal the original sections.

LEGISLATIVE BILL 257. Introducer by Hansen, M., 26.

A BILL FOR AN ACT relating to public power and irrigation districts; to amend section 70-615, Reissue Revised Statutes of Nebraska; to change how vacancies on the board of directors are filled; and to repeal the original section.

LEGISLATIVE BILL 258. Introducer by Vargas, 7; Hunt, 8; Hansen, M., 26.

A BILL FOR AN ACT relating to labor; to adopt the Healthy and Safe Families and Workplaces Act; and to provide severability.

LEGISLATIVE BILL 258A. Introducer by Vargas, 7.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 258, One Hundred Seventh Legislature, First Session, 2021.

LEGISLATIVE BILL 259. Introducer by Halloran, 33; Bostelman, 23; Brewer, 43; Clements, 2; Erdman, 47; Gragert, 40; Hansen, B., 16; Lowe, 37; McDonnell, 5.

A BILL FOR AN ACT relating to civil procedure; to authorize a civil action for damages for certain public safety officers as prescribed; and to provide a duty for the Revisor of Statutes.

LEGISLATIVE BILL 262. Introducer by Vargas, 7; Pansing Brooks, 28.

A BILL FOR AN ACT relating to public assistance; to amend sections 4-110 and 43-4505, Reissue Revised Statutes of Nebraska, and sections 43-4504, 43-4511.01, and 43-4514, Revised Statutes Cumulative Supplement, 2020; to provide for participation in the bridge to independence program under the Young Adult Bridge to Independence Act by young adults not lawfully present in the United States; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 263. Introducer by Briese, 41; Brewer, 43; Lowe, 37; Murman, 38; Brandt, 32; Pahls, 31; Sanders, 45.

A BILL FOR AN ACT relating to professions and occupations; to amend sections 84-933 and 84-934, Revised Statutes Cumulative Supplement, 2020; to define a term; to require occupational boards to issue an occupational license or government certification based on occupational licensure, government certification, private certification, or work experience in another state or in the United States Military; to provide for jurisprudential examinations and appeals from denial of a license; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 264. Introducer by Stinner, 48; Hunt, 8; Sanders, 45.

A BILL FOR AN ACT relating to the Nebraska Arts Council; to amend sections 82-312, 82-313, and 82-334, Revised Statutes Cumulative Supplement, 2020; to

state intent for the Legislature to appropriate funds for and to change provisions relating to the competitive grant program; and to repeal the original sections.

LEGISLATIVE BILL 266. Introducer by McCollister, 20; Cavanaugh, M., 6; Hunt, 8.

A BILL FOR AN ACT relating to renewable energy; to adopt the Renewable Energy Standards Act; and to provide an operative date.

LEGISLATIVE BILL 267. Introducer by McCollister, 20.

A BILL FOR AN ACT relating to municipal counties; to amend sections 13-2801, 13-2802, 13-2803, 13-2804, 13-2805, 13-2806, 13-2810, 13-2813, 13-2818, 13-2819, and 66-1859, Reissue Revised Statutes of Nebraska, and sections 13-520 and 13-2809, Revised Statutes Cumulative Supplement, 2020; to provide an exception to certain budget limitations; to change provisions relating to municipal counties; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 268. Introducer by McCollister, 20; Hansen, M., 26.

A BILL FOR AN ACT relating to the Uniform Residential Landlord and Tenant Act; to amend section 76-1423, Reissue Revised Statutes of Nebraska; to change provisions relating to a landlord's right of access; and to repeal the original section.

LEGISLATIVE BILL 269. Introducer by McCollister, 20.

A BILL FOR AN ACT relating to the Nebraska Treatment and Corrections Act; to amend section 83-192, Revised Statutes Cumulative Supplement, 2020; to change provisions regarding the annual review of a committed offender's record; to require publication of a list of nonviolent, elderly committed offenders with medical conditions; to eliminate obsolete language; and to repeal the original section.

LEGISLATIVE BILL 270. Introducer by Morfeld, 46.

A BILL FOR AN ACT relating to pharmacy benefits; to amend sections 68-901 and 71-2484, Revised Statutes Cumulative Supplement, 2020; to adopt the Pharmacy Benefit Manager Regulation Act; to transfer provisions related to pharmacy benefits; to require an audit as prescribed; to harmonize provisions; to provide a duty for the Revisor of Statutes; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 276. Introducer by Hunt, 8; Cavanaugh, J., 9.

A BILL FOR AN ACT relating to abortion; to amend section 28-335, Reissue Revised Statutes of Nebraska; to eliminate provisions relating to physicians' physical presence; and to repeal the original section.

LEGISLATIVE BILL 277. Introducer by Hunt, 8; Cavanaugh, J., 9; Hansen, M., 26; Cavanaugh, M., 6.

A BILL FOR AN ACT relating to the Mobile Home Landlord and Tenant Act; to amend sections 76-1485, 76-1486, 76-1489, and 76-14,101, Reissue Revised

Statutes of Nebraska; to change provisions relating to the return of rental deposits, damages, and the period of time for paying certain overdue rent; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 278. Introducer by Wayne, 13; Hunt, 8.

A BILL FOR AN ACT relating to the Uniform Controlled Substances Act; to amend section 28-416, Revised Statutes Cumulative Supplement, 2020; to change a penalty for possession as prescribed; and to repeal the original section.

LEGISLATIVE BILL 279. Introducer by Bostar, 29; Arch, 14; Blood, 3; Briese, 41; Hansen, M., 26; Hunt, 8; Wayne, 13.

A BILL FOR AN ACT relating to the Nebraska Affordable Housing Act; to amend section 58-706, Revised Statutes Cumulative Supplement, 2020; to authorize certain activities that are eligible for assistance from the Affordable Housing Trust Fund; and to repeal the original section.

LEGISLATIVE BILL 280. Introducer by Albrecht, 17.

A BILL FOR AN ACT relating to insurance; to amend section 44-211, Revised Statutes Cumulative Supplement, 2020; to eliminate a state residency requirement for the board of directors of an insurance company; and to repeal the original section.

LEGISLATIVE BILL 281. Introducer by Albrecht, 17; Bostelman, 23.

A BILL FOR AN ACT relating to schools; to require child sexual abuse prevention instructional programs for students and staff.

LEGISLATIVE BILL 282. Introducer by Albrecht, 17.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-815, Reissue Revised Statutes of Nebraska; to change provisions relating to defenses for offenses involving obscene materials; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 283. Introducer by Briese, 41; Aguilar, 35; Albrecht, 17; Bostar, 29; Brandt, 32; Brewer, 43; Day, 49; Friesen, 34; Halloran, 33; Hansen, M., 26; Hunt, 8; Lindstrom, 18; Lowe, 37; Moser, 22; Sanders, 45; Slama, 1; Wayne, 13; Cavanaugh, J., 9; Murman, 38; Morfeld, 46; Dorn, 30; Hilkemann, 4; Linehan, 39.

A BILL FOR AN ACT relating to time; to amend sections 32-908, 49-1301, 49-1302, and 81-1323, Reissue Revised Statutes of Nebraska, and section 81-1328, Revised Statutes Cumulative Supplement, 2020; to provide for year-round daylight saving time as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 284. Introducer by Cavanaugh, M., 6.

A BILL FOR AN ACT relating to the Governor's Emergency Program; to amend section 81-829.42, Revised Statutes Cumulative Supplement, 2020; to provide requirements regarding federal funds; and to repeal the original section.

LEGISLATIVE BILL 286. Introducer by Walz, 15.

A BILL FOR AN ACT relating to education; to amend section 79-101, Revised Statutes Cumulative Supplement, 2020; to redefine a term; and to repeal the original section.

LEGISLATIVE BILL 287. Introducer by Walz, 15.

A BILL FOR AN ACT relating to school funding; to amend sections 77-3446, 79-1015.01, 79-1022, 79-1022.02, 79-1023, 79-1027, and 79-1031.01, Revised Statutes Cumulative Supplement, 2020; to change the base limitation; to change the local effort rate; to change the determination and certification dates relating to the distribution of aid, certification of certain budget limitations as prescribed, and duties of the Appropriations Committee of the Legislature; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 289. Introducer by Walz, 15.

A BILL FOR AN ACT relating to the Tax Equity and Educational Opportunities Support Act; to amend section 79-1003, Revised Statutes Cumulative Supplement, 2020; to redefine a term; and to repeal the original section.

LEGISLATIVE BILL 290. Introducer by Cavanaugh, M., 6; Blood, 3; Cavanaugh, J., 9; Hansen, M., 26; Hunt, 8; Lathrop, 12; McDonnell, 5; McKinney, 11; Morfeld, 46; Pansing Brooks, 28; Wayne, 13; Wishart, 27.

A BILL FOR AN ACT relating to employment; to amend sections 48-652 and 71-7611, Revised Statutes Cumulative Supplement, 2020; to adopt the Paid Family and Medical Leave Insurance Act; to create a fund; to transfer funds; to change provisions relating to experience accounts under the Employment Security Law; to harmonize provisions; to provide severability; and to repeal the original sections.

LEGISLATIVE BILL 290A. Introducer by Cavanaugh, M., 6.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 290, One Hundred Seventh Legislature, First Session, 2021.

LEGISLATIVE BILL 292. Introducer by Friesen, 34.

A BILL FOR AN ACT relating to property taxes; to amend sections 77-1704.02 and 77-1719.03, Reissue Revised Statutes of Nebraska; to change provisions relating to partial payments of property taxes; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 293. Introducer by Flood, 19.

A BILL FOR AN ACT relating to the Public Service Commission; to amend sections 32-509, 75-101, and 75-101.01, Reissue Revised Statutes of Nebraska; to change the number of districts and qualifications; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 294. Introducer by Flood, 19.

A BILL FOR AN ACT relating to government; to amend section 81-1316, Revised Statutes Cumulative Supplement, 2020; to exempt certain state agency deputy directors and legal counsel from the State Personnel System as prescribed; and to repeal the original section.

LEGISLATIVE BILL 298. Introducer by McDonnell, 5; Vargas, 7; Hunt, 8; Hansen, M., 26; McCollister, 20; Cavanaugh, J., 9.

A BILL FOR AN ACT relating to labor; to amend section 4-109, Reissue Revised Statutes of Nebraska, and section 48-628.04, Revised Statutes Cumulative Supplement, 2020; to redefine public benefits as prescribed; to change provisions of the Employment Security Law relating to the disqualification of certain aliens; and to repeal the original sections.

LEGISLATIVE BILL 299. Introducer by McDonnell, 5; Brewer, 43; Cavanaugh, M., 6; Bostar, 29; Groene, 42.

A BILL FOR AN ACT relating to firefighters; to amend section 77-2716, Revised Statutes Cumulative Supplement, 2020; to adopt the Firefighter Cancer Benefits Act; to provide for an income tax exemption for such benefits; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 300. Introducer by Slama, 1; Albrecht, 17; Bostelman, 23; Brewer, 43; Briese, 41; Clements, 2; Dorn, 30; Erdman, 47; Friesen, 34; Gragert, 40; Hansen, B., 16; Hughes, 44; Linehan, 39; Lowe, 37; Murman, 38; Sanders, 45; Geist, 25; Groene, 42; Aguilar, 35; McDonnell, 5; Halloran, 33.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-1406, 28-1407, 28-1408, 28-1409, 28-1410, 28-1411, 28-1412, 28-1413, 28-1414, 28-1415, 28-1416, and 29-439, Reissue Revised Statutes of Nebraska; to define terms; to change provisions relating to justifications for the use of force; to provide for presumptions; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 301. Introducer by Hansen, B., 16.

A BILL FOR AN ACT relating to the Uniform Controlled Substances Act; to amend sections 28-401, 28-405, and 28-416, Revised Statutes Cumulative Supplement, 2020; to redefine terms; to change drug schedules and adopt federal drug provisions; to change a penalty provision; and to repeal the original sections.

LEGISLATIVE BILL 303. Introducer by Hansen, M., 26.

A BILL FOR AN ACT relating to political subdivisions; to amend section 13-520, Revised Statutes Cumulative Supplement, 2020; to provide a budget limitation exception as prescribed; and to repeal the original section.

LEGISLATIVE BILL 304. Introducer by Hansen, M., 26.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Nebraska Commission on Law Enforcement and Criminal Justice for enforcement of law enforcement officer employment restrictions.

LEGISLATIVE BILL 305. Introducer by Erdman, 47; Brandt, 32.

A BILL FOR AN ACT relating to the Game and Parks Commission; to amend section 37-106, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to appointment and removal of the commission secretary; and to repeal the original section.

LEGISLATIVE BILL 308. Introducer by Pansing Brooks, 28.

A BILL FOR AN ACT relating to juveniles; to amend section 29-2709, Reissue Revised Statutes of Nebraska; to create a fund; to provide for grants to offset the cost to counties of providing legal counsel for indigent juveniles; to require reports; to require a juvenile indigent defense filing fee; to harmonize provisions; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 309. Introducer by Clements, 2; Bostelman, 23; Erdman, 47; Lowe, 37; Lindstrom, 18.

A BILL FOR AN ACT relating to civil rights; to amend sections 38-178 and 38-2894, Revised Statutes Cumulative Supplement, 2020; to adopt the Assistance Animal Integrity in Housing Act; to provide for disciplinary action for violation of such act; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 310. Introducer by Clements, 2; Erdman, 47; Geist, 25; Lowe, 37; Brewer, 43; McCollister, 20; Albrecht, 17; Hansen, B., 16.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2004, 77-2005, and 77-2006, Reissue Revised Statutes of Nebraska; to change inheritance tax rates and exemption amounts as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 311. Introducer by Vargas, 7; McDonnell, 5; Williams, 36; Hunt, 8; Hughes, 44.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-103.22, Reissue Revised Statutes of Nebraska, and section 53-123.16, Revised Statutes Cumulative Supplement, 2020; to redefine a term; to change provisions relating to a microdistillery license; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 314. Introducer by Pahls, 31.

A BILL FOR AN ACT relating to insurance; to amend section 44-312, Revised Statutes Cumulative Supplement, 2020; to change provisions related to telehealth insurance coverage; and to repeal the original section.

LEGISLATIVE BILL 315. Introducer by Cavanaugh, J., 9.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-323, Reissue Revised Statutes of Nebraska, and section 28-310.01, Revised Statutes Cumulative Supplement, 2020; to change penalties for certain assault offenses; and to repeal the original sections.

LEGISLATIVE BILL 319. Introducer by Cavanaugh, J., 9.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-518, Reissue Revised Statutes of Nebraska; to change penalties for theft offenses as prescribed; and to repeal the original section.

LEGISLATIVE BILL 321. Introducer by Cavanaugh, J., 9; Blood, 3; Cavanaugh, M., 6; Day, 49; Hansen, M., 26; Hunt, 8; Pansing Brooks, 28.

A BILL FOR AN ACT relating to crimes and offenses; to prohibit a defendant's discovery of a victim's actual or perceived gender or sexual orientation as a defense to criminal offenses; to define terms; and to provide a duty for the Revisor of Statutes.

LEGISLATIVE BILL 323. Introducer by Walz, 15.

A BILL FOR AN ACT relating to the Tax Equity and Educational Opportunities Support Act; to amend sections 79-1007.12 and 79-1103, Reissue Revised Statutes of Nebraska, and sections 79-1003, 79-1003.01, 79-1022, 79-1022.02, 79-1023, 79-1027, and 79-1031.01, Revised Statutes Cumulative Supplement, 2020; to define and redefine terms; to define pandemic affected school fiscal years; to change provisions related to qualified early childhood education membership; to change the calculation of the summer school and transportation allowances as prescribed; to change the determination and certification dates relating to the distribution of aid, certification of certain budget limitations as prescribed, and duties of the Appropriations Committee of the Legislature; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 323A. Introducer by Walz, 15.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 323, One Hundred Seventh Legislature, First Session, 2021; and to declare an emergency.

LEGISLATIVE BILL 325. Introducer by Albrecht, 17.

A BILL FOR AN ACT relating to the Uniform Credentialing Act; to amend section 38-2101, Reissue Revised Statutes of Nebraska, and sections 38-121 and 38-2130, Revised Statutes Cumulative Supplement, 2020; to adopt the Art Therapy Practice

Act; to provide powers and duties for the Board of Mental Health Practice; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 326. Introducer by Slama, 1.

A BILL FOR AN ACT relating to tort claims; to amend sections 13-911, 29-211, and 81-8,215.01, Reissue Revised Statutes of Nebraska, and sections 13-910 and 81-8,219, Revised Statutes Cumulative Supplement, 2020; to provide immunity for first responders operating motor vehicles as prescribed; to provide immunity for claims arising from vehicular pursuits as prescribed; to provide for policies and training on vehicular pursuits; to define terms; to provide duties for the Nebraska Commission on Law Enforcement and Criminal Justice and the Nebraska Police Standards Advisory Council; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 328. Introducer by Arch, 14.

A BILL FOR AN ACT relating to the Health Care Facility Licensure Act; to amend section 71-433, Reissue Revised Statutes of Nebraska; to change provisions relating to an application for licensure to operate a health care facility or a health care service; and to repeal the original section.

LEGISLATIVE BILL 329. Introducer by Wayne, 13.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 66-6,109.02, Reissue Revised Statutes of Nebraska, and section 66-489.02, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to certain taxes imposed on the average wholesale price of gasoline; to provide for the use of certain tax proceeds; to provide an operative date; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 330. Introducer by Wayne, 13.

A BILL FOR AN ACT relating to juveniles; to amend sections 28-801, 29-401, 29-2204.02, 29-2270, 43-247, 43-248.01, 43-252, 43-289, 43-412, 43-905, and 43-2402, Reissue Revised Statutes of Nebraska, and sections 24-517, 28-1204.05, 29-1816, 29-2204, 43-245, 43-247.02, 43-274, 43-285, 43-2,108.01, 43-2,108.02, 43-2,108.03, 43-2404.02, and 83-4,125, Revised Statutes Cumulative Supplement, 2020; to raise the jurisdictional age limit for juvenile court to twenty-one; to change provisions relating to prostitution and unlawful possession of a firearm by a prohibited juvenile offender; to change and eliminate definitions; to change provisions relating to sealing of records and placement and treatment of juveniles; to provide for applicability; to change provisions relating to the Juvenile Services Act; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 331. Introducer by Wayne, 13.

A BILL FOR AN ACT relating to offenses against animals; to amend section 28-1014, Reissue Revised Statutes of Nebraska; to prohibit contractual criminal enforcement by private entities; and to repeal the original section.

LEGISLATIVE BILL 332. Introducer by Wayne, 13; Hunt, 8.

A BILL FOR AN ACT relating to cities of the metropolitan class; to amend sections 14-201, 14-201.03, 32-536, and 32-553, Reissue Revised Statutes of Nebraska, and section 32-539, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to elections, districts, terms, number of city council members, and redistricting procedures; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 333. Introducer by Wayne, 13.

A BILL FOR AN ACT relating to treatment and corrections; to amend sections 28-936 and 83-1,135, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to possession of electronic communication devices in Department of Correctional Services facilities; to authorize possession of such devices by certain officials and attorneys as prescribed; to define a term; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 334. Introducer by Wayne, 13.

A BILL FOR AN ACT relating to treatment and corrections; to amend sections 28-912 and 81-8,240, Reissue Revised Statutes of Nebraska, and sections 29-2261, 47-902, 47-903, 81-8,244, 83-1,100, 83-1,102, 83-1,107, 83-901, 83-903, and 83-904, Revised Statutes Cumulative Supplement, 2020; to adopt the Community Work Release and Treatment Centers Act; to provide powers and duties for the Board of Parole, Office of Probation Administration, office of Inspector General of the Nebraska Correctional System, the Public Counsel, the Division of Parole Supervision, and the Department of Correctional Services; to change provisions relating to escape from official detention; to provide for access to presentence investigation reports and other records; to transfer responsibility for certain programs and services from the Department of Correctional Services to the Board of Parole; to redefine terms; to eliminate obsolete provisions; to harmonize provisions; to repeal the original sections; and to outright repeal section 83-933, Revised Statutes Cumulative Supplement, 2020.

LEGISLATIVE BILL 335. Introducer by Flood, 19; McKinney, 11; Cavanaugh, J., 9.

A BILL FOR AN ACT relating to criminal procedure; to require announcement of the average cost of incarceration of a defendant at sentencing; to define terms; and to provide duties for courts, the Department of Correctional Services, the Nebraska Commission on Law Enforcement and Criminal Justice, and the State Court Administrator; and to provide for rules and regulations.

LEGISLATIVE BILL 339. Introducer by Bostelman, 23.

A BILL FOR AN ACT relating to highways and bridges; to provide for a utility coordination plan for certain contracts.

LEGISLATIVE BILL 340. Introducer by Stinner, 48.

A BILL FOR AN ACT relating to the Department of Health and Human Services; to create the medicaid nursing facility services program.

LEGISLATIVE BILL 341. Introducer by Stinner, 48.

A BILL FOR AN ACT relating to the State Settlement Cash Fund; to amend section 59-1608.04, Revised Statutes Cumulative Supplement, 2020; to provide for annual transfers to the General Fund; to eliminate obsolete provisions; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 342. Introducer by Stinner, 48.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the State Department of Education for purposes of the Early Childhood Education Endowment Cash Fund.

LEGISLATIVE BILL 344. Introducer by Friesen, 34.

A BILL FOR AN ACT relating to the One-Call Notification System Act; to amend sections 76-2301, 76-2303, 76-2325, and 76-2325.02, Revised Statutes Cumulative Supplement, 2020; to define a term; to create the Underground Excavation Safety Committee; to provide powers and duties for the committee and the State Fire Marshal; to change civil penalty procedures; to change provisions relating to reports by the Attorney General; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 344A. Introducer by Friesen, 34.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 344, One Hundred Seventh Legislature, First Session, 2021.

LEGISLATIVE BILL 345. Introducer by Friesen, 34.

A BILL FOR AN ACT relating to political subdivisions; to amend section 13-520, Revised Statutes Cumulative Supplement, 2020; to provide an exception to certain budget limitations; and to repeal the original section.

LEGISLATIVE BILL 346. Introducer by Wishart, 27.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-908, Reissue Revised Statutes of Nebraska, and sections 77-2715.07, 77-2717, 77-2734.03, and 77-3806, Revised Statutes Cumulative Supplement, 2020; to adopt the Fueling Station Tax Credit Act; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 347. Introducer by Lindstrom, 18; Briese, 41; Linehan, 39.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to an income tax deduction for dividends received or deemed to be received from certain corporations; and to repeal the original section.

LEGISLATIVE BILL 348. Introducer by Morfeld, 46.

A BILL FOR AN ACT relating to decedents' estates; to amend section 30-24,129, Reissue Revised Statutes of Nebraska; to change provisions relating to succession to real property by affidavit for small estates; and to repeal the original section.

LEGISLATIVE BILL 349. Introducer by McKinney, 11.

A BILL FOR AN ACT relating to holidays; to amend sections 25-2221 and 62-301, Revised Statutes Cumulative Supplement, 2020; to establish El-Hajj Malik El-Shabazz, Malcolm X Day; to change provisions relating to holidays; and to repeal the original sections.

LEGISLATIVE BILL 350. Introducer by Linehan, 39.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-27,132, Reissue Revised Statutes of Nebraska; to change provisions relating to the distribution of certain sales and use tax revenue to the Game and Parks Commission Capital Maintenance Fund; and to repeal the original section.

LEGISLATIVE BILL 352. Introducer by Lathrop, 12.

A BILL FOR AN ACT relating to courts; to amend sections 33-107.03, 33-154, and 33-155, Reissue Revised Statutes of Nebraska; to change the amounts of certain court fees; and to repeal the original sections.

LEGISLATIVE BILL 353. Introducer by Lathrop, 12.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Department of Correctional Services for the construction or expansion of a community corrections facility.

LEGISLATIVE BILL 356. Introducer by Hunt, 8.

A BILL FOR AN ACT relating to public assistance; to amend section 68-1017.02, Reissue Revised Statutes of Nebraska; to change provisions relating to disqualification for Supplemental Nutrition Assistance Program benefits as prescribed; and to repeal the original section.

LEGISLATIVE BILL 357. Introducer by Hunt, 8.

A BILL FOR AN ACT relating to infants and juveniles; to define terms; to state intent; to create the Nebraska Youth in Care Bill of Rights; and to provide powers and duties.

LEGISLATIVE BILL 358. Introducer by Hunt, 8; Hansen, M., 26.

A BILL FOR AN ACT relating to the Uniform Residential Landlord and Tenant Act; to amend section 76-1439, Reissue Revised Statutes of Nebraska; to change

provisions relating to retaliatory conduct by a landlord; and to repeal the original section.

LEGISLATIVE BILL 359. Introducer by Pansing Brooks, 28; Hunt, 8; McKinney, 11; Morfeld, 46.

A BILL FOR AN ACT relating to schools; to amend sections 79-719, 79-720, 79-721, 79-722, and 79-723, Reissue Revised Statutes of Nebraska; to change provisions regarding multicultural education as prescribed; to provide powers for the State Board of Education; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 359A. Introducer by Pansing Brooks, 28.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 359, One Hundred Seventh Legislature, First Session, 2021.

LEGISLATIVE BILL 360. Introducer by Pansing Brooks, 28; Blood, 3; Hunt, 8.

A BILL FOR AN ACT relating to sexual assault; to amend sections 28-319 and 28-320, Reissue Revised Statutes of Nebraska, and section 28-318, Revised Statutes Cumulative Supplement, 2020; to define and redefine terms relating to sexual assault offenses; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 361. Introducer by Dorn, 30; Vargas, 7.

A BILL FOR AN ACT relating to appropriations; to state intent regarding appropriations to the State Department of Education for educational service units.

LEGISLATIVE BILL 362. Introducer by Halloran, 33; Aguilar, 35; Albrecht, 17; Clements, 2; Erdman, 47; Gragert, 40; Linehan, 39; Lowe, 37; Murman, 38; Brewer, 43.

A BILL FOR AN ACT relating to elections; to amend section 32-943, Reissue Revised Statutes of Nebraska; to provide for return of a marked ballot for early voting by a voter-appointed agent; to change an agent restriction; and to repeal the original section.

LEGISLATIVE BILL 364. Introducer by Linehan, 39; Albrecht, 17; Bostelman, 23; Brewer, 43; Clements, 2; Erdman, 47; Geist, 25; Halloran, 33; Hansen, B., 16; Lindstrom, 18; Lowe, 37; McDonnell, 5; Murman, 38; Sanders, 45; Slama, 1; Aguilar, 35; Groene, 42.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2715.07, 77-2717, and 77-2734.03, Revised Statutes Cumulative Supplement, 2020; to adopt the Opportunity Scholarships Act; to provide for tax credits; to harmonize provisions; to provide an operative date; to provide for severability; and to repeal the original sections.

LEGISLATIVE BILL 367. Introducer by Briese, 41.

A BILL FOR AN ACT relating to the Mechanical Amusement Device Tax Act; to amend section 77-3005, Reissue Revised Statutes of Nebraska, sections 77-3007 and 77-3011, Revised Statutes Cumulative Supplement, 2020, and section 77-3001, Reissue Revised Statutes of Nebraska, as amended by section 12, Initiative Law 2020, No. 430; to define and redefine terms; to impose and levy a tax on cash devices; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 370. Introducer by Sanders, 45; Lindstrom, 18; Morfeld, 46.

A BILL FOR AN ACT relating to public records; to adopt the Personal Privacy Protection Act; to provide an operative date; and to provide severability.

LEGISLATIVE BILL 374. Introducer by DeBoer, 10; Wishart, 27.

A BILL FOR AN ACT relating to public health and welfare; to adopt the Alzheimer's Disease and Other Dementia Support Act; to create the Alzheimer's Disease and Other Dementia Advisory Council; and to require a plan.

LEGISLATIVE BILL 375. Introducer by Kolterman, 24.

A BILL FOR AN ACT relating to pharmacy benefit managers; to amend section 71-2484, Revised Statutes Cumulative Supplement, 2020; to adopt the Pharmacy Benefit Manager Regulation and Transparency Act; to change provisions relating to pharmacy benefit managers; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 376. Introducer by Cavanaugh, M., 6; Walz, 15; Cavanaugh, J., 9; Hansen, B., 16.

A BILL FOR AN ACT relating to developmental disabilities; to amend section 83-1212.01, Revised Statutes Cumulative Supplement, 2020; to state intent; to authorize the application for and implementation of services and supports for developmentally disabled children and their families; to provide for a report; to provide duties for the Advisory Committee on Developmental Disabilities; and to repeal the original section.

LEGISLATIVE BILL 376A. Introducer by Cavanaugh, M., 6.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 376, One Hundred Seventh Legislature, First Session, 2021.

LEGISLATIVE BILL 377. Introducer by DeBoer, 10.

A BILL FOR AN ACT relating to inheritance taxes; to amend section 77-2005.01, Reissue Revised Statutes of Nebraska; to change the individuals who are considered to be relatives of a decedent; and to repeal the original section.

LEGISLATIVE BILL 378. Introducer by DeBoer, 10.

A BILL FOR AN ACT relating to schools; to require the Commissioner of Education to report data as prescribed.

LEGISLATIVE BILL 391. Introducer by Bostar, 29; Aguilar, 35.

A BILL FOR AN ACT relating to appropriations; to transfer funds from the General Fund to the Customized Job Training Cash Fund.

LEGISLATIVE BILL 392. Introducer by Stinner, 48; Flood, 19; Blood, 3; Brewer, 43; Hansen, M., 26; Day, 49.

A BILL FOR AN ACT relating to psychologists; to amend sections 38-2838, 38-2850, 38-3112, 71-2445, and 71-2473, Reissue Revised Statutes of Nebraska, and sections 28-401, 38-3101, and 38-3111, Revised Statutes Cumulative Supplement, 2020; to adopt the Prescribing Psychologist Practice Act; to define and redefine terms; to provide for the use of certain terms; to change the membership of the Board of Psychology; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 393. Introducer by Hughes, 44.

A BILL FOR AN ACT relating to the Legislature; to eliminate the Next Generation Business Growth Act; and to outright repeal sections 50-301, 50-302, 50-303, 50-304, 50-305, and 50-306, Revised Statutes Cumulative Supplement, 2020.

LEGISLATIVE BILL 394. Introducer by Morfeld, 46; Hansen, M., 26.

A BILL FOR AN ACT relating to housing; to amend sections 25-21,223 and 76-1446, Reissue Revised Statutes of Nebraska; to adopt the Public Health Emergency Housing Protection Act; to change provisions relating to deadlines for trials in actions for possession and forcible entry and detainer; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 395. Introducer by Gragert, 40; Hughes, 44; Brewer, 43.

A BILL FOR AN ACT relating to game and parks; to amend sections 37-448 and 37-456, Reissue Revised Statutes of Nebraska, and section 37-201, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to special deer depredation season and provide for antelope and elk depredation seasons and permits; to change and provide fees; to change limits on limited antelope or elk permits; to provide for a free-earned landowner elk permit as prescribed; to provide duties for the Game and Parks Commission; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 397. Introducer by Bostelman, 23.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 60-301 and 60-2907, Revised Statutes Cumulative Supplement, 2020; to prohibit certain causes of action by motorists without insurance or financial responsibility or motorists convicted of driving under the influence or refusal to test; to require the Department of Motor Vehicles to establish and maintain an online verification system for

accessing certain private passenger motor vehicle insurance information; to authorize a disclosure under the Uniform Motor Vehicle Records Disclosure Act; and to repeal the original sections.

LEGISLATIVE BILL 398. Introducer by Bostelman, 23; Wayne, 13; Kolterman, 24; McDonnell, 5; Halloran, 33; Clements, 2.

A BILL FOR AN ACT relating to telecommunications and technology; to amend section 86-103.01, Reissue Revised Statutes of Nebraska, and sections 86-324, 86-577, 86-1101, and 86-1102, Revised Statutes Cumulative Supplement, 2020; to redefine terms; to change Public Service Commission powers relating to the Nebraska Telecommunications Universal Service Fund; to restate legislative intent relating to access to broadband service; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 399. Introducer by Bostelman, 23.

A BILL FOR AN ACT relating to regulation of water; to amend section 46-1011, Reissue Revised Statutes of Nebraska; to clarify a statutory reference relating to rural water districts; and to repeal the original section.

LEGISLATIVE BILL 402. Introducer by DeBoer, 10; Hunt, 8.

A BILL FOR AN ACT relating to civil actions; to require a report by the Supreme Court regarding eviction proceedings; and to define terms.

LEGISLATIVE BILL 403. Introducer by Slama, 1.

A BILL FOR AN ACT relating to decedents' estates; to amend section 68-919, Revised Statutes Cumulative Supplement, 2020; to change a provision relating to recovery of medical assistance debt involving property transferred by deed with retention of a life estate; and to repeal the original section.

LEGISLATIVE BILL 404. Introducer by Lowe, 37; Bostelman, 23; Brewer, 43; Clements, 2; Geist, 25; Gragert, 40; Halloran, 33; Hansen, B., 16; Slama, 1; Aguilar, 35.

A BILL FOR AN ACT relating to the Concealed Handgun Permit Act; to amend section 69-2436, Reissue Revised Statutes of Nebraska; to change permit and renewal time periods; to eliminate obsolete provisions; and to repeal the original section.

LEGISLATIVE BILL 408. Introducer by Briese, 41; Brewer, 43.

A BILL FOR AN ACT relating to property taxes; to amend sections 77-1601 and 77-1776, Reissue Revised Statutes of Nebraska, and section 77-1601.02, Revised Statutes Cumulative Supplement, 2020; to adopt the Property Tax Request Act; to change provisions relating to property tax requests; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 409. Introducer by Brewer, 43; Wayne, 13.

A BILL FOR AN ACT relating to public power; to amend section 70-1012, Reissue Revised Statutes of Nebraska, and section 70-1015, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to construction and unauthorized construction of electric transmission lines; to provide a moratorium on the construction of certain electric transmission lines as prescribed; to create the Electric Transmission Line Study Committee of the Legislature; and to repeal the original sections.

LEGISLATIVE BILL 410. Introducer by Linehan, 39.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716.01, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to itemized deductions; and to repeal the original section.

LEGISLATIVE BILL 413. Introducer by Wishart, 27.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend section 68-911, Reissue Revised Statutes of Nebraska, and section 68-901, Revised Statutes Cumulative Supplement, 2020; to define terms; to require coverage of medications for substance use disorder treatment and addiction medicine services as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 416. Introducer by Cavanaugh, M., 6; Cavanaugh, J., 9; Day, 49; Hunt, 8; McKinney, 11; Vargas, 7; Wayne, 13.

A BILL FOR AN ACT relating to public health and welfare; to amend section 68-911, Reissue Revised Statutes of Nebraska, and sections 38-101, 38-129, 68-901, and 68-915, Revised Statutes Cumulative Supplement, 2020; to define terms; to require implicit bias training for applicants and credential holders under the Uniform Credentialing Act; to require the Department of Health and Human Services to apply for a federal waiver to provide postpartum care; to state intent; to provide for instruction regarding health screenings; to change provisions relating to eligibility for medical assistance for postpartum women; to provide for reimbursement for the services of a doula; to create a fund; to state legislative intent regarding appropriations; to create a grant program; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 417. Introducer by Halloran, 33; Aguilar, 35; Bostelman, 23; Brewer, 43; Briese, 41; Clements, 2; Erdman, 47; Gragert, 40; Hansen, B., 16; Lowe, 37; Murman, 38; Sanders, 45; Slama, 1; Brandt, 32.

A BILL FOR AN ACT relating to firearms; to amend section 28-1204.04, Revised Statutes Cumulative Supplement, 2020; to authorize possession of a firearm on school grounds by a full-time, off-duty law enforcement officer; and to repeal the original section.

LEGISLATIVE BILL 418. Introducer by Murman, 38; Blood, 3; Bostar, 29; Briese, 41; Cavanaugh, J., 9; Clements, 2; Day, 49; Dorn, 30; Erdman, 47; Flood, 19; Geist, 25; Gragert, 40; Halloran, 33; Lowe, 37; Pansing Brooks, 28; Slama, 1; Walz, 15.

A BILL FOR AN ACT relating to public health; to adopt the Solemn Covenant of the States to Award Prizes for Curing Diseases compact.

LEGISLATIVE BILL 419. Introducer by Cavanaugh, J., 9; Hunt, 8.

A BILL FOR AN ACT relating to civil actions; to amend sections 25-21,223, 76-1442, and 76-1450, Reissue Revised Statutes of Nebraska; to require appointment of counsel at county expense in eviction proceedings; to define terms; to provide a duty for the Supreme Court; to require notice of the right to counsel in summonses as prescribed; to provide for a fee; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 420. Introducer by Pahls, 31.

A BILL FOR AN ACT relating to emergency responders; to amend section 18-1723, Reissue Revised Statutes of Nebraska, and section 35-1001, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to presumptions regarding causes of death or disability of firefighters and firefighter-paramedics as prescribed; and to repeal the original sections.

LEGISLATIVE BILL 421. Introducer by Stinner, 48.

A BILL FOR AN ACT relating to appropriations; to state intent regarding appropriations for the repayment of qualified educational debts owed by eligible health professionals under the Rural Health Systems and Professional Incentive Act.

LEGISLATIVE BILL 422. Introducer by Briese, 41.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2701.02, 77-2701.36, 77-2701.41, 77-2704.26, 77-2704.45, 77-2713, 77-27,132, and 77-27,223, Reissue Revised Statutes of Nebraska, and sections 77-2701, 77-2701.04, 77-2701.16, 77-2701.32, 77-2703, 77-2703.01, and 77-2711, Revised Statutes Cumulative Supplement, 2020; to change the sales tax rate; to define and redefine terms; to impose sales and use taxes on additional services as prescribed; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 424. Introducer by Brewer, 43; Albrecht, 17; Bostelman, 23; Friesen, 34; Groene, 42; Halloran, 33; Murman, 38.

A BILL FOR AN ACT relating to zoning restrictions; to amend sections 23-114, 23-114.01, 23-114.05, 66-914, and 72-272, Reissue Revised Statutes of Nebraska, and section 23-172, Revised Statutes Cumulative Supplement, 2020; to define a term; to require county zoning provisions prior to construction of wind energy generation projects as prescribed; to provide for fees as prescribed; to change provisions relating to county zoning resolutions, violations, and codes; to eliminate provisions relating to variances or exceptions from zoning regulations; to provide limitations on agreements relating to school lands; and to repeal the original sections.

LEGISLATIVE BILL 425. Introducer by Health and Human Services Committee; Arch, Chairperson; Cavanaugh, M., 6; Day, 49; Hansen, B., 16; Murman, 38; Walz, 15; Williams, 36.

A BILL FOR AN ACT relating to the Department of Health and Human Services; to amend section 83-106, Revised Statutes Cumulative Supplement, 2020; to require completion of a needs assessment and cost analysis for an inpatient adolescent psychiatric unit as prescribed; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 426. Introducer by Health and Human Services Committee; Arch, Chairperson; Cavanaugh, M., 6; Day, 49; Hansen, B., 16; Murman, 38; Walz, 15; Williams, 36.

A BILL FOR AN ACT relating to the Department of Health and Human Services; to require the department to conduct a cost analysis for capital improvements and structural changes to facilities at the Youth Rehabilitation and Treatment Center-Kearney and submit a report; and to declare an emergency.

LEGISLATIVE BILL 427. Introducer by Health and Human Services Committee; Arch, Chairperson; Cavanaugh, M., 6; Day, 49; Hansen, B., 16; Murman, 38; Walz, 15; Williams, 36.

A BILL FOR AN ACT relating to the Department of Health and Human Services; to amend section 83-107.01, Revised Statutes Cumulative Supplement, 2020; to state intent regarding substance abuse and behavioral health treatment for juveniles; and to repeal the original section.

LEGISLATIVE BILL 429. Introducer by Health and Human Services Committee; Arch, Chairperson; Cavanaugh, M., 6; Day, 49; Hansen, B., 16; Murman, 38; Walz, 15; Williams, 36.

A BILL FOR AN ACT relating to the Department of Health and Human Services; to amend section 43-404, Revised Statutes Cumulative Supplement, 2020; to require notification by the department to the Legislature prior to implementation of substantial changes to facilities and programs under the Office of Juvenile Services; and to repeal the original section.

LEGISLATIVE BILL 430. Introducer by Revenue Committee; Linehan, Chairperson; Albrecht, 17; Briese, 41; Friesen, 34; Lindstrom, 18.

A BILL FOR AN ACT relating to property taxes; to amend section 77-120, Reissue Revised Statutes of Nebraska; to change provisions relating to net book value; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 431. Introducer by Revenue Committee; Linehan, Chairperson; Albrecht, 17; Briese, 41; Friesen, 34; Lindstrom, 18.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-1376, 77-1504, 77-27,135, 81-15,164, and 81-3722, Reissue Revised Statutes of Nebraska; to change provisions relating to improvements on leased lands, the assessment of

undervalued and overvalued property, methods for giving notice, and the collection of certain fees and taxes; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 433. Introducer by Revenue Committee; Linehan, Chairperson; Albrecht, 17; Briese, 41; Friesen, 34; Lindstrom, 18.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2701.02 and 77-27,132, Reissue Revised Statutes of Nebraska; to change the sales and use tax rate; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 434. Introducer by Revenue Committee; Linehan, Chairperson; Albrecht, 17; Briese, 41; Friesen, 34; Lindstrom, 18.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-382, 77-385, and 77-5731, Reissue Revised Statutes of Nebraska, and section 77-6837, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to tax expenditure reports and certain joint hearings of the Revenue Committee and Appropriations Committee of the Legislature; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 435. Introducer by Hansen, B., 16.

A BILL FOR AN ACT relating to elections; to amend sections 32-951, 32-953, and 32-957, Reissue Revised Statutes of Nebraska, and sections 32-202, 32-939.02, and 32-1027, Revised Statutes Cumulative Supplement, 2020; to provide duties for the Secretary of State; to provide for the inclusion of an official watermark on ballots for early voting and special elections; to change provisions relating to the counting of ballots; and to repeal the original sections.

LEGISLATIVE BILL 436. Introducer by Hansen, B., 16; Murman, 38.

A BILL FOR AN ACT relating to the Athletic Training Practice Act; to amend sections 38-401, 38-402, 38-404, 38-408, 38-409, 38-410, and 38-411, Reissue Revised Statutes of Nebraska; to provide, change, and eliminate definitions; to change provisions relating to licensure and scope of practice; to harmonize provisions; to repeal the original sections; and to outright repeal sections 38-403, 38-405, and 38-407, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 437. Introducer by Hansen, B., 16.

A BILL FOR AN ACT relating to public assistance; to amend sections 68-944, 68-945, 68-946, and 68-1017, Reissue Revised Statutes of Nebraska, and section 29-110, Revised Statutes Cumulative Supplement, 2020; to change penalty and statute of limitation provisions relating to public assistance violations; to provide powers and duties for the state medicaid fraud control unit and the Attorney General under the False Medicaid Claims Act; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 438. Introducer by Hansen, M., 26.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Department of Labor.

LEGISLATIVE BILL 439. Introducer by Hansen, M., 26.

A BILL FOR AN ACT relating to the Uninsured and Underinsured Motorist Insurance Coverage Act; to amend sections 44-6410 and 44-6411, Reissue Revised Statutes of Nebraska; to change provisions relating to stacking of coverage; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 440. Introducer by Hansen, M., 26.

A BILL FOR AN ACT relating to the Nebraska Fair Employment Practice Act; to amend section 48-1118, Reissue Revised Statutes of Nebraska, and section 48-1107.02, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to discrimination against a qualified individual with a disability and enforcement of the act; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 441. Introducer by Hansen, M., 26; Hunt, 8.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation Act; to amend section 48-1,110, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to compensation for certain employees who are affected by COVID-19; to create a fund; to define terms; to harmonize provisions; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 442. Introducer by Hansen, M., 26; Sanders, 45.

A BILL FOR AN ACT relating to government; to create the Commission on Asian American Affairs.

LEGISLATIVE BILL 442A. Introducer by Hansen, M., 26.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 442, One Hundred Seventh Legislature, First Session, 2021.

LEGISLATIVE BILL 443. Introducer by Hansen, M., 26.

A BILL FOR AN ACT relating to the Foster Care Review Act; to amend sections 43-1304 and 43-1308, Reissue Revised Statutes of Nebraska; to exempt local foster care review boards from the Open Meetings Act as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 444. Introducer by Hansen, M., 26.

A BILL FOR AN ACT relating to jails; to amend section 47-503, Reissue Revised Statutes of Nebraska, and section 47-502, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to credit against jail terms; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 445. Introducer by Hansen, M., 26.

A BILL FOR AN ACT relating to juveniles; to amend sections 29-401, 43-248.01, and 43-249, Reissue Revised Statutes of Nebraska, and sections 43-250 and 43-253, Revised Statutes Cumulative Supplement, 2020; to require notification of a juvenile's parent, guardian, or custodian when a juvenile is taken into custody as prescribed; to define terms; to require that a juvenile's parent, guardian, or custodian be present when requested; to prohibit the use of certain statements in court proceedings as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 446. Introducer by Hansen, M., 26.

A BILL FOR AN ACT relating to housing; to adopt the Nebraska Housing Index and Financing Investment System Act.

LEGISLATIVE BILL 447. Introducer by Cavanaugh, M., 6.

A BILL FOR AN ACT relating to the Child Care Licensing Act; to amend section 71-1913.01, Reissue Revised Statutes of Nebraska; to remove an immunization exception; to change reporting requirements as prescribed; to provide a duty to the Department of Health and Human Services; and to repeal the original section.

LEGISLATIVE BILL 449. Introducer by Wishart, 27.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Department of Environment and Energy.

LEGISLATIVE BILL 450. Introducer by McKinney, 11.

A BILL FOR AN ACT relating to economic development; to adopt the Nebraska Innovation Hub Act.

LEGISLATIVE BILL 452A. Introducer by McKinney, 11; Hilgers, 21; Slama, 1.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 452, One Hundred Seventh Legislature, First Session, 2021.

LEGISLATIVE BILL 453. Introducer by McKinney, 11; Cavanaugh, J., 9.

A BILL FOR AN ACT relating to the Uniform Residential Landlord and Tenant Act; to amend sections 76-1419 and 76-1435, Reissue Revised Statutes of Nebraska; to require landlords to comply with rental registration ordinances as prescribed; to change provisions relating to certain remedies; and to repeal the original sections.

LEGISLATIVE BILL 454. Introducer by Friesen, 34; Albrecht, 17; Brandt, 32; Brewer, 43.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-201 and 77-5023, Reissue Revised Statutes of Nebraska, and sections 79-1016 and

79-1018.01, Revised Statutes Cumulative Supplement, 2020; to adopt the School Property Tax Stabilization Act; to change the valuation of agricultural land and horticultural land as prescribed; to harmonize provisions; to provide operative dates; and to repeal the original sections.

LEGISLATIVE BILL 454A. Introducer by Friesen, 34.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 454, One Hundred Seventh Legislature, First Session, 2021.

LEGISLATIVE BILL 455. Introducer by Friesen, 34.

A BILL FOR AN ACT relating to telecommunications; to amend section 75-129, Reissue Revised Statutes of Nebraska, and sections 75-109.01, 75-118, and 86-5,107, Revised Statutes Cumulative Supplement, 2020; to adopt the Broadband Pole Attachment Act; to change the jurisdiction of the Public Service Commission and provide duties; to change provisions relating to requirements and applicability of the Broadband Internet Service Infrastructure Act; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 456. Introducer by Friesen, 34.

A BILL FOR AN ACT relating to telecommunications and technology; to adopt the Nebraska Enhancing Broadband Act; and to state intent for an appropriation.

LEGISLATIVE BILL 457. Introducer by McCollister, 20.

A BILL FOR AN ACT relating to sales and use taxes; to amend sections 77-2708 and 77-27,144, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to deductions for certain sales and use tax refunds; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 458. Introducer by McCollister, 20.

A BILL FOR AN ACT relating to the Sex Offender Registration Act; to amend sections 29-4004, 29-4005, and 29-4006, Reissue Revised Statutes of Nebraska, and section 29-4007, Revised Statutes Cumulative Supplement, 2020; to amend sections 29-4004, 29-4005, 29-4006, and 29-4007, Reissue Revised Statutes of Nebraska; to provide for alternative methods of appearance and change provisions relating to the registration period; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 460. Introducer by Brandt, 32; Dorn, 30; Murman, 38.

A BILL FOR AN ACT relating to dark fiber; to amend sections 18-419, 70-704, 70-1409, 75-132.01, 86-416, 86-574, and 86-575, Reissue Revised Statutes of Nebraska, and sections 70-625 and 86-577, Revised Statutes Cumulative Supplement, 2020; to authorize the licensing of dark fiber by any agency or political subdivision of the state as prescribed; to eliminate Public Service Commission jurisdiction relating to certain violations and appeals; to harmonize provisions; to

repeal the original sections; and to outright repeal section 86-578, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 462. Introducer by Dorn, 30.

A BILL FOR AN ACT relating to appropriations; to state intent regarding appropriations to the Department of Health and Human Services.

LEGISLATIVE BILL 463. Introducer by Arch, 14; Blood, 3; Hansen, M., 26.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation Act; to amend section 48-134, Reissue Revised Statutes of Nebraska; to change provisions relating to physical examinations of injured employees; and to repeal the original section.

LEGISLATIVE BILL 464. Introducer by Bostar, 29; Cavanaugh, J., 9; Day, 49; DeBoer, 10; McKinney, 11; Morfeld, 46; Walz, 15; Wishart, 27.

A BILL FOR AN ACT relating to appropriations; to state intent regarding behavioral health aid funding.

LEGISLATIVE BILL 465. Introducer by Bostar, 29; Cavanaugh, J., 9; Day, 49; DeBoer, 10; McKinney, 11; Morfeld, 46; Walz, 15; Wishart, 27.

A BILL FOR AN ACT relating to the Behavioral Health Services Fund; to amend section 71-812, Reissue Revised Statutes of Nebraska; to authorize the use of funds for landlord risk mitigation as prescribed; to define and redefine terms; and to repeal the original section.

LEGISLATIVE BILL 467. Introducer by Bostar, 29; McDonnell, 5.

A BILL FOR AN ACT relating to the State Electrical Act; to amend section 81-2104, Revised Statutes Cumulative Supplement, 2020; to adopt updated electrical standards; and to repeal the original section.

LEGISLATIVE BILL 468. Introducer by Erdman, 47; Friesen, 34; Lowe, 37; Murman, 38.

A BILL FOR AN ACT relating to the Game Law; to amend section 37-201, Revised Statutes Cumulative Supplement, 2020; to provide compensation to landowners for damages to property caused by game animals and game birds as prescribed; to provide duties for the Game and Parks Commission; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 469. Introducer by Erdman, 47; Friesen, 34; Lowe, 37; Murman, 38.

A BILL FOR AN ACT relating to appropriations; to state intent regarding appropriations to the Game and Parks Commission for wildlife conservation.

LEGISLATIVE BILL 470. Introducer by DeBoer, 10.

A BILL FOR AN ACT relating to decedents' estates; to adopt the Uniform Powers of Appointment Act.

LEGISLATIVE BILL 471. Introducer by DeBoer, 10.

A BILL FOR AN ACT relating to adult institutions; to amend section 83-4,114, Revised Statutes Cumulative Supplement, 2020; to extend the termination date of the long-term restrictive housing work group; and to repeal the original section.

LEGISLATIVE BILL 472. Introducer by DeBoer, 10.

A BILL FOR AN ACT relating to law enforcement; to require a law enforcement officer to intervene when excessive force is used; to require law enforcement agencies to adopt policies on excessive force; to provide a duty for the Nebraska Commission on Law Enforcement and Criminal Justice; and to state intent.

LEGISLATIVE BILL 473. Introducer by DeBoer, 10.

A BILL FOR AN ACT relating to special education; to amend section 79-1142, Revised Statutes Cumulative Supplement, 2020; to adopt the Extraordinary Increase in Special Education Cost Act; to harmonize provisions; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 473A. Introducer by DeBoer, 10.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 473, One Hundred Seventh Legislature, First Session, 2021; and to declare an emergency.

LEGISLATIVE BILL 474. Introducer by Wishart, 27; Bostar, 29; Cavanaugh, M., 6; Day, 49; DeBoer, 10; Hansen, M., 26; Hunt, 8; McKinney, 11; Morfeld, 46; Pansing Brooks, 28; Walz, 15; McDonnell, 5; Cavanaugh, J., 9.

A BILL FOR AN ACT relating to cannabis; to amend sections 28-439, 77-2701.48, 77-2704.09, 77-27,132, and 77-4303, Reissue Revised Statutes of Nebraska, and sections 28-416 and 60-6,211.08, Revised Statutes Cumulative Supplement, 2020; to adopt the Medicinal Cannabis Act; to provide civil and criminal penalties; to create a fund; to change provisions relating to controlled substances, open containers, and taxation; to harmonize provisions; to provide operative dates; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 474A. Introducer by Wishart, 27.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 474, One Hundred Seventh Legislature, First Session, 2021.

LEGISLATIVE BILL 475. Introducer by Wishart, 27; Hansen, M., 26; Hunt, 8; Morfeld, 46.

A BILL FOR AN ACT relating to initiative and referendum petitions; to amend section 32-1405, Revised Statutes Cumulative Supplement, 2020; to require the Attorney General to issue an opinion with respect to whether an initiative measure contains more than one subject as prescribed; and to repeal the original section.

LEGISLATIVE BILL 477. Introducer by Bostar, 29; Walz, 15; Wishart, 27.

A BILL FOR AN ACT relating to initiative and referendum; to amend section 32-1405, Revised Statutes Cumulative Supplement, 2020; to require the Secretary of State to provide an advisory opinion on the object statement and text of a proposed measure as prescribed; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 478. Introducer by Blood, 3; Day, 49; Walz, 15.

A BILL FOR AN ACT relating to retirement; to amend sections 4-108, 16-1020, and 84-1511, Reissue Revised Statutes of Nebraska, and sections 84-1501 and 84-1503, Revised Statutes Cumulative Supplement, 2020; to adopt the Cities of the First Class Firefighters Cash Balance Retirement Act; to create funds; to change provisions relating to the Public Employees Retirement Board; to harmonize provisions; to provide for severability; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 480. Introducer by McKinney, 11; Cavanaugh, J., 9; Cavanaugh, M., 6; Hansen, M., 26.

A BILL FOR AN ACT relating to the Wage and Hour Act; to amend section 48-1203, Revised Statutes Cumulative Supplement, 2020; to change the minimum wage as prescribed; and to repeal the original section.

LEGISLATIVE BILL 481. Introducer by McKinney, 11; Cavanaugh, J., 9; Cavanaugh, M., 6; Hansen, M., 26; Morfeld, 46; Wishart, 27.

A BILL FOR AN ACT relating to marijuana; to amend sections 28-439, 43-292, 77-4301, 77-4302, 77-4303, 77-4304, 77-4305, 77-4306, 77-4309, 77-4310.01, and 77-4310.03, Reissue Revised Statutes of Nebraska, and sections 28-401, 28-405, 28-416, 28-1354, 60-6,211.08, and 71-5727, Revised Statutes Cumulative Supplement, 2020; to adopt the Marijuana Conviction Clean Slate Act; to decriminalize possession of marijuana; to change provisions relating to penalties for possession of a synthetic cannabinoid and drug paraphernalia; to define and redefine terms; to change provisions relating to termination of parental rights, visitation, custody, and other parenting matters; to prohibit possession of an open container of marijuana in a motor vehicle; to provide for the applicability of the Nebraska Clean Indoor Air Act; to remove marijuana from the marijuana and controlled substances tax; to rename a fund; to eliminate obsolete provisions; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 482. Introducer by Cavanaugh, J., 9.

A BILL FOR AN ACT relating to the Nebraska Political Accountability and Disclosure Act; to amend section 49-14,101.02, Reissue Revised Statutes of Nebraska; to define a term; to prohibit the use of public resources made as a

contribution by transfer to certain entities as prescribed; and to repeal the original section.

LEGISLATIVE BILL 483. Introducer by Cavanaugh, J., 9.

A BILL FOR AN ACT relating to climate; to provide duties for the University of Nebraska; to transfer funds; and to require reports.

LEGISLATIVE BILL 484. Introducer by Cavanaugh, J., 9.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-204, 28-518, and 29-2204.02, Reissue Revised Statutes of Nebraska, and sections 28-105, 28-201, and 83-1,122.01, Revised Statutes Cumulative Supplement, 2020; to provide for a new felony classification; to change penalties; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 486. Introducer by Day, 49; Blood, 3; Bostar, 29; Brandt, 32; Cavanaugh, J., 9; Cavanaugh, M., 6; Hansen, M., 26; Walz, 15; Brewer, 43; Lathrop, 12; Greene, 42.

A BILL FOR AN ACT relating to railroads; to require a train crew of at least two individuals as prescribed; to provide fines; and to provide duties for the Public Service Commission.

LEGISLATIVE BILL 488. Introducer by Stinner, 48.

A BILL FOR AN ACT relating to appropriations; to amend Laws 2019, LB294, section 17; to change an appropriation; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 489. Introducer by Wayne, 13.

A BILL FOR AN ACT relating to state contracts for services; to amend section 73-510, Reissue Revised Statutes of Nebraska; to require a financial stability and service capability analysis for certain contracts as prescribed; and to repeal the original section.

LEGISLATIVE BILL 490. Introducer by Cavanaugh, M., 6.

A BILL FOR AN ACT relating to Youth rehabilitation and treatment centers; to require a youth rehabilitation and treatment center to obtain a license.

LEGISLATIVE BILL 491. Introducer by Cavanaugh, M., 6.

A BILL FOR AN ACT relating to children and families; to amend sections 43-2204, 43-4401, 43-4402, 43-4403, 43-4407, 68-1207, 68-1214, and 81-3135, Reissue Revised Statutes of Nebraska, and sections 43-4406 and 68-1212, Revised Statutes Cumulative Supplement, 2020; to change and eliminate provisions regarding lead agencies and a pilot project; to harmonize provisions; to provide an operative date; to repeal the original sections; and to outright repeal sections 43-4408, 43-4409, and 68-1213, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 492. Introducer by Cavanaugh, M., 6.

A BILL FOR AN ACT relating to juveniles; to create and provide duties for the Nebraska Integrated Juvenile Data Governing Body; to create the Nebraska Juvenile Justice Information System; and to provide for reports.

LEGISLATIVE BILL 493. Introducer by Cavanaugh, M., 6.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Department of Health and Human Services.

LEGISLATIVE BILL 494. Introducer by Cavanaugh, M., 6.

A BILL FOR AN ACT relating to the Department of Health and Human Services; to direct the department to apply for grants to establish and maintain a health care insurance claims and payment information data base.

LEGISLATIVE BILL 495. Introducer by Hilkemann, 4.

A BILL FOR AN ACT relating to foster care; to amend section 43-4215, Reissue Revised Statutes of Nebraska; to state findings and intent; to require implementation of an increase in foster care reimbursement rates; to eliminate obsolete provisions; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 496. Introducer by Hilkemann, 4; Lathrop, 12; Slama, 1; McCollister, 20.

A BILL FOR AN ACT relating to the DNA Identification Information Act; to amend sections 29-4102, 29-4103, 29-4104, 29-4106, 29-4106.01, and 29-4109, Reissue Revised Statutes of Nebraska; to require collection of DNA samples from persons arrested for crimes of violence; to define a term; to provide for expungement; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 496A. Introducer by Hilkemann, 4.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 496, One Hundred Seventh Legislature, First Session, 2021; to provide for transfers of funds; and to provide an operative date.

LEGISLATIVE BILL 498. Introducer by DeBoer, 10; Brandt, 32.

A BILL FOR AN ACT relating to broadband services; to require the Public Service Commission to implement a broadband service testing and mapping program as prescribed.

LEGISLATIVE BILL 498A. Introducer by DeBoer, 10.

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

LEGISLATIVE BILL 499. Introducer by DeBoer, 10.

A BILL FOR AN ACT relating to treatment and corrections; to require an annual report on active cases by the Department of Correctional Services, Office of Probation Administration, and Division of Parole Supervision.

LEGISLATIVE BILL 502. Introducer by Flood, 19.

A BILL FOR AN ACT relating to the Nebraska Advantage Act; to amend sections 77-5705, 77-5723, 77-5727, 77-5731, and 77-5735, Reissue Revised Statutes of Nebraska, and sections 77-5725 and 77-5726, Revised Statutes Cumulative Supplement, 2020; to redefine a term; to change provisions relating to sales tax incentives; to harmonize provisions; to provide for applicability; and to repeal the original sections.

LEGISLATIVE BILL 504. Introducer by Cavanaugh, J., 9; McKinney, 11.

A BILL FOR AN ACT relating to the Motor Vehicle Operator's License Act; to amend sections 60-4,108 and 60-4,109, Revised Statutes Cumulative Supplement, 2020; to change certain penalty provisions for the suspension, revocation, or impoundment of an operator's license; and to repeal the original sections.

LEGISLATIVE BILL 505. Introducer by Cavanaugh, J., 9; McKinney, 11.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 29-2221, Reissue Revised Statutes of Nebraska; to change provisions relating to the habitual criminal enhancement; to define terms; and to repeal the original section.

LEGISLATIVE BILL 506. Introducer by Cavanaugh, J., 9.

A BILL FOR AN ACT relating to net metering; to amend section 70-2003, Reissue Revised Statutes of Nebraska; to change a requirement of a local distribution utility to provide net metering to additional customer-generators; and to repeal the original section.

LEGISLATIVE BILL 508. Introducer by Bostelman, 23; Brewer, 43.

A BILL FOR AN ACT relating to the Motor Vehicle Registration Act; to amend sections 60-3,107 and 60-3,108, Reissue Revised Statutes of Nebraska, and sections 60-3,185 and 60-3,189, Revised Statutes Cumulative Supplement, 2020; to provide motor vehicle tax exemptions for certain veterans and spouses as prescribed; to define terms; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 510. Introducer by Lindstrom, 18.

A BILL FOR AN ACT relating to the Nebraska Installment Loan Act; to amend section 45-1014, Reissue Revised Statutes of Nebraska, and sections 45-1013 and

45-1024, Revised Statutes Cumulative Supplement, 2020; to change installment loan license renewal fees and provide for distribution; to change the rate of interest charged on installment loans; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 511. Introducer by Lindstrom, 18.

A BILL FOR AN ACT relating to tobacco; to amend sections 69-2705, 77-2601, and 77-2603, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to cigarette tax stamps; to provide for the use of hologram, barcode, or quick response code tax stamps; to define terms; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 512. Introducer by Brewer, 43; Gragert, 40.

A BILL FOR AN ACT relating to emergency response; to adopt the Critical Infrastructure Utility Worker Protection Act; and to declare an emergency.

LEGISLATIVE BILL 513. Introducer by Brewer, 43.

A BILL FOR AN ACT relating to public power district boards; to amend sections 32-512, 70-610, and 70-619, Reissue Revised Statutes of Nebraska; to change duration of terms; to change qualifications for candidates and members of the board; and to repeal the original sections.

LEGISLATIVE BILL 514. Introducer by Brewer, 43.

A BILL FOR AN ACT relating to political parties; to amend sections 32-716 and 32-717, Reissue Revised Statutes of Nebraska; to change provisions relating to new political parties; to change filing and certification deadlines; and to repeal the original sections.

LEGISLATIVE BILL 515. Introducer by McKinney, 11.

A BILL FOR AN ACT relating to municipalities; to adopt the Municipal Police Oversight Act; and to provide a duty for the Revisor of Statutes.

LEGISLATIVE BILL 516. Introducer by McKinney, 11; Cavanaugh, J., 9.

A BILL FOR AN ACT relating to the Welfare Reform Act; to amend section 68-1735, Reissue Revised Statutes of Nebraska; to change provisions relating to self-sufficiency contracts and work activity requirements; and to repeal the original section.

LEGISLATIVE BILL 517. Introducer by Hunt, 8; Hansen, M., 26.

A BILL FOR AN ACT relating to government documents; to amend sections 60-490, 60-491, and 71-604.01, Reissue Revised Statutes of Nebraska, and sections 60-484, 60-484.02, 60-484.04, 60-484.05, 60-486, 60-487, 60-4,114.01, 60-4,117, 60-4,118, 60-4,118.03, 60-4,118.05, 60-4,119, 60-4,120, 60-4,120.01, 60-4,120.02, 60-4,121, 60-4,122, 60-4,123, 60-4,123.01, 60-4,124, 60-4,125, 60-4,126, and

60-4,144, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to the gender designated on drivers' licenses and state identification cards; to change gender-related language as prescribed; to provide a procedure for amendment of a birth certificate; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 518. Introducer by Morfeld, 46.

A BILL FOR AN ACT relating to the Student Discipline Act; to amend section 79-267, Reissue Revised Statutes of Nebraska; to add conduct constituting grounds for long-term suspension, expulsion, or mandatory reassignment; and to repeal the original section.

LEGISLATIVE BILL 519. Introducer by Morfeld, 46.

A BILL FOR AN ACT relating to public safety; to amend sections 25-21,271, 28-101, 28-416, 28-441, and 53-180.05, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to notice for petitions to change a person's name; to provide immunity for certain alcohol and controlled substances violations by witnesses and victims of sexual assaults and persons cooperating with law enforcement; to define terms; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 520. Introducer by Friesen, 34.

A BILL FOR AN ACT relating to telecommunications and technology; to define terms; and to provide for applications for the collocation of certain wireless facilities.

LEGISLATIVE BILL 522. Introducer by Friesen, 34.

A BILL FOR AN ACT relating to the Motor Vehicle Certificate of Title Act; to amend section 60-183, Reissue Revised Statutes of Nebraska; to change a motor vehicle identification inspection training provision; and to repeal the original section.

LEGISLATIVE BILL 523. Introducer by Albrecht, 17.

A BILL FOR AN ACT relating to school funding; to amend sections 77-3442, 79-1098, 79-10,100, 79-10,101, 79-10,120, and 79-10,126, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to certain school taxes and special funds; to provide a termination date; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 524. Introducer by Brandt, 32; Kolterman, 24; Stinner, 48; Williams, 36.

A BILL FOR AN ACT relating to the Nebraska Property Tax Incentive Act; to amend section 77-6703, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to the calculation of tax credits; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 525. Introducer by Wishart, 27.

A BILL FOR AN ACT relating to treatment and corrections; to amend sections 47-902, 47-903, 47-904, 47-905, 47-907, 47-911, 47-914, and 47-915, Revised Statutes Cumulative Supplement, 2020; to provide duties and requirements for transitional housing facilities receiving state or county funding; to define terms; to provide for inspections; to provide the Office of Inspector General of the Nebraska Correctional System with authority to oversee the Division of Parole Supervision; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 526. Introducer by Wishart, 27.

A BILL FOR AN ACT relating to the Business Innovation Act; to amend sections 81-12,157, 81-12,158, 81-12,159, 81-12,160, 81-12,161, 81-12,162, and 81-12,163, Revised Statutes Cumulative Supplement, 2020; to change certain limitations on awards under the act; to state intent regarding appropriations; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 529. Introducer by Walz, 15.

A BILL FOR AN ACT relating to education; to amend sections 79-8,132, 79-8,133, 79-8,135, 79-8,138, 79-8,139, 79-8,140, 79-1064, 79-1201.01, and 85-2101, Reissue Revised Statutes of Nebraska, and sections 9-812, 9-836.01, 79-759, 79-8,134, 79-8,137, 79-8,137.01, 79-8,137.02, 79-8,137.03, 79-8,137.04, 79-8,137.05, 79-1003, 79-1054, 79-1104.02, 79-1337, 79-2503, 79-2505, 79-2506, 84-304, 85-1412, 85-1920, and 85-2009, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to the distribution of lottery funds used for education; to adopt the Behavioral Intervention Training and Teacher Support Act; to create funds; to establish a mental health training grant program; to change provisions relating to standard college admission tests; to adopt the College Credit Testing Fee Reduction Program Act; to define and redefine terms; to change provisions relating to an innovation grant program, the use of certain funds, and distance education incentives; to change provisions relating to the Expanded Learning Opportunity Grant Program Act; to provide duties for the Auditor of Public Accounts and the Coordinating Commission for Postsecondary Education; to change provisions relating to the Nebraska Opportunity Grant Fund and the Community College Gap Assistance Program Fund; to adopt the Career-Readiness and Dual-Credit Education Grant Program Act; to transfer and change provisions of the Excellence in Teaching Act; to eliminate obsolete provisions and a fund; to repeal the Master Teacher Program Act, distance education equipment reimbursements, provisions relating to a study and to a statewide vision for education, and learning community transition aid; to harmonize provisions; to provide a duty for the Revisor of Statutes; to provide an operative date; to repeal the original sections; to outright repeal sections 79-8,124, 79-8,125, 79-8,126, 79-8,127, 79-8,128, 79-8,129, 79-8,130, 79-8,131, and 79-1336, Reissue Revised Statutes of Nebraska, and sections 50-425, 50-426, 50-427, 50-428, and 79-10,145, Revised Statutes Cumulative Supplement, 2020; and to declare an emergency.

LEGISLATIVE BILL 529A. Introducer by Walz, 15.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 529, One Hundred Seventh

Legislature, First Session, 2021; to outright repeal section 49, Legislative Bill 380, One Hundred Seventh Legislature, First Session, 2021; and to declare an emergency.

LEGISLATIVE BILL 530. Introducer by Lathrop, 12.

A BILL FOR AN ACT relating to insurance; to amend section 60-569, Reissue Revised Statutes of Nebraska; to require certain policies issued by insurers to comply with federal minimum levels of financial responsibility for motor carriers as prescribed; and to repeal the original section.

LEGISLATIVE BILL 531. Introducer by Briese, 41.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2715.07, 77-2717, and 77-2734.03, Revised Statutes Cumulative Supplement, 2020; to adopt the Nebraska Child Care Contribution Tax Credit Act; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 534. Introducer by Day, 49; Cavanaugh, M., 6.

A BILL FOR AN ACT relating to motor vehicles; to amend section 60-4,121, Revised Statutes Cumulative Supplement, 2020; to provide for an operator's license to remain valid while serving as an officer of the foreign service of the United States; and to repeal the original section.

LEGISLATIVE BILL 535. Introducer by Kolterman, 24.

A BILL FOR AN ACT relating to life insurance; to provide for notice to assignees of default and lapse and termination; to define a term; and to provide for applicability.

LEGISLATIVE BILL 536. Introducer by Aguilar, 35; Friesen, 34; Halloran, 33.

A BILL FOR AN ACT relating to horseracing; to amend section 2-1207.01, Reissue Revised Statutes of Nebraska, and section 2-1207, Revised Statutes Cumulative Supplement, 2020; to change distribution provisions for certain deductions from wagers as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 537. Introducer by Geist, 25; McDonnell, 5; Flood, 19.

A BILL FOR AN ACT relating to the Nebraska Juvenile Code; to amend sections 43-251.01 and 43-253, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to juvenile detention; to eliminate obsolete provisions; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 539. Introducer by Walz, 15.

A BILL FOR AN ACT relating to railroads; to provide for a limit on the length of trains.

LEGISLATIVE BILL 541. Introducer by Walz, 15.

A BILL FOR AN ACT relating to foster care; to amend sections 43-4215 and 68-1210, Reissue Revised Statutes of Nebraska; to provide duties for the Division of Children and Family Services and the Division of Medicaid and Long-Term Care of the Department of Health and Human Services to implement services and reimbursement rates as prescribed; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 542. Introducer by Walz, 15; Moser, 22; Kolterman, 24.

A BILL FOR AN ACT relating to highways; to amend sections 39-2205, 39-2209, 39-2211, 39-2212, 39-2213, 39-2216, 39-2222, 39-2223, and 39-2704, Reissue Revised Statutes of Nebraska, and section 39-2224, Revised Statutes Cumulative Supplement, 2020; to authorize issuance of highway bonds under the Nebraska Highway Bond Act; to change provisions of the Build Nebraska Act; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 543. Introducer by Brandt, 32; Brewer, 43; Dorn, 30; Friesen, 34; Gragert, 40; Murman, 38.

A BILL FOR AN ACT relating to trade practices; to adopt the Agricultural Equipment Right-To-Repair Act.

LEGISLATIVE BILL 545. Introducer by Wayne, 13.

A BILL FOR AN ACT relating to gaming; to amend sections 77-3004, 77-3005, and 77-3009, Reissue Revised Statutes of Nebraska, sections 9-1,101, 77-3007, 77-3011, 77-3442, and 79-1001, Revised Statutes Cumulative Supplement, 2020, sections 28-1101, 28-1105, 28-1113, and 77-3001, Reissue Revised Statutes of Nebraska, as amended by sections 8, 9, 10, and 12, respectively, Initiative Law 2020, No. 430, and section 3, Initiative Law 2020, No. 430; to adopt the Games of Skill Act; to redefine duties for the Department of Revenue; to provide a gambling exception for operating or participating in games of skill; to change a provision relating to the possession of gambling records; to correlate provisions with Laws 2019, LB538, section 2; to provide for excise taxes as prescribed; to change provisions relating to property tax levies; to change the Tax Equity and Educational Opportunities Support Act; to redefine a term under the Nebraska Racetrack Gaming Act; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 546. Introducer by Wayne, 13.

A BILL FOR AN ACT relating to marijuana; to amend sections 28-439, 43-292, 77-2701.02, 77-2701.48, 77-2704.09, 77-27,132, 77-4301, 77-4302, 77-4303, 77-4304, 77-4305, 77-4306, 77-4309, 77-4310.01, and 77-4310.03, Reissue Revised Statutes of Nebraska, and sections 28-401, 28-405, 28-416, 28-476, 28-1354, 60-6,211.08, 71-5727, 81-2,239, and 81-2,263, Revised Statutes Cumulative Supplement, 2020; to adopt the Marijuana Control Act and Marijuana Conviction Clean Slate Act; to remove marijuana as a controlled substance under the Uniform Controlled Substances Act; to change provisions relating to penalties for possession of a synthetic cannabinoid and drug paraphernalia; to define, redefine, and eliminate terms; to change provisions relating to termination of parental rights, visitation, custody, and other parenting matters; to prohibit possession of an open container of

marijuana in a motor vehicle; to provide for the applicability of the Nebraska Clean Indoor Air Act and the Nebraska Pure Food Act; to impose a higher sales and use tax rate on sales of marijuana; to provide for the distribution of tax revenue; to remove marijuana from the marijuana and controlled substances tax; to rename a fund; to eliminate obsolete provisions; to harmonize provisions; to repeal the original sections; to provide severability; and to outright repeal sections 28-463, 28-464, 28-465, 28-466, 28-467, 28-468, and 28-469, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 547. Introducer by Wayne, 13.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 49-801.01, 50-1209, 77-2711, 77-27,119, 77-27,144, 77-5905, and 84-602.03, Revised Statutes Cumulative Supplement, 2020; to adopt the Nebraska Small Business Act; to provide tax incentives as prescribed; to change provisions relating to refunds of local option sales and use taxes; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 548. Introducer by Wayne, 13; McCollister, 20.

A BILL FOR AN ACT relating to criminal procedure; to amend section 29-3001, Reissue Revised Statutes of Nebraska; to adopt the Nebraska Racial Justice Act; to provide new grounds for postconviction relief and change provisions relating to postconviction acts; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 550. Introducer by Wayne, 13.

A BILL FOR AN ACT relating to education; to amend sections 79-234 and 79-2,136, Revised Statutes Cumulative Supplement, 2020; to change enrollment option limits and provisions for part-time enrollment; and to repeal the original sections.

LEGISLATIVE BILL 551. Introducer by Wayne, 13.

A BILL FOR AN ACT relating to law enforcement; to amend sections 48-147, 48-2709, 81-1403, 81-1407, 81-1412.02, and 81-1414, Reissue Revised Statutes of Nebraska, and sections 23-1701.01, 29-2264, 48-115, 48-126.01, 48-145, 81-1401, 81-1414.07, 81-1456, and 81-1457, Revised Statutes Cumulative Supplement, 2020; to define and redefine terms; to change provisions relating to annual and initial training for law enforcement officers; to change membership of the Nebraska Police Standards Advisory Council; to provide for certification of persons certified as law enforcement officers in other states; to change provisions relating to law enforcement officer certification; to provide for policies and requirements for investigating law enforcement officer misconduct; to require law enforcement agencies to maintain records regarding officer discipline; to make certain records relating to law enforcement officers public; to create a public data base; to provide duties for the Nebraska Commission on Law Enforcement and Criminal Justice; to prohibit chokeholds as prescribed; to require policies on excessive force and a duty to intervene; to require accreditation of law enforcement agencies; to create a fund; to eliminate provisions regarding law enforcement reserve forces; to harmonize provisions; to repeal the original sections; and to outright repeal sections 81-1438,

81-1439, 81-1440, 81-1441, 81-1442, 81-1443, 81-1444, 81-1445, and 81-1446, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 552. Introducer by Wayne, 13.

A BILL FOR AN ACT relating to the Uniform Controlled Substances Act; to amend sections 28-401 and 28-405, Revised Statutes Cumulative Supplement, 2020; to clarify definitions related to marijuana and related substances; to schedule nabiximols as a Schedule III controlled substance; to redefine terms; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 553. Introducer by Wayne, 13.

A BILL FOR AN ACT relating to cities of the metropolitan class; to adopt the Bed Bug Detection and Treatment Act.

LEGISLATIVE BILL 554. Introducer by Blood, 3; Day, 49; Pansing Brooks, 28.

A BILL FOR AN ACT relating to public health; to adopt the Licensed Professional Counselors Interstate Compact; and to provide a duty for the Health and Human Services Committee of the Legislature.

LEGISLATIVE BILL 555. Introducer by Hansen, M., 26.

A BILL FOR AN ACT relating to the Municipal Density and Missing Middle Housing Act; to amend section 19-5504, Revised Statutes Cumulative Supplement, 2020; to change the contents of a report relating to affordable housing as prescribed; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 557. Introducer by Hansen, M., 26.

A BILL FOR AN ACT relating to public records; to amend sections 84-712, 84-712.01, and 84-712.07, Reissue Revised Statutes of Nebraska, and sections 81-1454, 84-712.03, and 84-712.05, Revised Statutes Cumulative Supplement, 2020; to provide that recordings from body-worn cameras of peace officers depicting the death of a person being apprehended or in custody are public records; to change public records provisions relating to residents, nonresidents, fees, and remedies; and to repeal the original sections.

LEGISLATIVE BILL 559. Introducer by Vargas, 7; Hansen, M., 26.

A BILL FOR AN ACT relating to the Nebraska Treatment and Corrections Act; to amend section 83-173.03, Revised Statutes Cumulative Supplement, 2020; to redefine terms; to eliminate obsolete language; and to repeal the original section.

LEGISLATIVE BILL 560. Introducer by Briese, 41.

A BILL FOR AN ACT relating to gaming; to amend sections 1, 3, 5, and 6, Initiative Law 2020, No. 430, and sections 2, 3, 5, and 7, Initiative Law 2020, No. 431; to change the name of the Nebraska Gaming Commission and the State Racing Commission; to define and redefine terms; to change provisions of the Nebraska

Racetrack Gaming Act; to provide requirements for licensure; to provide powers and duties for the commission; to establish requirements for sports wagering; to prohibit certain activities; to provide penalties; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 562. Introducer by Erdman, 47; Halloran, 33; Lowe, 37; Sanders, 45.

A BILL FOR AN ACT relating to the Game and Parks Commission; to amend section 37-104, Reissue Revised Statutes of Nebraska; to provide for the relocation of commission headquarters as prescribed; and to repeal the original section.

LEGISLATIVE BILL 563. Introducer by McDonnell, 5.

A BILL FOR AN ACT relating to treatment and corrections; to amend section 29-2269, Reissue Revised Statutes of Nebraska, and section 83-1,103, Revised Statutes Cumulative Supplement, 2020; to provide caseload limits for high-risk offenders supervised by probation officers and parole officers; to define terms; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 564. Introducer by McDonnell, 5.

A BILL FOR AN ACT relating to the Nebraska educational savings plan trust; to amend section 85-1802, Revised Statutes Cumulative Supplement, 2020; to redefine qualified higher education expenses; and to repeal the original section.

LEGISLATIVE BILL 565. Introducer by McDonnell, 5.

A BILL FOR AN ACT relating to education; to provide for a pilot program for youth initiated mentoring; to state intent related to funding; and to declare an emergency.

LEGISLATIVE BILL 567. Introducer by Business and Labor Committee; Hansen, B., Chairperson; Blood, 3; Gragert, 40; Halloran, 33; Hansen, M., 26.

A BILL FOR AN ACT relating to the Employment Security Law; to amend section 48-626, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to the maximum annual amount of benefits; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 568. Introducer by Pansing Brooks, 28; Vargas, 7; Walz, 15; Wishart, 27.

A BILL FOR AN ACT relating to juveniles; to amend sections 28-709, 43-247, 43-252, 43-260.03, 43-260.05, 43-2404, 43-2404.03, 43-2405, 43-3504, 79-201, 79-207, 79-210, 79-267, 79-1601, and 79-2114, Reissue Revised Statutes of Nebraska, and sections 25-2912.01, 43-245, 43-247.03, 43-248, 43-251.01, 43-260.04, 43-274, 43-276, 43-286, 43-2404.02, 79-209, and 79-2506, Revised Statutes Cumulative Supplement, 2020; to change the jurisdiction of juvenile courts as prescribed; to change provisions and terminology related to truancy; to eliminate obsolete language; to change provisions of the Community-based Juvenile Services

Aid Program and the Commission Grant Program; to change a funding intent; to change provisions related to compulsory education; to transfer a duty; to clarify provisions; to add authority for rules and regulations; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 569. Introducer by Pansing Brooks, 28.

A BILL FOR AN ACT relating to public health; to define terms; and to provide for the treatment of Lyme disease as prescribed.

LEGISLATIVE BILL 571. Introducer by Halloran, 33.

A BILL FOR AN ACT relating to the Livestock Brand Act; to amend sections 54-170, 54-171, and 54-1,122, Revised Statutes Cumulative Supplement, 2020; to define terms; to provide for backgrounder lot registration; to provide fees; to provide duties; to change registered feedlot requirements; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 573. Introducer by Bostar, 29.

A BILL FOR AN ACT relating to net metering; to amend section 70-2002, Reissue Revised Statutes of Nebraska; to change the definition of qualified facility; and to repeal the original section.

LEGISLATIVE BILL 575. Introducer by Bostar, 29; Brandt, 32; Flood, 19; Hansen, M., 26; Morfeld, 46.

A BILL FOR AN ACT relating to railroads; to adopt the Midwest Interstate Passenger Rail Compact.

LEGISLATIVE BILL 576. Introducer by Bostar, 29.

A BILL FOR AN ACT relating to appropriations; to state intent regarding appropriations to the University of Nebraska; and to provide duties for the Cooperative Extension Service of the University of Nebraska.

LEGISLATIVE BILL 577. Introducer by Bostar, 29.

A BILL FOR AN ACT relating to elections; to amend sections 32-307, 32-308, 32-315, 32-1506, 60-4,130, and 60-4,130.02, Reissue Revised Statutes of Nebraska, and sections 25-2221, 32-202, 32-312, 32-947, 32-1002, 60-484, 60-484.02, 60-4,144, and 62-301, Revised Statutes Cumulative Supplement, 2020; to establish Election Day as a holiday; to change provisions relating to holidays; to change provisions relating to early voting and provide for early voting to be postage-paid; to change provisions relating to automatic voter registration; to harmonize provisions; to provide an operative date; to repeal the original sections; and to outright repeal section 32-309, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 578. Introducer by Vargas, 7; Wishart, 27.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend sections 53-101 and 53-103, Revised Statutes Cumulative Supplement, 2020; to define a term; to provide a tax on manufacturers and wholesalers of ready-to-drink cocktails; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 580. Introducer by Moser, 22.

A BILL FOR AN ACT relating to the Nebraska Racetrack Gaming Act; to amend section 2, Initiative Law 2020, No. 430; to change provisions relating to the operation of games of chance; and to repeal the original section.

LEGISLATIVE BILL 581. Introducer by Hansen, B., 16; Brandt, 32; Clements, 2; Erdman, 47; Flood, 19; Geist, 25; Gragert, 40; Lowe, 37; Murman, 38; Slama, 1; Wishart, 27; Briese, 41; Albrecht, 17; Morfeld, 46; Linehan, 39; Hughes, 44; Aguilar, 35.

A BILL FOR AN ACT relating to autocycles, motorcycles, and mopeds; to amend section 60-6,279, Revised Statutes Cumulative Supplement, 2020; to change helmet provisions; to require eye protection; and to repeal the original section.

LEGISLATIVE BILL 582. Introducer by Nebraska Retirement Systems Committee; Kolterman, Chairperson; Clements, 2; Lindstrom, 18; Slama, 1; Stinner, 48.

A BILL FOR AN ACT relating to retirement; to amend sections 79-978, 79-980, 79-981, 79-982, 79-982.01, 79-982.02, 79-983, 79-984, 79-985, 79-987, 79-990, 79-991, 79-992, 79-992.02, 79-996, 79-998, 79-9,102, 79-9,103, 79-9,105, 79-9,115, and 79-9,117, Revised Statutes Cumulative Supplement, 2020; to change provisions of the Class V School Employees Retirement Act relating to administration of the retirement system as prescribed; to define and redefine terms; to harmonize provisions; to provide severability; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 584. Introducer by Vargas, 7.

A BILL FOR AN ACT relating to food; to amend section 81-2,270, Revised Statutes Cumulative Supplement, 2020; to adopt the Mobile Food Unit Act; to change provisions relating to fees; and to repeal the original section.

LEGISLATIVE BILL 585. Introducer by Vargas, 7.

A BILL FOR AN ACT relating to appropriations; to appropriate funds for local public health departments as prescribed.

LEGISLATIVE BILL 586. Introducer by Clements, 2.

A BILL FOR AN ACT relating to city pensions; to amend sections 14-567 and 15-1017, Revised Statutes Cumulative Supplement, 2020; to require a report to the Legislature and the Governor relating to certain city police and firefighter defined benefit retirement plans as prescribed; and to repeal the original sections.

LEGISLATIVE BILL 587. Introducer by McDonnell, 5.

A BILL FOR AN ACT relating to education; to adopt the Career Mentoring Grant Act.

LEGISLATIVE BILL 587A. Introducer by McDonnell, 5.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 587, One Hundred Seventh Legislature, First Session, 2021.

LEGISLATIVE BILL 588. Introducer by Stinner, 48.

A BILL FOR AN ACT relating to capital construction; to amend sections 85-420, 85-426, and 86-594, Reissue Revised Statutes of Nebraska, and sections 85-419, 85-421, 85-422, 85-423, 85-424, and 85-425, Revised Statutes Cumulative Supplement, 2020; to rename and change provisions of the University of Nebraska Facilities Program of 2006 and the State College Facilities Program of 2006; to eliminate the University of Nebraska Facilities Program and the State College Facilities Program; to harmonize provisions; to repeal the original sections; to outright repeal sections 85-412, 85-413, 85-414, 85-415, 85-416, 85-417, and 85-418, Reissue Revised Statutes of Nebraska; and to declare an emergency.

LEGISLATIVE BILL 589. Introducer by Groene, 42.

A BILL FOR AN ACT relating to natural resources; to amend section 46-715, Revised Statutes Cumulative Supplement, 2020; to change integrated management plan provisions relating to water augmentation projects for natural streams; and to repeal the original section.

LEGISLATIVE BILL 590. Introducer by Groene, 42.

A BILL FOR AN ACT relating to elections; to amend sections 32-808 and 32-942, Reissue Revised Statutes of Nebraska; to change provisions relating to when ballots shall be ready for delivery for early voting; to change provisions relating to when a registered voter may appear in person to obtain a ballot prior to the day of election; and to repeal the original sections.

LEGISLATIVE BILL 591. Introducer by Groene, 42.

A BILL FOR AN ACT relating to water; to amend section 46-252, Reissue Revised Statutes of Nebraska; to require a permit for any natural resources district water augmentation project; and to repeal the original section.

LEGISLATIVE BILL 592. Introducer by Stinner, 48.

A BILL FOR AN ACT relating to the Automated Medication Systems Act; to amend sections 71-2449 and 71-2451, Reissue Revised Statutes of Nebraska; to provide for use of automated medication distribution machines as prescribed; and to repeal the original sections.

LEGISLATIVE BILL 593. Introducer by Slama, 1.

A BILL FOR AN ACT relating to foreign-country money judgments; to adopt the Uniform Foreign-Country Money Judgments Recognition Act and the Uniform Registration of Canadian Money Judgments Act.

LEGISLATIVE BILL 594. Introducer by Slama, 1; Kolterman, 24.

A BILL FOR AN ACT relating to economic development; to adopt the Rural Workforce Crisis Act.

LEGISLATIVE BILL 596. Introducer by Albrecht, 17; Murman, 38.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-908, Reissue Revised Statutes of Nebraska, and sections 77-2715.07, 77-2717, 77-2734.03, and 77-3806, Revised Statutes Cumulative Supplement, 2020; to adopt the Nebraska Higher Blend Tax Credit Act; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 597. Introducer by Albrecht, 17.

A BILL FOR AN ACT relating to income taxes; to amend section 77-2715.07, Revised Statutes Cumulative Supplement, 2020; to provide a tax credit for parents of stillborn children; and to repeal the original section.

LEGISLATIVE BILL 598. Introducer by Wishart, 27; Hunt, 8.

A BILL FOR AN ACT relating to the Department of Economic Development; to adopt the Small Business Stabilization Grant Program Act; and to declare an emergency.

LEGISLATIVE BILL 599. Introducer by Lindstrom, 18.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 76-902, Reissue Revised Statutes of Nebraska; to change an exemption from the documentary stamp tax; and to repeal the original section.

LEGISLATIVE BILL 600. Introducer by Brandt, 32.

A BILL FOR AN ACT relating to broadband; to amend sections 18-2603, 18-2609, 70-625.01, 70-701, and 70-704, Reissue Revised Statutes of Nebraska, and section 70-625, Revised Statutes Cumulative Supplement, 2020; to redefine terms and change a bond issuance provision under the Municipal Infrastructure Redevelopment Act; to change powers of public power districts and electric cooperatives as prescribed; to define terms; to state legislative findings and declarations; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 601. Introducer by McKinney, 11.

A BILL FOR AN ACT relating to law enforcement; to amend section 81-1456, Revised Statutes Cumulative Supplement, 2020; to require law enforcement agencies to maintain records regarding officer discipline; to make certain records relating to law enforcement officers public; to create a public data base; to provide a duty for the Nebraska Commission on Law Enforcement and Criminal Justice; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 602. Introducer by Pahls, 31.

A BILL FOR AN ACT relating to motor vehicles; to define terms; to provide duties for insurers relating to aftermarket parts and total loss declarations; and to provide requirements for consumer care of a motor vehicle relating to aftermarket parts.

LEGISLATIVE BILL 603. Introducer by Aguilar, 35; Lathrop, 12.

A BILL FOR AN ACT relating to consumer protection; to adopt the Organized Consumer Product Theft Prevention Act.

LEGISLATIVE BILL 604. Introducer by Geist, 25.

A BILL FOR AN ACT relating to telecommunications; to amend sections 86-123 and 86-134, Reissue Revised Statutes of Nebraska, and sections 86-101, 86-103, 86-124, and 86-324, Revised Statutes Cumulative Supplement, 2020; to adopt the Nebraska Accelerated Broadband Deployment Grant Program Act; to change the Nebraska Telecommunications Regulation Act and the Nebraska Telecommunications Universal Service Fund Act as prescribed; to define terms; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 605. Introducer by Wishart, 27; Geist, 25; Slama, 1; McCollister, 20.

A BILL FOR AN ACT relating to outdoor recreation and education; to create the Outdoor Recreation and Education Study Committee of the Legislature.

LEGISLATIVE BILL 606. Introducer by Hilgers, 21.

A BILL FOR AN ACT relating to power districts; to amend section 70-407, Reissue Revised Statutes of Nebraska; to clarify provisions; and to repeal the original section.

LEGISLATIVE BILL 607. Introducer by Hilgers, 21.

A BILL FOR AN ACT relating to schools; to amend section 79-770, Reissue Revised Statutes of Nebraska; to correct references to a federally defined term; and to repeal the original section.

LEGISLATIVE BILL 608. Introducer by Hilgers, 21.

A BILL FOR AN ACT relating to the State Racing Commission; to amend section 2-1201, Revised Statutes Cumulative Supplement, 2020; to eliminate obsolete provisions; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 609. Introducer by Hilgers, 21.

A BILL FOR AN ACT relating to the Uniform Credentialing Act; to amend section 38-133, Reissue Revised Statutes of Nebraska; to modernize language; and to repeal the original section.

LEGISLATIVE BILL 610. Introducer by Hilgers, 21.

A BILL FOR AN ACT relating to the Motor Vehicle Registration Act; to amend section 60-3,162, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to improper issuance of a certificate of registration; and to repeal the original section.

LEGISLATIVE BILL 611. Introducer by Hilgers, 21.

A BILL FOR AN ACT relating to property taxes; to amend section 77-201, Reissue Revised Statutes of Nebraska; to correct a reference to a defined term; and to repeal the original section.

LEGISLATIVE BILL 612. Introducer by Lathrop, 12.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 44-6408, 60-346, 60-509, 60-534, and 60-549, Reissue Revised Statutes of Nebraska, and sections 60-310, 60-501, and 60-6,381, Revised Statutes Cumulative Supplement, 2020; to change liability insurance and financial responsibility requirements; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 613. Introducer by Erdman, 47; Halloran, 33.

A BILL FOR AN ACT relating to the Tax Equalization and Review Commission Act; to amend section 77-5015, Reissue Revised Statutes of Nebraska; to change provisions relating to hearings and decisions on appeals; and to repeal the original section.

LEGISLATIVE BILL 614. Introducer by Erdman, 47.

A BILL FOR AN ACT relating to the Livestock Brand Act; to amend sections 54-1,110, 54-1,111, 54-1,115, and 54-1,119, Revised Statutes Cumulative Supplement, 2020; to eliminate registered feedlot provisions under the act; to harmonize provisions; to repeal the original sections; and to outright repeal section 54-188, Reissue Revised Statutes of Nebraska, and sections 54-1,120, 54-1,121, and 54-1,122, Revised Statutes Cumulative Supplement, 2020.

LEGISLATIVE BILL 615. Introducer by Erdman, 47.

A BILL FOR AN ACT relating to the Game and Parks Commission; to amend sections 37-101 and 37-102, Reissue Revised Statutes of Nebraska, and section 32-101, Revised Statutes Cumulative Supplement, 2020; to provide for election of commission members as prescribed; to eliminate obsolete provisions; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 617. Introducer by Hughes, 44.

A BILL FOR AN ACT relating to the Game and Parks Commission; to amend section 37-301, Reissue Revised Statutes of Nebraska; to change a provision relating to commission authority; and to repeal the original section.

LEGISLATIVE BILL 618. Introducer by Hughes, 44.

A BILL FOR AN ACT relating to game and parks; to amend section 37-438, Revised Statutes Cumulative Supplement, 2020; to define terms relating to annual and temporary park permits; and to repeal the original section.

LEGISLATIVE BILL 619. Introducer by Sanders, 45.

A BILL FOR AN ACT relating to the One-Call Notification System Act; to amend section 76-2308, Reissue Revised Statutes of Nebraska, and section 76-2320.02, Revised Statutes Cumulative Supplement, 2020; to redefine a term; to provide minimum depth requirements for certain underground facility installations; and to repeal the original sections.

LEGISLATIVE BILL 620. Introducer by Vargas, 7.

A BILL FOR AN ACT relating to treatment and corrections; to amend sections 83-170, 83-173.03, and 83-4,114, Revised Statutes Cumulative Supplement, 2020; to redefine terms; to limit the use of restrictive housing and solitary confinement; and to repeal the original sections.

LEGISLATIVE BILL 621. Introducer by Friesen, 34; Slama, 1.

A BILL FOR AN ACT relating to social media; to adopt the Social Media Fairness Act.

LEGISLATIVE BILL 622. Introducer by Friesen, 34.

A BILL FOR AN ACT relating to property taxes; to amend sections 77-201 and 77-5023, Reissue Revised Statutes of Nebraska, and section 79-1016, Revised Statutes Cumulative Supplement, 2020; to limit the growth of real property valuations as prescribed; to provide for adjustments to assessed values as prescribed; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 623. Introducer by Vargas, 7; Day, 49.

A BILL FOR AN ACT relating to education; to amend sections 48-818.01, 79-101, 79-209, 79-10,110.02, and 79-1204, Revised Statutes Cumulative Supplement, 2020; to adopt the Remote Instruction Act; to change collective-bargaining requirements; to define and redefine terms; to provide duties for attendance officers and school districts; to change provisions relating to tax levies as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 624. Introducer by McCollister, 20.

A BILL FOR AN ACT relating to treatment and corrections; to amend sections 29-2204.02, 29-3803, 29-3804, 29-4014, 81-1850, 83-1,110, 83-4,111, 83-4,122, and 83-4,123, Reissue Revised Statutes of Nebraska, and sections 29-2204, 83-170, 83-1,109, 83-1,135, and 83-4,114.01, Revised Statutes Cumulative Supplement, 2020; to provide for earned time credit reductions in the minimum terms of prisoners at the Department of Correctional Services; to define a term; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 626. Introducer by Vargas, 7.

A BILL FOR AN ACT relating to the Child and Maternal Death Review Act; to amend sections 71-3407, 71-3408, 71-3409, 71-3410, and 71-3411, Reissue Revised Statutes of Nebraska, and sections 71-3405 and 71-3406, Revised Statutes Cumulative Supplement, 2020; to define and redefine terms; to change team and team review provisions; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 627. Introducer by Morfeld, 46.

A BILL FOR AN ACT relating to elections; to amend sections 32-512 and 70-611, Reissue Revised Statutes of Nebraska; to change provisions relating to qualified voters in certain public power district elections; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 629. Introducer by Morfeld, 46.

A BILL FOR AN ACT relating to financial assistance related to COVID-19; to require a grant program to provide financial assistance to certain entities affected by event cancellations; and to declare an emergency.

LEGISLATIVE BILL 631. Introducer by Bostar, 29; Morfeld, 46.

A BILL FOR AN ACT relating to rental property; to define a term; to prohibit a county from prohibiting the use of property as a short-term rental as prescribed; and to provide a duty for the Revisor of Statutes.

LEGISLATIVE BILL 632. Introducer by Bostar, 29.

A BILL FOR AN ACT relating to the Department of Economic Development; to amend section 81-1210.02, Reissue Revised Statutes of Nebraska, and section 81-1201.21, Revised Statutes Cumulative Supplement, 2020; to define terms; to create a subaccount within the Job Training Cash Fund; to provide for an internship program; to provide duties for the department; and to repeal the original sections.

LEGISLATIVE BILL 633. Introducer by Vargas, 7; Wayne, 13.

A BILL FOR AN ACT relating to the Motor Vehicle Industry Regulation Act; to amend section 60-1411.03, Reissue Revised Statutes of Nebraska, and sections 60-1407 and 60-1438.01, Revised Statutes Cumulative Supplement, 2020; to change

provisions relating to license applications, prohibited acts, and franchise restrictions; and to repeal the original sections.

LEGISLATIVE BILL 634. Introducer by Cavanaugh, J., 9.

A BILL FOR AN ACT relating to the Nebraska Seed Law; to amend section 81-2,147, Reissue Revised Statutes of Nebraska, and section 81-2,147.01, Revised Statutes Cumulative Supplement, 2020; to provide a civil cause of action relating to unsafe disposal of treated seed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 635. Introducer by Cavanaugh, J., 9.

A BILL FOR AN ACT relating to elections; to amend sections 32-314, 32-401, 32-502, 32-503, 32-506, 32-507, 32-509, 32-605, 32-611, 32-612, 32-619.01, 32-623, 32-627, 32-702, 32-716, 32-720, 32-801, 32-809, 32-810, 32-811, 32-813, 32-814, 32-815, and 32-912, Reissue Revised Statutes of Nebraska, and sections 32-312 and 32-610, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to nomination and election of certain partisan candidates as prescribed; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 636. Introducer by Cavanaugh, J., 9; McKinney, 11.

A BILL FOR AN ACT relating to criminal procedure; to amend sections 14-603, 23-1808, 24-519, 25-1023, 25-10,101, 25-1544, 25-2730, 29-401, 29-428, 29-506, 29-901.02, 29-901.04, 29-901.06, 29-902.01, 29-903, 29-904, 29-908, 29-909, 29-1605, 29-1606, 29-1811, 29-2106, 29-2806, 29-2809, 33-117, 42-929, 43-255, 49-801, and 60-1307, Reissue Revised Statutes of Nebraska, and sections 28-311.09, 28-311.11, 29-422, 29-901, 29-901.01, 29-1201, and 43-253, Revised Statutes Cumulative Supplement, 2020; to eliminate cash bail, appearance bonds, and related provisions; to provide procedures, rules, and standards for release on a defendant's own recognizance or upon conditional release; to require appointment of counsel as prescribed; to change provisions relating to conditional release and pretrial release agencies; to eliminate and update obsolete and outdated language; to provide for rules; to provide duties for the Supreme Court; to define a term; to eliminate provisions relating to posting of bonds under the Nebraska Rules of the Road; to harmonize provisions; to repeal the original sections; and to outright repeal sections 29-901.03, 29-901.05, 29-902, 29-905, 29-906, 29-907, 29-1105, 29-1106, 29-1107, 29-1108, 29-1109, 29-1110, and 60-686, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 637. Introducer by Vargas, 7.

A BILL FOR AN ACT relating to public health; to amend sections 23-174.10, 71-1623, 71-1631, 71-1632, and 71-1635, Reissue Revised Statutes of Nebraska, and sections 17-121 and 17-208, Revised Statutes Cumulative Supplement, 2020; to change and eliminate powers of certain cities and villages; to change provisions relating to the authority of certain local boards of health to control contagious diseases; to eliminate certain review and approval powers of the Department of Health and Human Services relating to rules and regulations of local boards of health; to eliminate certain local health director powers as prescribed; to provide

county or district health departments with exclusive powers to control contagious or infectious disease; to eliminate boards of health for cities of the first class; to harmonize provisions; to repeal the original sections; and to outright repeal section 16-238, Revised Statutes Cumulative Supplement, 2020.

LEGISLATIVE BILL 638. Introducer by Health and Human Services Committee; Arch, Chairperson; Day, 49; Murman, 38; Walz, 15; Williams, 36; Hansen, B., 16.

A BILL FOR AN ACT relating to courts; to amend section 24-1007, Reissue Revised Statutes of Nebraska; to require a report on juveniles discharged from youth rehabilitation and treatment centers; and to repeal the original section.

LEGISLATIVE BILL 640. Introducer by Day, 49; Blood, 3; Cavanaugh, J., 9.

A BILL FOR AN ACT relating to the Tax Equity and Educational Opportunities Support Act; to amend sections 79-1001, 79-1003, 79-1007.11, and 79-1017.01, Revised Statutes Cumulative Supplement, 2020; to redefine terms; to provide for early childhood education aid; to provide a new allowance; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 641. Introducer by Day, 49; Blood, 3; Cavanaugh, J., 9; Vargas, 7.

A BILL FOR AN ACT relating to schools; to amend section 79-8,106, Revised Statutes Cumulative Supplement, 2020; to change provisions regarding salaries during an epidemic; and to repeal the original section.

LEGISLATIVE BILL 642. Introducer by Day, 49.

A BILL FOR AN ACT relating to schools; to amend sections 79-1007.13 and 79-1018.01, Revised Statutes Cumulative Supplement, 2020; to state findings; to provide reimbursements for mental health expenditures; to state intent for appropriations; to change provisions relating to local system formula resources; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 643. Introducer by Hansen, B., 16; Clements, 2; Erdman, 47; Lowe, 37; Murman, 38; Lindstrom, 18.

A BILL FOR AN ACT relating to fundamental rights; to protect an individual liberty right to accept or decline a vaccination under a mandatory directive.

LEGISLATIVE BILL 645. Introducer by Hansen, B., 16.

A BILL FOR AN ACT relating to public health; to provide for an enhanced penalty for violations of directed health measures committed by public officials involved in passing such measures.

LEGISLATIVE BILL 646. Introducer by Flood, 19.

A BILL FOR AN ACT relating to appropriations; to amend Laws 2020, LB1008, section 60; to change the maximum amount of certain scholarships; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 648. Introducer by Flood, 19.

A BILL FOR AN ACT relating to banking and finance; to adopt the Transactions in Digital Assets Act.

LEGISLATIVE BILL 651. Introducer by Wayne, 13; McKinney, 11.

A BILL FOR AN ACT relating to students; to amend section 79-236, Reissue Revised Statutes of Nebraska; to provide a termination date for the enrollment option program; and to repeal the original section.

LEGISLATIVE BILL 652. Introducer by Wayne, 13; Hunt, 8.

A BILL FOR AN ACT relating to economic development; to adopt the Nebraska Historically Underutilized Business Program Act; and to provide an operative date.

LEGISLATIVE BILL 653. Introducer by Wayne, 13.

A BILL FOR AN ACT relating to the Community Development Law; to amend sections 18-2101, 18-2101.02, 18-2103, 18-2117.02, and 18-2119, Revised Statutes Cumulative Supplement, 2020; to define a term; to change provisions relating to the utilization of historically underutilized businesses, reporting requirements, and redevelopment contracts; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 654. Introducer by Wayne, 13.

A BILL FOR AN ACT relating to public funds; to adopt the Public Entities Investment Trust Act.

LEGISLATIVE BILL 655. Introducer by Wayne, 13.

A BILL FOR AN ACT relating to the Tobacco Products Tax Act; to amend section 77-4008, Reissue Revised Statutes of Nebraska; to change provisions relating to the tax on cigars, cheroots, and stogies as prescribed; to harmonize provisions; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 657. Introducer by Vargas, 7; Cavanaugh, J., 9; McKinney, 11; Hansen, M., 26.

A BILL FOR AN ACT relating to the Legislature; to state findings; to provide for racial impact statements for legislation; to provide powers and duties for the office of Legislative Research.

LEGISLATIVE BILL 658. Introducer by McDonnell, 5.

A BILL FOR AN ACT relating to the Office of Inspector General of the Nebraska Correctional System Act; to amend section 47-901, Revised Statutes Cumulative Supplement, 2020; to require a study and a report; to state intent regarding appropriations; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 659. Introducer by McDonnell, 5.

A BILL FOR AN ACT relating to the Legislature; to create the Workforce Development Committee of the Legislature; to provide an operative date; and to declare an emergency.

LEGISLATIVE BILL 660. Introducer by McDonnell, 5; Blood, 3.

A BILL FOR AN ACT relating to the State Employees Collective Bargaining Act; to amend section 81-1373, Reissue Revised Statutes of Nebraska; to authorize collective bargaining on an administrative unit-wide basis as prescribed; to eliminate obsolete provisions; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 661. Introducer by McDonnell, 5; Slama, 1; Blood, 3; Brewer, 43.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 29-2221, Reissue Revised Statutes of Nebraska, and sections 28-101, 28-115, 28-929, 28-929.01, 28-929.02, 28-930, 28-931, 28-934, 28-1351, and 28-1354, Revised Statutes Cumulative Supplement, 2020; to prohibit assault on a public transportation driver; to change and eliminate provisions and penalties relating to offenses involving assault on an officer, emergency responder, certain employees, or a health care professional; to define and redefine terms; to harmonize provisions; to repeal the original sections; and to outright repeal section 28-931.01, Revised Statutes Cumulative Supplement, 2020.

LEGISLATIVE BILL 662. Introducer by McDonnell, 5.

A BILL FOR AN ACT relating to appropriations; to state intent regarding appropriations to the Department of Health and Human Services.

LEGISLATIVE BILL 663. Introducer by Geist, 25.

A BILL FOR AN ACT relating to mental health records; to amend sections 71-925 and 71-961, Reissue Revised Statutes of Nebraska, and section 83-109, Revised Statutes Cumulative Supplement, 2020; to provide for the release of certain information to the Nebraska Commission on Law Enforcement and Criminal Justice; to provide a duty for the commission; to define a term; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 667. Introducer by Halloran, 33.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation Act; to amend section 48-144.01, Reissue Revised Statutes of Nebraska; to provide for confidentiality of and access to certain injury reports; and to repeal the original section.

LEGISLATIVE BILL 668. Introducer by Hughes, 44.

A BILL FOR AN ACT relating to the Game and Parks Commission; to amend section 37-104, Reissue Revised Statutes of Nebraska; to provide for the relocation of commission headquarters as prescribed; and to repeal the original section.

LEGISLATIVE BILL 670. Introducer by Murman, 38; Aguilar, 35; Brewer, 43; Clements, 2; Dorn, 30; Erdman, 47; Flood, 19; Gragert, 40; Halloran, 33; Hansen, B., 16; Lowe, 37; Sanders, 45; Slama, 1.

A BILL FOR AN ACT relating to highways; to amend section 39-201.01, Reissue Revised Statutes of Nebraska, and sections 39-202 and 39-206, Revised Statutes Cumulative Supplement, 2020; to authorize the display of signs along roadways memorializing persons killed on Nebraska roadways as prescribed; to provide powers and duties for the Department of Transportation; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 671. Introducer by Murman, 38; Dorn, 30; Erdman, 47; Flood, 19; Gragert, 40; Halloran, 33.

A BILL FOR AN ACT relating to appropriations; to state intent relating to appropriations to the University of Nebraska.

LEGISLATIVE BILL 672. Introducer by Murman, 38; Briese, 41; Dorn, 30; Erdman, 47; Friesen, 34; Halloran, 33.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2704.36, Reissue Revised Statutes of Nebraska; to change a sales tax exemption relating to agricultural machinery and equipment; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 675. Introducer by Linehan, 39; Halloran, 33; Groene, 42.

A BILL FOR AN ACT relating to education; to adopt the Education Lobbyist Pay Transparency Act.

LEGISLATIVE BILL 676. Introducer by Linehan, 39.

A BILL FOR AN ACT relating to cigarette taxes; to amend section 77-2601, Revised Statutes Cumulative Supplement, 2020; to redefine a term; and to repeal the original section.

LEGISLATIVE BILL 677. Introducer by Linehan, 39.

A BILL FOR AN ACT relating to social services; to amend sections 68-1206 and 68-1724, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to eligibility for transitional child care assistance; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 679. Introducer by Linehan, 39.

A BILL FOR AN ACT relating to revenue and taxation; to require the Tax Commissioner to collect lodging taxes imposed by cities and villages.

LEGISLATIVE BILL 680. Introducer by Linehan, 39.

A BILL FOR AN ACT relating to income taxes; to amend section 77-2734.02, Reissue Revised Statutes of Nebraska; to change the corporate income tax rate as prescribed; and to repeal the original section.

LEGISLATIVE BILL 683. Introducer by Wayne, 13.

A BILL FOR AN ACT relating to net metering; to amend sections 70-2001, 70-2002, and 70-2003, Reissue Revised Statutes of Nebraska; to state legislative declarations; to redefine net metering and qualified facility; to change and provide powers for a local distribution utility; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 684. Introducer by Clements, 2.

A BILL FOR AN ACT relating to labor; to amend section 79-873, Reissue Revised Statutes of Nebraska; to allow public school employees to join or terminate membership in a labor organization as prescribed; to harmonize provisions; to repeal the original section; and to declare an emergency.

RESOLUTIONS

LEGISLATIVE RESOLUTION 2CA. Introducer by Wayne, 13; Wishart, 27; Cavanaugh, J., 9; Hunt, 8.

THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, FIRST SESSION, RESOLVE THAT:

Section 1. At the general election in November 2020 the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

XIX-1

(1) Subject to such reasonable restrictions as the Legislature may by statute provide, cannabis shall be lawful for a person twenty-one years of age or older.

(2) The Legislature shall pass appropriate legislation, to be effective on or before October 1, 2023, relating to the cultivation, manufacture, distribution, consumption, and sale of cannabis in any form.

(3) The Legislature shall have power to enforce this article by appropriate legislation.

(4) This section shall not be construed to modify any existing portion of this Constitution.

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

A constitutional amendment to legalize cannabis for persons twenty-one years of age or older and to require the Legislature to enact laws relating to cannabis.

For

Against.

LEGISLATIVE RESOLUTION 3CA. Introducer by Slama, 1; Hansen, B., 16; Murman, 38; Groene, 42; Lindstrom, 18; Clements, 2; Albrecht, 17.

THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, FIRST SESSION, RESOLVE THAT:

Section 1. At the general election in November 2020 the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article I, section 22:

I-22 (1) All elections shall be free; and there shall be no hindrance or impediment to the right of a qualified voter to exercise the elective franchise.

(2) In order to combat voter fraud, preserve the relative power of each eligible citizen's right to vote, modernize the election infrastructure of the state, and ensure the integrity of the elections of the state so as to preserve the public confidence in the legitimacy of the elected government, a poll worker shall review a photograph or digital image of each voter to verify the identity of the voter in a manner determined by the Legislature prior to allowing the voter to vote. The Legislature shall provide specifications for the manner of reviewing such photograph or digital image and for exemptions for specific situations in which such requirement would violate an individual's rights under the Constitution of the United States.

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

A constitutional amendment to require verification of identity in a manner provided by the Legislature prior to voting.

For
Against.

LEGISLATIVE RESOLUTION 10CA. Introducer by Cavanaugh, M., 6; Hansen, M., 26; Hunt, 8; McKinney, 11.

THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, FIRST SESSION, RESOLVE THAT:

Section 1. At the general election in November 2020 the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article VI, section 2:

VI-2 No person shall be qualified to vote who is non compos mentis, or who has been convicted of treason ~~or felony~~ under the laws of the state or of the United States, unless restored to civil rights.

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

A constitutional amendment to remove felony convictions other than treason from being a disqualification for voting.

For
Against.

LEGISLATIVE RESOLUTION 11CA. Introducer by Erdman, 47; Albrecht, 17; Brewer, 43; Briese, 41; Clements, 2; Halloran, 33; Lowe, 37; McDonnell, 5; Murman, 38.

THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, FIRST SESSION, RESOLVE THAT:

Section 1. At the general election in November 2020 the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article IV, section 28, and Article VIII, sections 1, 1A, 1B, 2, 2A, 3, 4, 5, 6, 7, 10, 11, 12, and 13, and add a new section 14 to Article VIII:

IV-28 Until January 1, 2025 ~~By January 1, 1997~~, there shall be a Tax Equalization and Review Commission. The members of the commission shall be appointed by the Governor as provided by law. The commission shall have power to review and equalize assessments of property for taxation within the state and shall have such other powers and perform such other duties as the Legislature may provide. The terms of office and compensation of members of the commission shall be as provided by law.

A Tax Commissioner shall be appointed by the Governor with the approval of the Legislature. The Tax Commissioner may have jurisdiction over the administration of the revenue laws of the state and such other duties and powers as provided by law. The Tax Commissioner shall serve at the pleasure of the Governor.

VIII-1 (1) The necessary revenue of the state and its governmental subdivisions shall be raised by taxation in such manner as the Legislature may direct. Notwithstanding Article I, section 16, Article III, section 18, or Article VIII, section 4, of this Constitution or any other provision of this Constitution to the contrary and

subject to subsection (2) of this section: (a) ~~(1)~~ Taxes shall be levied by valuation uniformly and proportionately upon all real property and franchises as defined by the Legislature except as otherwise provided in or permitted by this Constitution; (b) ~~(2)~~ tangible personal property, as defined by the Legislature, not exempted by this Constitution or by legislation, shall all be taxed at depreciated cost using the same depreciation method with reasonable class lives, as determined by the Legislature, or shall all be taxed by valuation uniformly and proportionately; (c) ~~(3)~~ the Legislature may provide for a different method of taxing motor vehicles and may also establish a separate class of motor vehicles consisting of those owned and held for resale by motor vehicle dealers which shall be taxed in the manner and to the extent provided by the Legislature and may also establish a separate class for trucks, trailers, semitrailers, truck-tractors, or combinations thereof, consisting of those owned by residents and nonresidents of this state, and operating in interstate commerce, and may provide reciprocal and proportionate taxation of such vehicles. The tax proceeds from motor vehicles taxed in each county shall be allocated to the county and the cities, villages, and school districts of such county; (d) ~~(4)~~ the Legislature may provide that agricultural land and horticultural land, as defined by the Legislature, shall constitute a separate and distinct class of property for purposes of taxation and may provide for a different method of taxing agricultural land and horticultural land which results in values that are not uniform and proportionate with all other real property and franchises but which results in values that are uniform and proportionate upon all property within the class of agricultural land and horticultural land; (e) ~~(5)~~ the Legislature may enact laws to provide that the value of land actively devoted to agricultural or horticultural use shall for property tax purposes be that value which such land has for agricultural or horticultural use without regard to any value which such land might have for other purposes or uses; (f) ~~(6)~~ the Legislature may prescribe standards and methods for the determination of the value of real property at uniform and proportionate values; (g) ~~(7)~~ in furtherance of the purposes for which such a law of the United States has been adopted, whenever there exists a law of the United States which is intended to protect a specifically designated type, use, user, or owner of property or franchise from discriminatory state or local taxation, such property or franchise shall constitute a separate class of property or franchise under the laws of the State of Nebraska, and such property or franchise may not be taken into consideration in determining whether taxes are levied by valuation uniformly or proportionately upon any property or franchise, and the Legislature may enact laws which statutorily recognize such class and which tax or exempt from taxation such class of property or franchise in such manner as it determines; and (h) ~~(8)~~ the Legislature may provide that livestock shall constitute a separate and distinct class of property for purposes of taxation and may further provide for reciprocal and proportionate taxation of livestock located in this state for only part of a year. Each actual property tax rate levied for a governmental subdivision shall be the same for all classes of taxed property and franchises. Taxes uniform as to class of property or the ownership or use thereof may be levied by valuation or otherwise upon classes of intangible property as the Legislature may determine, and such intangible property held in trust or otherwise for the purpose of funding pension, profit-sharing, or other employee benefit plans as defined by the Legislature may be declared exempt from taxation. Taxes other than property taxes may be authorized by law. Existing revenue laws shall continue in effect until changed by the Legislature.

(2) This section is superseded by Article VIII, section 14, of this Constitution and shall only apply with respect to taxes imposed prior to January 1, 2024.

VIII-1A (1) The state shall be prohibited from levying a property tax for state purposes.

(2) This section is superseded by Article VIII, section 14, of this Constitution and shall only apply with respect to taxes imposed prior to January 1, 2024.

VIII-1B (1) When an income tax is adopted by the Legislature, the Legislature may adopt an income tax law based upon the laws of the United States.

(2) This section is superseded by Article VIII, section 14, of this Constitution and shall only apply with respect to taxes imposed prior to January 1, 2024.

VIII-2 (1) Notwithstanding Article I, section 16, Article III, section 18, or Article VIII, section 1 or 4, of this Constitution or any other provision of this Constitution to the contrary and subject to subsection (2) of this section: (a) ~~(1)~~ The property of the state and its governmental subdivisions shall constitute a separate class of property and shall be exempt from taxation to the extent such property is used by the state or governmental subdivision for public purposes authorized to the state or governmental subdivision by this Constitution or the Legislature. To the extent such property is not used for the authorized public purposes, the Legislature may classify such property, exempt such classes, and impose or authorize some or all of such property to be subject to property taxes or payments in lieu of property taxes except as provided by law; (b) ~~(2)~~ the Legislature by general law may classify and exempt from taxation property owned by and used exclusively for agricultural and horticultural societies and property owned and used exclusively for educational, religious, charitable, or cemetery purposes, when such property is not owned or used for financial gain or profit to either the owner or user; (c) ~~(3)~~ household goods and personal effects, as defined by law, may be exempted from taxation in whole or in part, as may be provided by general law, and the Legislature may prescribe a formula for the determination of value of household goods and personal effects; (d) ~~(4)~~ the Legislature by general law may provide that the increased value of land by reason of shade or ornamental trees planted along the highway shall not be taken into account in the assessment of such land; (e) ~~(5)~~ the Legislature, by general law and upon any terms, conditions, and restrictions it prescribes, may provide that the increased value of real property resulting from improvements designed primarily for energy conservation may be exempt from taxation; (f) ~~(6)~~ the value of a home substantially contributed by the United States Department of Veterans Affairs for a paraplegic veteran or multiple amputee shall be exempt from taxation during the life of such veteran or until the death or remarriage of his or her surviving spouse; (g) ~~(7)~~ the Legislature may exempt from an intangible property tax life insurance and life insurance annuity contracts and any payment connected therewith and any right to pension or retirement payments; (h) ~~(8)~~ the Legislature may exempt inventory from taxation; (i) ~~(9)~~ the Legislature may define and classify personal property in such manner as it sees fit, whether by type, use, user, or owner, and may exempt any such class or classes of property from taxation if such exemption is reasonable or may exempt all personal property from taxation; (j) ~~(10)~~ no property shall be exempt from taxation except as permitted by or as provided in this Constitution; (k) ~~(11)~~ the Legislature may by general law provide that a portion of the value of any residence actually occupied as a homestead by any classification of owners as determined by the Legislature shall be exempt from taxation; and (l) ~~(12)~~ the Legislature may by general law, and upon any terms, conditions, and restrictions it prescribes, provide that the increased value of real property resulting from improvements designed primarily for the purpose of renovating, rehabilitating, or preserving historically significant real property may be, in whole or in part, exempt from taxation.

(2) This section is superseded by Article VIII, section 14, of this Constitution and shall only apply with respect to taxes imposed prior to January 1, 2024.

VIII-2A (1) The Legislature may establish bonded and licensed warehouses or storage areas for goods, wares and merchandise in transit in the state which are intended for and which are shipped to final destinations outside this state upon leaving such warehouses or storage areas, and may exempt such goods, wares and merchandise from ad valorem taxation while in such storage areas.

(2) This section is superseded by Article VIII, section 14, of this Constitution and shall only apply with respect to taxes imposed prior to January 1, 2024.

VIII-3 (1) The right of redemption from all sales of real estate, for the non-payment of taxes or special assessments of any character whatever, shall exist in favor of owners and persons interested in such real estate, for a period of not less than two years from such sales thereof. Provided, that occupants shall in all cases be served with personal notice before the time of redemption expires.

(2) This section is superseded by Article VIII, section 14, of this Constitution and shall only apply with respect to taxes imposed prior to January 1, 2024.

VIII-4 (1) Except as to tax and assessment charges against real property remaining delinquent and unpaid for a period of fifteen years or longer, the Legislature shall have no power to release or discharge any county, city, township, town, or district whatever, or the inhabitants thereof, or any corporation, or the property therein, from their or its proportionate share of taxes to be levied for state purposes, or due any municipal corporation, nor shall commutation for such taxes be authorized in any form whatever; Provided, that the Legislature may provide by law for the payment or cancellation of taxes or assessments against real estate remaining unpaid against real estate owned or acquired by the state or its governmental subdivisions.

(2) This section is superseded by Article VIII, section 14, of this Constitution and shall only apply with respect to taxes imposed prior to January 1, 2024.

VIII-5 (1) County authorities shall never assess taxes the aggregate of which shall exceed fifty cents per one hundred dollars of taxable value as determined by the assessment rolls, except for the payment of indebtedness existing at the adoption hereof, unless authorized by a vote of the people of the county.

(2) This section is superseded by Article VIII, section 14, of this Constitution and shall only apply with respect to taxes imposed prior to January 1, 2024.

VIII-6 (1) The Legislature may vest the corporate authorities of cities, towns and villages, with power to make local improvements, including facilities for providing off-street parking for vehicles, by special assessments or by special taxation of property benefited, and to redetermine and reallocate from time to time the benefits arising from the acquisition of such off-street parking facilities, and the Legislature may vest the corporate authorities of cities and villages with power to levy special assessments for the maintenance, repair and reconstruction of such off-street parking facilities. For all other corporate purposes, all municipal corporations may be vested with authority to assess and collect taxes, but such taxes shall be uniform in respect to persons and property within the jurisdiction of the body imposing the same, except that cities and villages may be empowered by the Legislature to assess and collect separate and additional taxes within off-street parking districts created by and within any city or village on such terms as the Legislature may prescribe.

(2) This section is superseded by Article VIII, section 14, of this Constitution and shall only apply with respect to taxes imposed prior to January 1, 2024.

VIII-7 (1) Private property shall not be liable to be taken or sold for the payment of the corporate debts of municipal corporations. The Legislature shall not impose taxes

upon municipal corporations, or the inhabitants or property thereof, for corporate purposes.

(2) This section is superseded by Article VIII, section 14, of this Constitution and shall only apply with respect to taxes imposed prior to January 1, 2024.

VIII-10 (1) Notwithstanding the other provisions of Article VIII and subject to subsection (2) of this section, the Legislature is authorized to substitute a basis other than valuation for taxes upon grain and seed produced or handled in this state. Existing revenue laws not inconsistent with the Constitution shall continue in effect until changed by the Legislature.

(2) This section is superseded by Article VIII, section 14, of this Constitution and shall only apply with respect to taxes imposed prior to January 1, 2024.

VIII-11 (1) Subject to subsection (3) of this section, every ~~Every~~ public corporation and political subdivision organized primarily to provide electricity or irrigation and electricity shall annually make the same payments in lieu of taxes as it made in 1957, which payments shall be allocated in the same proportion to the same public bodies or their successors as they were in 1957.

(2) Subject to subsection (3) of this section, the Legislature ~~The legislature~~ may require each such public corporation to pay to the treasurer of any county in which may be located any incorporated city or village, within the limits of which such public corporation sells electricity at retail, a sum equivalent to five (5) per cent of the annual gross revenue of such public corporation derived from retail sales of electricity within such city or village, less an amount equivalent to the 1957 payments in lieu of taxes made by such public corporation with respect to property or operations in any such city or village. The payments in lieu of tax as made in 1957, together with any payments made as authorized in this section shall be in lieu of all other taxes, payments in lieu of taxes, franchise payments, occupation and excise taxes, but shall not be in lieu of motor vehicle licenses and wheel taxes, permit fees, gasoline tax and other such excise taxes or general sales taxes levied against the public generally. So much of such five (5) per cent as is in excess of an amount equivalent to the amount paid by such public corporation in lieu of taxes in 1957 shall be distributed in each year to the city or village, the school districts located in such city or village, the county in which such city or village is located, and the State of Nebraska, in the proportion that their respective property tax mill levies in each such year bear to the total of such mill levies.

(3) This section is superseded by Article VIII, section 14, of this Constitution, and the payments described in subsections (1) and (2) of this section shall not be required on or after January 1, 2024.

VIII-12 (1) Notwithstanding any other provision in the Constitution and subject to subsection (3) of this section, for ~~For~~ the purpose of rehabilitating, acquiring, or redeveloping substandard and blighted property in a redevelopment project as determined by law, any city or village of the state may, ~~notwithstanding any other provision in the Constitution, and~~ without regard to charter limitations and restrictions, incur indebtedness, whether by bond, loans, notes, advance of money, or otherwise.

(2) Notwithstanding any other provision in the Constitution or a local charter and subject to subsection (3) of this section, such cities or villages may also pledge for and apply to the payment of the principal, interest, and any premium on such indebtedness all taxes levied by all taxing bodies on the assessed valuation of the property in the project area portion of a designated blighted and substandard area that is in excess of the assessed valuation of such property for the year prior to such rehabilitation, acquisition, or redevelopment. Cities and villages may pledge such

taxes for a period not to exceed fifteen years, except that the Legislature may allow cities and villages to pledge such taxes for a period not to exceed twenty years if, due to a high rate of unemployment combined with a high poverty rate as determined by law, more than one-half of the property in the project area is designated as extremely blighted. When such indebtedness and the interest thereon have been paid in full, such property thereafter shall be taxed as is other property in the respective taxing jurisdictions and such taxes applied as all other taxes of the respective taxing bodies.

(3) Beginning January 1, 2024, cities and villages shall no longer have the power to incur indebtedness pursuant to subsection (1) of this section or to pledge taxes pursuant to subsection (2) of this section.

VIII-13 (1) Notwithstanding Article I, section 16, Article III, section 18, or Article VIII, section 1 or 4, of this Constitution or any other provision of this Constitution to the contrary and subject to subsection (2) of this section, amendments to Article VIII of this Constitution passed in 1992 shall be effective from and after January 1, 1992, and existing revenue laws and legislative acts passed in the regular legislative session of 1992, not inconsistent with this Constitution as amended, shall be considered ratified and confirmed by such amendments without the need for legislative reenactment of such laws.

(2) This section is superseded by Article VIII, section 14, of this Constitution and shall only apply with respect to taxes imposed prior to January 1, 2024.

VIII-14

(1) Notwithstanding any other provision of this Constitution to the contrary, effective January 1, 2024, the State of Nebraska and all political subdivisions of the state shall be prohibited from imposing a tax on personal income, a tax on corporate income, a tax on personal property, a tax on real property, a tax on an inheritance from a deceased person, a tax on the estate of a deceased person, and a tax on the retail sale of goods and services except as provided in subsection (2) of this section. Any taxes described in this subsection that are imposed prior to January 1, 2024, may be collected through the end of calendar year 2024.

(2) The Legislature shall enact a consumption tax which shall apply to purchases of services and new goods, except for fuel. Such consumption tax shall begin no later than January 1, 2024. The Legislature may authorize political subdivisions of the state to enact their own consumption taxes upon such terms and conditions as the Legislature may provide.

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

A constitutional amendment to prohibit the state and all political subdivisions from imposing an income tax, a property tax, an inheritance tax, an estate tax, and a tax on retail sales of goods and services except for a consumption tax and to require the Legislature to enact a consumption tax.

For

Against.

LEGISLATIVE RESOLUTION 13CA. Introducer by Brewer, 43; Erdman, 47; Briese, 41.

THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, FIRST SESSION, RESOLVE THAT:

Section 1. At the general election in November 2020 the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article VII, section 1:

VII-1 (1) The Legislature shall provide for the free instruction in the common schools of this state of all persons between the ages of five and twenty-one years. No more than thirty-three percent of the funding for such free instruction in the common schools shall come from property taxes.

(2) The Legislature may provide for the education of other persons in educational institutions owned and controlled by the state or a political subdivision thereof.

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

A constitutional amendment to require that no more than thirty-three percent of the funding for the free instruction in the common schools shall come from property taxes.

For

Against.

LEGISLATIVE RESOLUTION 14. Introducer by Halloran, 33; Bostelman, 23; Brewer, 43; Briese, 41; Clements, 2; Erdman, 47; Friesen, 34; Gragert, 40; Hansen, B., 16; Kolterman, 24; Lindstrom, 18; Linehan, 39; Lowe, 37; McDonnell, 5; Murman, 38; Slama, 1; Williams, 36; Hilkeemann, 4.

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

1. The Legislature of the State of Nebraska hereby applies to Congress, under the provisions of Article V of the Constitution of the United States, for the calling of a convention of the states limited to proposing amendments to the Constitution of the United States that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and for members of Congress.

2. The Clerk of the Legislature shall transmit copies of this application to the President and Secretary of the United States Senate, to the Speaker and Clerk of the United States House of Representatives, to the members of the Senate and House of Representatives from this state, and to the presiding officers of each of the legislative houses in the several states, requesting their cooperation.

3. This application constitutes a continuing application in accordance with Article V of the Constitution of the United States until the legislatures of at least two-thirds of the several states have made applications on the same subject.

LEGISLATIVE RESOLUTION 18CA. Introducer by Wayne, 13; Hunt, 8.

THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, FIRST SESSION, RESOLVE THAT:

Section 1. At the general election in November 2020 the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article III, section 12:

III-12 (1) No person shall be eligible to serve as a member of the Legislature for four years next after the expiration of ~~three~~ ~~two~~ consecutive terms regardless of the district represented.

(2) Service prior to January 1, 2001, as a member of the Legislature shall not be counted for the purpose of calculating consecutive terms in subsection (1) of this section.

(3) For the purpose of this section, service in office for more than one-half of a term shall be deemed service for a term.

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

A constitutional amendment to change the limit on legislative terms from two consecutive terms to three consecutive terms.

For

Against.

LEGISLATIVE RESOLUTION 20CA. Introducer by Pansing Brooks, 28; Cavanaugh, J., 9; Hansen, M., 26; Hunt, 8; Morfeld, 46; Vargas, 7; Wishart, 27.

THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, FIRST SESSION, RESOLVE THAT:

Section 1. At the general election in November 2020 the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

A constitutional amendment to remove provisions regarding marriage from the Constitution of Nebraska.

For

Against.

LEGISLATIVE RESOLUTION 21CA. Introducer by Briese, 41; Murman, 38; Brewer, 43; Wayne, 13.

THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, FIRST SESSION, RESOLVE THAT:

Section 1. At the general election in November 2020 the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

VII-18

Notwithstanding any other provision of this Constitution to the contrary, beginning July 1, 2024, the State of Nebraska shall pay all classroom expenses, as defined by the Legislature, related to the operation of public elementary and secondary schools in this state.

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

A constitutional amendment to require the State of Nebraska to pay all classroom expenses, as defined by the Legislature, related to the operation of public elementary and secondary schools in this state beginning July 1, 2024.

For
Against.

LEGISLATIVE RESOLUTION 22CA. Introducer by Linehan, 39; at the request of the Governor.

THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, FIRST SESSION, RESOLVE THAT:

Section 1. At the general election in November 2020 the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

VIII-14

(1) Notwithstanding Article VIII, section 1 or 5, of this Constitution or any other provision of this Constitution to the contrary, the total amount of property tax revenue raised by a political subdivision in any fiscal year shall not be more than three percent greater than the amount raised in the prior fiscal year, except as otherwise provided in this section.

(2) The total amount of property tax revenue raised by a political subdivision in a fiscal year may exceed the limitation in subsection (1) of this section by an amount approved by a majority of legal voters voting on the issue at an election called for such purpose upon the recommendation of a majority of the governing body of the political subdivision. Such recommendation shall include the amount by which the property tax revenue would exceed the limitation in subsection (1) of this section for the fiscal year. All costs of the election shall be paid by the political subdivision seeking to exceed such limitation.

(3) The limitation in subsection (1) of this section shall not apply to the amount of property tax revenue needed to pay the principal and interest on bonded indebtedness that has been approved according to law.

(4) The limitation in subsection (1) of this section shall not apply to the amount of property tax revenue raised by a political subdivision in any fiscal year on any real growth value within the political subdivision.

(5) For purposes of this section:

(a) Property tax revenue means revenue raised from a tax that is assessed annually upon the value of real property; and

(b) Real growth value means the increase in real property valuation due to (i) improvements to real property as a result of new construction and additions to existing buildings, (ii) any other improvements to real property which increase the value of such property, and (iii) annexation of property by the political subdivision.

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

A constitutional amendment to provide that the total amount of property tax revenue raised by a political subdivision in any fiscal year shall not be more than three percent greater than the amount raised in the prior fiscal year, except for amounts approved by voters, amounts needed to pay bonded indebtedness, and amounts raised on real growth value.

For
Against.

LEGISLATIVE RESOLUTION 24CA. Introducer by Wishart, 27; Hansen, M., 26; Hunt, 8; Morfeld, 46.

THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, FIRST SESSION, RESOLVE THAT:

Section 1. At the general election in November 2020 the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article III, section 2:

III-2 The first power reserved by the people is the initiative whereby laws may be enacted and constitutional amendments adopted by the people independently of the Legislature. This power may be invoked by petition wherein the proposed measure shall be set forth at length. If the petition be for the enactment of a law, it shall be signed by seven percent of the registered voters of the state, and if the petition be for the amendment of the Constitution, the petition therefor shall be signed by ten percent of such registered voters. In all cases the registered voters signing such petition shall be so distributed as to include five percent of the registered voters of each of two-fifths of the counties of the state, and when thus signed, the petition shall be filed with the Secretary of State who shall submit the measure thus proposed to the electors of the state at the first general election held not less than four months after such petition shall have been filed. The same measure, either in form or in essential substance, shall not be submitted to the people by initiative petition, either affirmatively or negatively, more often than once in three years. If conflicting measures submitted to the people at the same election be approved, the one receiving the highest number of affirmative votes shall thereby become law as to all conflicting provisions. The constitutional limitations as to the scope and subject matter of statutes enacted by the Legislature shall apply to those enacted by the initiative. Initiative measures shall contain only one general subject which may include provisions that have a connection to the general subject of the measure. The Legislature shall not amend, repeal, modify, or impair a law enacted by the people by initiative, contemporaneously with the adoption of this initiative measure or at any time thereafter, except upon a vote of at least two-thirds of all the members of the Legislature.

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

A constitutional amendment to change the one-subject requirement for initiative measures.

For

Against.

LEGISLATIVE RESOLUTION 26CA. Introducer by Lindstrom, 18.

THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, FIRST SESSION, RESOLVE THAT:

Section 1. At the general election in November 2020 the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article III, section 24:

III-24 (1) Except as provided in this section, the Legislature shall not authorize any game of chance or any lottery or gift enterprise when the consideration for a chance to participate involves the payment of money for the purchase of property, services,

or a chance or admission ticket or requires an expenditure of substantial effort or time.

(2) The Legislature may authorize and regulate a state lottery pursuant to subsection (3) of this section and other lotteries, raffles, and gift enterprises which are intended solely as business promotions or the proceeds of which are to be used solely for charitable or community betterment purposes without profit to the promoter of such lotteries, raffles, or gift enterprises.

(3)(a) The Legislature may establish a lottery to be operated and regulated by the State of Nebraska. The proceeds of the lottery shall be appropriated by the Legislature for the costs of establishing and maintaining the lottery and for the following purposes, as directed by the Legislature:

(i) The first five hundred thousand dollars after the payment of prizes and operating expenses shall be transferred to the Compulsive Gamblers Assistance Fund;

(ii) Forty-four and one-half percent of the money remaining after the payment of prizes and operating expenses and the initial transfer to the Compulsive Gamblers Assistance Fund shall be transferred to the Nebraska Environmental Trust Fund to be used as provided in the Nebraska Environmental Trust Act;

(iii) Forty-four and one-half percent of the money remaining after the payment of prizes and operating expenses and the initial transfer to the Compulsive Gamblers Assistance Fund shall be used for education as the Legislature may direct;

(iv) Ten percent of the money remaining after the payment of prizes and operating expenses and the initial transfer to the Compulsive Gamblers Assistance Fund shall be transferred to the Nebraska State Fair Board if the most populous city within the county in which the fair is located provides matching funds equivalent to ten percent of the funds available for transfer. Such matching funds may be obtained from the city and any other private or public entity, except that no portion of such matching funds shall be provided by the state. If the Nebraska State Fair ceases operations, ten percent of the money remaining after the payment of prizes and operating expenses and the initial transfer to the Compulsive Gamblers Assistance Fund shall be transferred to the General Fund; and

(v) One percent of the money remaining after the payment of prizes and operating expenses and the initial transfer to the Compulsive Gamblers Assistance Fund shall be transferred to the Compulsive Gamblers Assistance Fund.

(b) No lottery game shall be conducted as part of the lottery unless the type of game has been approved by a majority of the members of the Legislature.

(4) The Legislature may authorize, regulate, and provide for the taxation of sports wagering within the State of Nebraska.

~~(5)~~ ~~(4)~~ Nothing in this section shall be construed to prohibit (a) the enactment of laws providing for the licensing and regulation of wagering on the results of horseraces, wherever run, either within or outside of the state, by the parimutuel method, when such wagering is conducted by licensees within a licensed racetrack enclosure or (b) the enactment of laws providing for the licensing and regulation of bingo games conducted by nonprofit associations which have been in existence for a period of five years immediately preceding the application for license, except that bingo games cannot be conducted by agents or lessees of such associations on a percentage basis.

~~(6)~~ ~~(5)~~ This section shall not apply to any law which is enacted contemporaneously with the adoption of this subsection or at any time thereafter and which provides for the licensing, authorization, regulation, or taxation of all forms of games of chance when such games of chance are conducted by authorized gaming operators within a licensed racetrack enclosure.

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

A constitutional amendment to allow the Legislature to authorize sports wagering subject to taxation and regulation by the Legislature.

For

Against.

LEGISLATIVE RESOLUTION 27CA. Introducer by Hansen, M., 26.

THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, FIRST SESSION, RESOLVE THAT:

Section 1. At the general election in November 2020 the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article III, section 29:

III-29 (1). In order to insure continuity of state and local governmental operations in periods of emergency resulting from enemy attack upon the United States, or the imminent threat thereof, or resulting from a pandemic, the Legislature shall have the power and the immediate duty, notwithstanding any other provision to the contrary in this Constitution, to provide by law for:

(a) The prompt and temporary succession to the powers and duties of all public offices, of whatever nature and whether filled by election or appointment, the incumbents of which, after an attack or during or after a pandemic, may be or become unavailable or unable to carry on the powers and duties of such offices;

(b) The convening of the Legislature into general or extraordinary session, upon or without call by the Governor, during or after a war or enemy caused disaster occurring in the United States or during or after a pandemic; and, with respect to any such emergency session, the suspension or temporary change of the provisions of this Constitution or of general law relating to the length and purposes of any legislative session or prescribing the specific proportion or number of legislators whose presence or vote is necessary to constitute a quorum or to accomplish any legislative act or function;

(c) The selection and changing from time to time of a temporary state seat of government, of temporary county seats, and of temporary seats of government for other political subdivisions; to be used if made necessary by enemy attack or imminent threat thereof or if made necessary by a pandemic;

(d) The determination, selection, reproduction, preservation, and dispersal of public records necessary to the continuity of governmental operations in the event of enemy attack or imminent threat thereof or in the event of a pandemic; and

(e) Such other measures and procedures as may be necessary and proper for insuring the continuity of governmental operations in the event of enemy attack or imminent threat thereof or in the event of a pandemic.

(2). In the exercise of the powers hereinbefore conferred, the Legislature shall in all respects conform to the requirements of this Constitution except to the extent that, in the judgment of the Legislature, so to do would be impracticable or would admit of undue delay.

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

A constitutional amendment to provide legislative authority in emergencies resulting from a pandemic.

For

Against.

LEGISLATIVE RESOLUTION 28. Introducer by Hilkemann, 4.

WHEREAS, the Nebraska Unicameral Legislature, at various times and during various sessions and acting with the best of intentions, previously made applications to the United States Congress to call one or more conventions to propose amendments concerning specific subjects pursuant to Article V of the United States Constitution; and

WHEREAS, a Legislature may not bind a future Legislature for the very reason that in the course of human events new priorities emerge, what represented positive adaptation at a particular time ceases to do so, and the will of the people of the State of Nebraska changes; and

WHEREAS, no member of the current Legislature has had an opportunity to consider or take a position on the aforementioned resolutions, indeed may not even be aware of their contents; and

WHEREAS, former Chief Justice of the Supreme Court Warren E. Burger, former Associate Justice of the Supreme Court Arthur Goldberg, and other leading constitutional scholars agree that such a convention may propose sweeping changes to the Constitution, any limitations or restrictions purportedly imposed by the states in requesting the convention notwithstanding, thereby creating imminent peril to the well-established rights of citizens and the duties of various levels of government; and

WHEREAS, the United States Constitution has been amended many times in the history of this nation and may be amended many more times without the need to resort to a constitutional convention, and has been interpreted for over 200 years and found to be a sound document which protects the lives and liberties of the citizens of the United States; and

WHEREAS, there is no need for opening the United States Constitution to sweeping changes; and

WHEREAS, great danger might arise from changes to the United States Constitution, creating legal chaos in this nation and another two centuries of litigation over interpretation of its meaning.

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

1. That any and all resolutions previously passed by the Nebraska Unicameral Legislature petitioning Congress to call a federal constitutional convention are hereby rescinded and deemed null and void.

2. That any and all resolutions passed by the Nebraska Unicameral Legislature during or after the current legislative session that petition Congress to call a federal constitutional convention shall be automatically rescinded and deemed null and void if a convention is not called on or before the seventh anniversary of the date the last legislative vote is taken on such resolution.

LEGISLATIVE RESOLUTION 48. Introducer by Bostelman, 23.

WHEREAS, the Legislature has long recognized that it is in the best interest of the public to maintain low-cost, reliable electric service; and

WHEREAS, the State of Nebraska and other states experienced extreme cold temperatures during February of 2021; and

WHEREAS, those temperatures caused greater energy needs throughout Nebraska and surrounding states; and

WHEREAS, public power districts serving Nebraska residents participate in the Southwest Power Pool, which is a regional transmission organization; and

WHEREAS, the increased energy needs across the region served by the Southwest Power Pool caused public power districts in Nebraska to receive requests to load shed or reduce electricity usage; and

WHEREAS, residents throughout the state experienced power outages as a result of the responses from the public power districts to those requests; and

WHEREAS, it is imperative that the Legislature act on behalf of the residents of Nebraska to understand the circumstances and practices surrounding the power outages.

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

1. That the Legislature recognizes the need for an understanding of the reasons for and circumstances surrounding the interruptions in electricity to residents in the state.

2. That the Natural Resources Committee of the Legislature provide a report of its findings of the reasons for and circumstances surrounding the power outages experienced by Nebraskans.

LEGISLATIVE RESOLUTION 49. Introducer by Wayne, 13.

WHEREAS, Nebraskans receive natural gas service from a wide variety of utility providers; and

WHEREAS, the State of Nebraska and other states experienced extreme cold temperatures during February of 2021; and

WHEREAS, these temperatures caused greater natural gas needs throughout Nebraska and surrounding states; and

WHEREAS, some natural gas utilities in Nebraska serve customers in multiple states across the region; and

WHEREAS, the greater demand for energy across the region caused natural gas shortages and increases in natural gas prices; and

WHEREAS, it is imperative that the Legislature understand the effect of the extreme cold temperatures during February of 2021 on natural gas service in Nebraska.

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

1. That the Legislature recognizes the need for an understanding of the reasons for and circumstances surrounding the natural gas shortages.

2. That the Urban Affairs Committee of the Legislature provide a report of its findings of the reasons for and circumstances surrounding the natural gas shortages.

LEGISLATIVE RESOLUTION 85. Introducer by Sanders, 45; Aguilar, 35; Albrecht, 17; Arch, 14; Blood, 3; Bostelman, 23; Brandt, 32; Brewer, 43; Cavanaugh, J., 9; Cavanaugh, M., 6; Clements, 2; Day, 49; DeBoer, 10; Dorn, 30; Erdman, 47; Friesen, 34; Geist, 25; Gragert, 40; Halloran, 33; Hansen, B., 16; Hansen, M., 26; Hilkemann, 4; Hughes, 44; Hunt, 8; Lathrop, 12; Lindstrom, 18; Lowe, 37; McDonnell, 5; McKinney, 11; Morfeld, 46; Moser, 22; Pansing Brooks,

28; Slama, 1; Stinner, 48; Vargas, 7; Walz, 15; Williams, 36; Wishart, 27; Briese, 41; Pahls, 31; McCollister, 20; Linehan, 39.

WHEREAS, The United States of America consists of people from all over the world who have chosen to make this country their home; and

WHEREAS, Nebraska communities were founded and established by people of a wide variety of races, ethnicities, ages, religions, and backgrounds; and

WHEREAS, Nebraskans value residents of all religions, ancestries, and ethnicities; and

WHEREAS, Nebraska is a welcoming state for people from diverse backgrounds, including Asian-Americans; and

WHEREAS, since the 2010 census, the number of Asian-Americans living in Nebraska has grown by over twenty-three percent, from approximately 33,000 people in 2010 to nearly 41,000 people in 2017; and

WHEREAS, Asian-Americans and people of Asia-Pacific descent live and work in communities all across this state, contribute to the economy of this state, and have children who attend public and private schools in this state; and

WHEREAS, in both 2018 and 2019, according to the Nebraska Crime Commission, there were zero reported hate crimes against Asian-Americans in Nebraska; and

WHEREAS, there are significant and growing concerns in the Asian-American community based upon recent national reports of a rise in anti-Asian-American hate crimes; and

WHEREAS, Nebraskans reject racism and bigotry and affirm our commitment to a diverse, supportive, inclusive, and protective community and state; and

WHEREAS, Nebraskans want to reassure residents and visitors that this state celebrates diversity and inclusion; and

WHEREAS, Nebraskans will not tolerate any prejudice, racism, bigotry, hatred, bullying, or violence towards any groups within our state; and

WHEREAS, Nebraskans extend our sympathy, empathy, and support to any victim of discrimination or violence based on prejudice or race-motivated hate.

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

1. That the Legislature rejects hate, discrimination, and acts of violence, including violence against Asian-Americans, based on race, national origin, or religion.

LEGISLATIVE RESOLUTION 102. Introducer by Wishart, 27; Blood, 3; Brandt, 32; Cavanaugh, J., 9; Cavanaugh, M., 6; DeBoer, 10; Hansen, M., 26; Hunt, 8; Lathrop, 12; McCollister, 20; McKinney, 11; Morfeld, 46; Pahls, 31; Pansing Brooks, 28; Vargas, 7; Walz, 15; Wayne, 13; Bostar, 29.

WHEREAS, according to a warning published on November 5, 2019, about the effects of climate change, signed and supported by over eleven thousand scientists, the climate crisis "is more severe than anticipated, threatening natural ecosystems and the fate of humanity." Later in the statement, the scientists state that "climate chain reactions could cause significant disruptions to ecosystems, society, and economies, potentially making large areas of Earth uninhabitable", and that because of the climate crisis, humanity will face "untold suffering"; and

WHEREAS, the United States Environmental Protection Agency states that intense weather phenomena, including large storms and heat waves, are likely to occur more

frequently because of the climate and ecological crisis. Major storms lead to a loss of property, and both storms and heat waves may lead to death; and

WHEREAS, the Fourth National Climate Assessment states that over time these heat waves increase drought and wildfire risks. Such heat waves and droughts have accelerated the depletion of water supplies, contributing to approximately ten billion dollars in losses to agriculture; and

WHEREAS, according to the Union of Concerned Scientists, many forests are catching fire during wildfire seasons due to changes in temperature, precipitation levels, and soil moisture resulting from global warming. Hotter temperatures in the spring and summer and the fact that snow is melting earlier in the spring are likely to cause longer wildfire seasons and cause wildfires to be more intense and burn for longer; and

WHEREAS, according to the National Centers for Environmental Information, which is part of the National Oceanic and Atmospheric Administration, there were eleven major wildfires between 2000 and 2017 in the United States of America. In that eighteen-year period, both the number of deaths and the financial damage caused by each wildfire dramatically increased. In the first wildfire of 2000, no one died, and the cost was 1.6 billion dollars. In the last wildfire of 2017, fifty-four people died, and the cost was 18.7 billion dollars; and WHEREAS, due to warmer land temperatures in northern latitudes, more warm air is being pushed north, which is disrupting the polar vortex. Because of this, arctic air is sometimes pushed further south than normal, causing cold snaps. In February of 2021, many Midwestern and Southern states experienced a cold snap with record low temperatures that led to millions of individuals losing electricity, millions of dollars in damages, and at least 58 deaths; and WHEREAS, in analyzing the Great Plains, a 2014 report by the University of Nebraska Lincoln states, "The region frequently experiences a wide range of weather and climate hazards such as tornadoes, droughts, floods, and other severe weather events that result in significant economic losses and stresses to a fragile ecosystem. Climate change will further exacerbate those stresses and increase economic losses in the future.". The report also predicts that Nebraska will experience between thirteen and twenty-five more 100-degree days per year in coming years; and

WHEREAS, the Fourth National Climate Assessment also states that flooding might increase across the United States of America, including in areas where precipitation is expected to decrease. All flood types, including flash floods, urban flooding, river flooding, and coastal flooding, are, to different degrees, affected by the climate. Therefore, the risks from future floods are major; and

WHEREAS, according to the National Oceanic and Atmospheric Administration, sea levels are rising at a rate of about one-eighth of an inch per year. The two major causes of rising global sea levels are oceanic expansions due to the warming of oceans and increased melting of glaciers and ice sheets. The oceans are absorbing about ninety percent of the increased atmospheric heat that comes from human emissions. The National Oceanic and Atmospheric Administration goes on to state that "with continued ocean and atmospheric warming, sea levels will likely rise for many centuries at rates higher than that of the current century"; and

WHEREAS, higher sea levels cause deadly and destructive storm surges to push farther inland, which means there will be more nuisance flooding, which is estimated to be three hundred to nine hundred percent more frequent in United States coastal communities than it was fifty years ago. Nearly forty percent of the population of the United States lives in such coastal communities. According to the U.N. Atlas of the Oceans, eight out of the ten largest cities in the world are close to a coast; and

WHEREAS, according to a 2014 report published by the Intergovernmental Panel on Climate Change, animals have an increased risk of extinction because of the climate crisis; and

WHEREAS, a report by the University of Nebraska-Lincoln assessed that disruptions in the climate have decreased agricultural yields in Nebraska over the last forty years and are predicted to decrease agricultural yields significantly over the next twenty-five years; and WHEREAS, the State of Nebraska has contributed to the climate crisis, but has done little to nothing to slow the effects.

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

1. That the Legislature acknowledges that we are in the middle of a climate and ecological crisis caused by humans.
2. That the Legislature has a moral obligation to take steps to combat the climate and ecological crisis.

LEGISLATIVE RESOLUTION 107. Introducer by Groene, 42; Aguilar, 35; Albrecht, 17; Arch, 14; Bostelman, 23; Brandt, 32; Brewer, 43; Briese, 41; Clements, 2; Dorn, 30; Erdman, 47; Flood, 19; Friesen, 34; Geist, 25; Gragert, 40; Halloran, 33; Hansen, B., 16; Hilgers, 21; Hilkemann, 4; Hughes, 44; Lindstrom, 18; Linehan, 39; Lowe, 37; McDonnell, 5; Moser, 22; Murman, 38; Pahls, 31; Sanders, 45; Slama, 1; Stinner, 48; Williams, 36.

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

1. That we hereby reaffirm our solemn oaths of office by expressing a firm resolution to maintain and defend the Constitution of the United States and the Constitution of Nebraska against every act of aggression whether foreign or domestic, including every act of unconstitutional abuse of power arising from the state or federal government.

2. That we are greatly alarmed that a factious and contentious spirit has recently manifested itself in the federal government, emanating both from the legislative and executive branches, with the desire to enlarge their powers by forced constructions of the Constitution of the United States to expand certain general phrases in order to destroy their meaning and effect. Such phrases include: "Congress shall make no law . . . prohibiting the free exercise [of religion] . . .", ". . . the right of the people to keep and bear Arms, shall not be infringed.", and "The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof . . .". This design appears to have no other end except to consolidate the states by degrees into one sovereignty, the obvious tendency and inevitable consequence of which would be to obliterate completely the rights of sovereignty by the several states, and to destroy the rights and liberties of the people, as explicitly granted to them by the Ninth and Tenth Amendments to the Constitution of the United States.

3. That we in particular protest the ominous plan revealed by the executive branch to take unilateral action in explicit violation of the Second Amendment to the Constitution of the United States. This sacred right is also protected by our Constitution of Nebraska: "All persons are by nature free and independent, and have certain inherent and inalienable rights; among these are . . . the right to keep and bear arms for security or defense of self, family, home, and others . . .".

4. That we further protest against federal government actions which seek to punish traditional religious beliefs about the sanctity of life and sexual mores. These actions

are in direct violation of the First Amendment to the Constitution of the United States, which states that "Congress shall make no law . . . prohibiting the free exercise [of religion] . . .", and of the Constitution of Nebraska which states that "All persons have a natural and inalienable right to worship Almighty God according to the dictates of their own consciences. . . . [N]or shall any interference with the rights of conscience be permitted."

5. That we express distress at the prospect of proposed federal legislation designed to usurp the election process that was constitutionally left primarily to the legislatures of the several states, and only secondarily to Congress as Alexander Hamilton argues in Federalist Paper Nos. 59-61. These bills would dictate uniform election rules in all fifty states and eviscerate protections such as voter identification requirements, periodic updates of voter files, and restrictions on fraud-prone ballot harvesting. They also seek to steal the right and privilege of redistricting away from state legislatures and instead empower unelected commissions with this ability. Therefore, we affirm that this right must remain with elected state officials whose power is granted by the people themselves.

6. That we also protest the stated goal by the executive branch of the federal government to restrict the private use of at least thirty percent of America's lands and waters by 2030. As evidence, we expound section 1 of article 1 of the Constitution of Nebraska, "To secure these rights, and the protection of property, governments are instituted among people, deriving their just powers from the consent of the governed." In concurrence, the Fifth Amendment to the Constitution of the United States declares: "No person shall be . . . deprived of life, liberty, or property, without due process of law . . .". The acquisition, possession, and use of private property for private purposes is inextricable from the right of liberty and the obtainment of happiness. Such an appropriation of property is a gross violation of the fundamental principles of our state and nation.

7. That we strongly affirm the sacred and constitutional right of all persons of the liberty to decide what, if any, vaccination is necessary for their health or the health of their family. We explicitly reject the idea of vaccine passports and other federal mandates that restrain a person's right to peaceably assemble or restrict their freedom to travel or conduct commerce.

8. That the Legislature requests cooperation from the Governor of Nebraska, the Nebraska Attorney General, the President of the United States, the President pro tempore of the United States Senate, the Secretary of the United States Senate, the Speaker of the United States House of Representatives, the Clerk of the United States House of Representatives, and the presiding officers of each of the legislative houses in the several states in defending the Constitution of the United States, the states, and the people against federal overreach.

9. That the Clerk of the Legislature shall transmit copies of this resolution to the Governor of Nebraska, the Nebraska Attorney General, the President of the United States, the President pro tempore of the Senate, the Secretary of the United States Senate, the Speaker of the United States House of Representatives, the Clerk of the United States House of Representatives, and to the presiding officers of each of the legislative houses in the several states.

LEGISLATIVE RESOLUTION 118. Introducer by Hunt, 8.

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

1. That we hereby reaffirm our solemn oaths of office by expressing a firm resolution to defend the United States Capitol, the sacred symbol of our democracy, against every act of sedition and insurrection, whether from citizens of the United States or their elected officials.

2. That we are greatly alarmed that a factious and treasonous spirit manifested on January 6, 2021, in a violent attack on the United States Capitol in Washington, D.C., and that such insurrection was spurred by influences emanating from some members of the United States Congress and former President of the United States, Donald J. Trump, with a desire to sow discord among the citizenry and to destroy the outcome of the free and fair election that resulted in the election of President Joseph R. Biden.

3. That we further protest against the actions of the mob of citizens who committed countless criminal acts resulting in incalculable property damage; caused physical injuries to many, including brave first responders; and brought about tragic loss of life, including an officer of the United States Capitol Police. We also protest the words of elected officials in the state legislatures and the United States Congress which sought to incite such mob.

4. That we express distress at the knowledge that this insurrection was fueled by lies and misinformation and an official abuse of power by some local, state, and federal leaders, including Nebraska's Attorney General, Nebraska's Secretary of State, and Nebraska's Governor, who used the powers and privileges of their offices, granted by the people themselves, as well as state resources, to file frivolous partisan lawsuits designed to usurp the democratic process.

5. That the Legislature requests cooperation from the Governor of Nebraska, the Nebraska Attorney General, the President of the United States, the President pro tempore of the United States Senate, the Secretary of the United States Senate, the Speaker of the United States House of Representatives, the Clerk of the United States House of Representatives, and the presiding officers of each of the legislative houses in the several states in defending the United States Capitol Building and our democratic election process.

6. That the Clerk of the Legislature shall transmit copies of this resolution to the Governor of Nebraska, the Nebraska Attorney General, the President of the United States, the President pro tempore of the Senate, the Secretary of the United States Senate, the Speaker of the United States House of Representatives, the Clerk of the United States House of Representatives, and to the presiding officers of each of the legislative houses in the several states.

LEGISLATIVE RESOLUTION 121. Introducer by Hunt, 8.

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

1. That we hereby reaffirm our solemn oaths of office by expressing a firm resolution to maintain and defend the American people and the right of all Nebraskans to an urgent, robust, and professional response to the public health and attendant economic crises caused by the COVID-19 pandemic.

2. That we are greatly alarmed that a factious and contentious spirit manifested itself in some former and current members of the state and federal governments during the coronavirus emergency of 2019 and 2020, emanating both from the legislative and executive branches, with the desire to obstruct the dissemination of scientific evidence regarding the severity of the COVID-19 pandemic and methods for its mitigation. This design appears to have no other end except to signal an

adherence to principles of personal liberty without regard for one's fellow human beings, the obvious tendency and inevitable consequence of which would be to contribute to hundreds of thousands of preventable deaths in the several states.

3. That we extend our appreciation to the membership of the current federal executive and legislative branches for decisive action taken to produce pandemic relief policies, which are grounded in best practices in science, medicine, and public health and promote common purpose, trust, transparency, and accountability.

4. That we express appreciation for the efforts of Nebraska's mayors, city councils, public health workers and officials, and other local government workers who adhered to scientific best practices in implementing mask requirements and safety measures designed to protect our citizenry. We similarly appreciate the efforts of the University of Nebraska Medical Center and all frontline healthcare workers who placed themselves at extraordinary risk in serving the public during the COVID-19 pandemic.

5. That we celebrate the widespread accessibility of the COVID-19 vaccination available to Americans at no cost and acknowledge that society has reached this remarkable achievement as a result of the diligent and sometimes thankless work of the scientists, doctors, and frontline workers, each of whom played a vital role in reaching this point.

6. That the Legislature requests cooperation from the Governor of Nebraska, the Nebraska Attorney General, the President of the United States, the President pro tempore of the United States Senate, the Secretary of the United States Senate, the Speaker of the United States House of Representatives, the Clerk of the United States House of Representatives, and the presiding officers of each of the legislative houses in the several states in defending the Constitution of the United States, the several states, and the American people against future pandemics.

7. That the Clerk of the Legislature shall transmit copies of this resolution to the Governor of Nebraska, the Nebraska Attorney General, the President of the United States, the President pro tempore of the Senate, the Secretary of the United States Senate, the Speaker of the United States House of Representatives, the Clerk of the United States House of Representatives, and to the presiding officers of each of the legislative houses in the several states.

LEGISLATIVE RESOLUTION 130. Introducer by Hunt, 8.

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

1. That we hereby reaffirm our solemn oaths of office by expressing a firm resolution to maintain and defend the viability of our planet and its natural resources from the urgent existential threat of climate change and to support legislation that will move Nebraska toward a clean energy economy.

2. That we are greatly alarmed that a faction of state and federal legislative leaders have failed to acknowledge the established science of climate change, higher frequency of extreme weather events, and growing effects of climate change on the economy of the United States. Further, this failure by state and federal legislative leaders is a betrayal of the United States Declaration of Independence, which declares a right to "life, liberty and the pursuit of happiness", which is contingent upon a habitable planet and a natural environment capable of sustaining human, animal, and plant life.

3. That we express distress at the Donald J. Trump presidential administration's actions to abandon protections for public lands and roll back Environmental Protection Agency rules.

4. That we are grateful for President Joseph R. Biden's leadership in swiftly and decisively taking action to revoke the permit for the dangerous proposed Keystone XL Pipeline construction project, which would threaten to wreak environmental havoc on its path through Nebraska and his directives issued to protect air and water quality and public lands across the nation.

5. That the Legislature requests cooperation from the Governor of Nebraska, the Nebraska Attorney General, the President of the United States, the President pro tempore of the United States Senate, the Secretary of the United States Senate, the Speaker of the United States House of Representatives, the Clerk of the United States House of Representatives, and the presiding officers of each of the legislative houses in the several states in taking decisive action to minimize the impacts of climate change we are already facing and to prevent further damage to our planet and ecosystems.

6. That the Clerk of the Legislature shall transmit copies of this resolution to the Governor of Nebraska, the Nebraska Attorney General, the President of the United States, the President pro tempore of the Senate, the Secretary of the United States Senate, the Speaker of the United States House of Representatives, the Clerk of the United States House of Representatives, and to the presiding officers of each of the legislative houses in the several states.

LEGISLATIVE RESOLUTION 159. Introducer by Blood, 3.

WHEREAS, the economy of the State of Nebraska is heavily reliant on agriculture and specifically, the production of ethanol; and

WHEREAS, the AltEn, LLC, (AltEn) ethanol production plant at Mead, Nebraska, has been using pesticide and fungicide treated seed as the raw material for the production of ethanol, leaving behind toxic byproducts which are unfit for animal consumption or soil treatment and which have been shown to cause significant disruptions, including death, in the life cycle of invertebrates, fish, reptiles, amphibians, insects, birds, and mammals; and

WHEREAS, the contaminated byproducts created by this process have been causally linked to the destruction of entire colonies of bees and other pollinators which are vital to the health of the agricultural industry and provide important bioindicators for other species; and

WHEREAS, the AltEn family of companies includes several limited liability companies which makes it difficult to identify exactly which Kansas entity is actually doing business in Nebraska, which is further complicated by the involvement of Mead Cattle Company, LLC, and Green Cycles, LLC, the biochar manufacturing enterprise of AltEn, which have been engaged in either the manufacturing of the ethanol, the dispersal of the wet distiller's grain, or the manufacture of biochar; and

WHEREAS, leaking liners under the retention ponds at the facility which are associated with Mead Cattle Company LLC, have contaminated and continue contaminating the water table surrounding the facility to a depth of 29 feet; and

WHEREAS, it is estimated that over 84,000 tons of pesticide- and fungicide-contaminated material remain on the AltEn site, exposing residents of Mead and the surrounding rural community to continued exposure to airborne contaminants, with

few studies indicating what the long-term ramifications of that exposure could be; and

WHEREAS, in 2018 and 2019, AltEn delivered over 29,000 tons of contaminated distillers grain, referred to as soil conditioner, to area farmers who were unaware of the risk of applying of that product to the land, and such product was applied to land or stockpiled on various sights around Saunders County, including the city of Wahoo and Lake Wanahoo; and

WHEREAS, a late February, 2021, freeze resulted in the draining of over four million gallons of pesticide-contaminated water and manure across lands belonging to the University of Nebraska and spread miles downstream from the AltEn facility; and

WHEREAS, AltEn has not demonstrated a legal plan or procedure to address the leaking lagoons, the stockpiles of contaminated distiller's grain, or any other contamination resulting from byproducts related to its operations; and

WHEREAS, floods which occurred in both 2019 and 2021 have spread these contaminants far beyond the immediate vicinity of AltEn and may have already contaminated, and have the potential to further contaminate, the downstream wellfield locations for the city of Lincoln's drinking water; and

WHEREAS, the University of Nebraska has indicated that studies on the extensive pollution in the region associated with the AltEn family of enterprises will require at least ten years to conduct and may require expenditure of ten million dollars or more; and

WHEREAS, AltEn has an extensive list of violations on file with the Nebraska Department of Environment and Energy. This demonstrates a disrespect for the agency and a lack of appropriate enforcement actions available to force AltEn to correct these violations; and

WHEREAS, livestock at Mead Cattle Company LLC, have been exposed to airborne pesticide and fungicide, which may contaminate the food supply for American citizens who come into contact with meat processed through that feedlot, potentially affecting an extremely large number of individuals; and

WHEREAS, representatives of the AltEn family of companies failed to testify at hearings on Legislative Bill 507 and Legislative Bill 634, both introduced in 2021, to answer questions about the disposal of waste stockpiled at the AltEn site or any of the other actual or potential damages related to AltEn operations; and

WHEREAS, the liabilities associated with AltEn operations are immense, and it appears the company is unable to meet its obligations associated with the appropriate disposal of contaminated waste piles, remediation of leaking lagoons and surrounding land and water contamination, damage to public and private property, or injuries to humans and animals, therefore imposing that financial burden on the taxpayers of the State of Nebraska; and

WHEREAS, seed companies which received a financial benefit from the process AltEn utilizes to create ethanol with discarded treated seed should be engaged in helping develop solutions to the contamination and damage caused by such process; and

WHEREAS, AltEn has failed to pay back taxes on the plant, leaving the residents of Saunders County to pick up the burden through additional taxation; and

WHEREAS, mechanics liens against the properties are a further indication that AltEn is unlikely to be able to financially afford even rudimentary cleanup on the site; and

WHEREAS, negative publicity associated with the AltEn, LLC, ethanol plant could damage the reputation of other ethanol manufacturers, who follow sound science and appropriate safeguards to prevent environmental degradation.

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

1. That the Legislature hereby calls for the Executive Board of the Legislative Council to meet forthwith and appoint a special committee of the Legislature to be known as AltEn LLC, Ethanol Plant at Mead Special Investigative and Oversight Committee of the Legislature. The committee shall consist of nine members of the Legislature appointed by the executive board. Members shall include the chairperson of the Appropriations Committee or the chairperson's designee, the chairperson of the Natural Resources Committee or the chairperson's designee, the chairperson of the Judiciary Committee or the chairperson's designee, the chairperson of the Health and Human Services or the chairperson's designee, the chairperson of the Agriculture Committee or the chairperson's designee, one member representing the city of Omaha, one member representing the city of Lincoln, and one additional member from the Judiciary Committee and the Natural Resources Committee. The committee shall elect a chairperson and a vice-chairperson from the membership of the committee. The Executive Board may provide the committee with a legal counsel, committee clerk, and other staff as required by the committee from existing legislative staff. The executive board may authorize the committee to hire outside legal counsel, consultants, and investigators as required by the committee. The committee may hold hearings and issue subpoenas to compel the attendance of witnesses and the production of any papers, books, accounts, documents, and testimony.

2. The AltEn LLC, Ethanol Plant at Mead Special Investigative and Oversight Committee of the Legislature is hereby authorized to study and investigate the following: (a) Records associated with the construction and operation of Mead Cattle Company LLC, AltEn LLC, and associated companies; (b) The regulatory rules and regulations associated with the operation of these entities by the federal government and the State of Nebraska; (c) Whether AltEn followed the applicable rules and regulations governing their operation; (d) Whether revisions to statutes or rules and regulations are needed to ensure compliance with applicable standards, including increased penalties and streamlined enforcement mechanisms; (e) Whether the contaminated bioproducts from this process have led to negative impacts on human health; (f) Whether entities and individuals who benefited from this process have any liability to pay for damages resulting from it; (g) The timelines associated with the production of ethanol from treated seeds and biochar at the site; (h) Records associated with inspections at the facility by state inspectors and what enforcement actions were taken; (i) How and why pesticide-contaminated distiller's grain was permitted to be applied to farm fields as a soil conditioner and whether those fields are being used to produce food crops today; (j) Whether any contamination exists for the drinking water of the cities of Omaha and Lincoln and any scientific studies addressing neonicotinoid poisoning and the beneficial uses of neonicotinoids; (k) The cost estimates associated with removal of contaminated seed stored in warehouses at the AltEn site and elsewhere, the costs to dispose of the tons of contaminated material remaining on the AltEn site, the costs to treat waters in the extensive lagoon system on the site, the costs of additional testing associated with water wells in the vicinity, whether there are costs from damage to human health, whether there are costs to remediate damage to neighboring properties, and any other costs or expenses which are unanticipated but may be exposed through the course of

investigation; (l) Any existing statutes and rules and regulations related to the disposal of pesticides in any form; and (m) Any other issues that may be necessary or appropriate to a full and complete examination of this matter.

3. The special committee shall issue a preliminary report with its findings and recommendations to the Legislature no later than December 1, 2021. At that time the estimated costs for remediation should be available to the Legislature and the Appropriations Committee of the Legislature can develop a budget for remediation in the event that state funds are required to clean up the AltEn site. The special committee shall issue a final report of its findings and recommendations by December 1, 2022. The special committee shall terminate on December 31, 2022.

LEGISLATIVE RESOLUTION 242. Introducer by Brewer, 43; Brandt, 32; Clements, 2; Erdman, 47; Gragert, 40; Halloran, 33.

WHEREAS, congressional efforts in the One Hundred Sixteenth United States Congress focused on the support and expansion of small meat processors; and

WHEREAS, markets available to farmers and ranchers in Nebraska should be expanded by federal and state legislation without compromising food safety standards or market access under existing trade agreements; and

WHEREAS, electronic commerce and other innovations offer opportunities for bringing new customers to small meat processors; and

WHEREAS, following the enactment of certain federal laws, a state meat and poultry inspection program in Nebraska approved by the Food Safety and Inspection Service of the United States Department of Agriculture would allow meat and poultry grown and processed in Nebraska to be sold in other states; and

WHEREAS, entry into the market for small meat processors can be eased through grants that lower the cost of food safety regulations, feasibility studies, overtime fees, federal inspections, and training; and

WHEREAS, the federal Consolidated Appropriations Act, 2021, includes grants totaling sixty million dollars for small meat processors to update and expand their facilities; and

WHEREAS, up to two hundred thousand dollars of such grant money can be used to update or expand a small meat processing facility to meet the inspection standards of the United States Department of Agriculture; and

WHEREAS, expanding market options for meat products through these federal acts and programs will be beneficial for livestock producers in Nebraska.

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

1. That the Legislature urges the congressional delegation of Nebraska to pass legislation that supports farmers, ranchers, and small meat processors without compromising food safety standards and foreign market access.

2. That a copy of this resolution be delivered to each member of the Nebraska congressional delegation.

LEGISLATIVE RESOLUTION 248. Introducer by Erdman, 47.

WHEREAS, Legislative District 47 consists of ten counties in Nebraska's Panhandle, including Arthur, Banner, Box Butte, Cheyenne, Deuel, Garden, Keith, Kimball, Morrill, and Sioux; and

WHEREAS, the Second Amendment to the Constitution of the United States provides for the right of the people to keep and to bear arms and that such right shall not be infringed; and

WHEREAS, the people of Legislative District 47 are strong supporters of our freedoms and understand that the right to keep and bear arms is a fundamental right of our republic guaranteed to the citizens by the Second Amendment; and

WHEREAS, all ten counties of Legislative District 47 have embraced this right of the people to keep and bear arms by passing resolutions and ordinances declaring these counties as Second Amendment sanctuary counties; and

WHEREAS, this right to keep and bear arms is reaffirmed in Article 1, section 1, of the Constitution of Nebraska.

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

1. That the Legislature recognizes the people of Legislative District 47 as strong supporters of the Second Amendment of the Constitution of the United States.

2. That the Legislature recognizes the counties of Arthur, Banner, Box Butte, Cheyenne, Deuel, Garden, Keith, Kimball, Morrill, and Sioux as Second Amendment sanctuary counties, whereby the right to keep and bear arms shall be upheld and honored.

3. That copies of this resolution be sent to the county boards of Arthur, Banner, Box Butte, Cheyenne, Deuel, Garden, Keith, Kimball, Morrill, and Sioux counties.

LEGISLATIVE RESOLUTION 249. Introducer by Friesen, 34.

WHEREAS, Legislative District 34 consists of Nance, Merrick, Hamilton, and parts of Hall counties; and

WHEREAS, the Second Amendment to the Constitution of the United States provides that it is the right of the people to keep and bear arms and that such right shall not be infringed; and

WHEREAS, the people of Legislative District 34 are strong supporters of our freedoms and the Second Amendment; and

WHEREAS, Nance, Merrick, Hamilton, and Hall counties have joined many other counties and states and passed ordinances declaring that these counties are Second Amendment sanctuary counties.

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

1. That the Legislature recognizes Nance, Merrick, Hamilton, and Hall counties as Second Amendment sanctuary counties and as strong supporters of the Second Amendment.

2. That copies of this resolution be sent to the county boards of Nance, Merrick, Hamilton, and Hall counties.

LEGISLATIVE RESOLUTION 253. Introducer by Hansen, B., 16.

WHEREAS, Legislative District 16 consists of Washington, Burt, and Cuming counties; and

WHEREAS, the Second Amendment to the Constitution of the United States provides that it is the right of the people to keep and bear arms and that such right shall not be infringed; and

WHEREAS, the people of Legislative District 16 are strong supporters of our freedoms and the Second Amendment; and

WHEREAS, Washington, Burt, and Cuming counties have joined many other counties and states and passed ordinances declaring these counties as Second Amendment sanctuary counties.

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

1. That the Legislature recognizes Washington, Burt, and Cuming counties as Second Amendment sanctuary counties and as strong supporters of the Second Amendment.
2. That copies of this resolution be sent to the county boards of Washington, Burt, and Cuming counties.

LEGISLATIVE RESOLUTION 254. Introducer by Halloran, 33.

WHEREAS, Legislative District 33 consists of Adams County and parts of Hall County; and

WHEREAS, the Second Amendment to the Constitution of the United States provides that it is the right of the people to keep and bear arms and that such right shall not be infringed; and

WHEREAS, the people of District 33 are strong supporters of our freedoms and the Second Amendment; and

WHEREAS, Adams and Hall counties have joined many other counties and states and passed ordinances declaring these counties as Second Amendment sanctuary counties.

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

1. That the Legislature recognizes Adam and Hall counties as Second Amendment sanctuary counties and as strong supporters of the Second Amendment.
2. That copies of this resolution be sent to the county boards of Adams and Hall counties.

LEGISLATIVE RESOLUTION 256. Introducer by Lowe, 37.

WHEREAS, Legislative District 37 is located in Buffalo County; and

WHEREAS, the Second Amendment to the Constitution of the United States provides that it is the right of the people to keep and bear arms and that such right shall not be infringed; and

WHEREAS, the people of Buffalo County are strong supporters of our freedoms and the Second Amendment; and

WHEREAS, Buffalo County has joined many other counties and states and passed an ordinance declaring that it is a Second Amendment sanctuary county.

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

1. That the Legislature recognizes Buffalo County as a Second Amendment sanctuary county and a strong supporter of the Second Amendment.
2. That a copy of this resolution be sent to the county board of Buffalo County.

LEGISLATIVE RESOLUTION 257. Introducer by Murman, 38.

WHEREAS, Clay, Webster, and part of Buffalo County are part of Legislative District 38; and

WHEREAS, the Second Amendment to the Constitution of the United States provides that it is the right of the people to keep and bear arms and that such right shall not be infringed; and

WHEREAS, the people of Legislative District 38 are strong supporters of our freedoms and the Second Amendment; and

WHEREAS, Clay, Webster, and Buffalo counties have joined many other counties and states and passed ordinances declaring these counties as Second Amendment sanctuary counties.

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

1. That the Legislature recognizes Clay, Webster, and Buffalo counties as Second Amendment sanctuary counties and strong supporters of the Second Amendment.
2. That a copy of this resolution be sent to the county boards of Clay, Webster, and Buffalo counties.

LEGISLATIVE RESOLUTION 258. Introducer by Albrecht, 17.

WHEREAS, Legislative District 17 consists of three counties, including Wayne, Dakota, and Thurston counties; and

WHEREAS, the Second Amendment to the Constitution of the United States provides that it is the right of the people to keep and bear arms and that such right shall not be infringed; and

WHEREAS, the people of Legislative District 17 are strong supporters of our freedoms and the Second Amendment; and

WHEREAS, Dakota County has joined the other counties of Legislative District 17 and many other counties and states and passed an ordinance declaring that it is a Second Amendment sanctuary county.

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

1. That the Legislature recognizes Dakota County as a Second Amendment sanctuary county and a strong supporter of the Second Amendment.
2. That a copy of this resolution be sent to the county board of Dakota County.

LEGISLATIVE RESOLUTION 259. Introducer by Albrecht, 17.

WHEREAS, Legislative District 17 consists of three counties, including Wayne, Dakota, and Thurston counties; and

WHEREAS, the Second Amendment to the Constitution of the United States provides that it is the right of the people to keep and bear arms and that such right shall not be infringed; and

WHEREAS, the people of Legislative District 17 are strong supporters of our freedoms and the Second Amendment; and

WHEREAS, Wayne County has joined the other counties of Legislative District 17 and many other counties and states and passed an ordinance declaring that it is a Second Amendment sanctuary county.

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

1. That the Legislature recognizes Wayne County as a Second Amendment sanctuary county and a strong supporter of the Second Amendment.
2. That a copy of this resolution be sent to the county board of Wayne County.

LEGISLATIVE RESOLUTION 260. Introducer by Albrecht, 17.

WHEREAS, Legislative District 17 consists of three counties, including Wayne, Dakota, and Thurston counties; and

WHEREAS, the Second Amendment to the Constitution of the United States provides that it is the right of the people to keep and bear arms and that such right shall not be infringed; and

WHEREAS, the people of Legislative District 17 are strong supporters of our freedoms and the Second Amendment; and

WHEREAS, Thurston County has joined the other counties of Legislative District 17 and many other counties and states and passed an ordinance declaring that it is a Second Amendment sanctuary county.

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

1. That the Legislature recognizes Thurston County as a Second Amendment sanctuary county and a strong supporter of the Second Amendment.
2. That a copy of this resolution be sent to the county board of Thurston County.

FIRST DAY - JANUARY 5, 2022**LEGISLATIVE JOURNAL****ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION****FIRST DAY**

Legislative Chamber, Lincoln, Nebraska
Wednesday, January 5, 2022

PRAYER

The prayer was offered by Senator Williams.

PRESENTATION OF COLORS

Presentation of Colors by the Nebraska State Patrol - Headquarters Troop Honor Guard.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Sanders.

ROLL CALL

Pursuant to the provisions of Article III, Section 10 of the Constitution of Nebraska, the One Hundred Seventh Legislature, Second Session of the Legislature of Nebraska assembled in the George W. Norris Legislative Chamber of the State Capitol at the hour of 10:00 a.m., on Wednesday, January 5, 2022, and was called to order by President Foley.

The roll was called and the following members were present:

Aguilar, Raymond	Friesen, Curt	McDonnell, Mike
Albrecht, Joni	Geist, Suzanne	McKinney, Terrell M.
Arch, John	Gragert, Tim	Morfeld, Adam
Blood, Carol	Groene, Mike	Moser, Mike
Bostar, Eliot	Halloran, Steve	Murman, Dave
Bostelman, Bruce	Hansen, Ben	Pahls, Rich
Brandt, Tom	Hansen, Matt	Pansing Brooks, Patty
Brewer, Tom	Hilgers, Mike	Sanders, Rita
Briese, Tom	Hilkemann, Robert	Slama, Julie
Cavanaugh, John, Jr.	Hughes, Dan	Stinner, John
Cavanaugh, Machaela	Hunt, Megan	Vargas, Tony
Clements, Robert	Kolterman, Mark	Walz, Lynne
Day, Jen	Lathrop, Steve	Williams, Matt
DeBoer, Wendy	Lindstrom, Brett	Wishart, Anna
Dorn, Myron	Lowe, John S., Sr.	
Erdman, Steve	McCollister, John S.	
Flood, Mike		

The following members were excused:

Linehan, Lou Ann Wayne, Justin T.

CERTIFICATE

State of Nebraska

United States of America,) ss. Secretary of State
State of Nebraska) State Capitol
Lincoln, Nebraska

I, Robert B. Evnen, Secretary of State of the State of Nebraska, do hereby certify that the attached is a true and correct copy of the Official Roster of members of the Nebraska Unicameral Legislature elected or appointed to serve in the One Hundred Seventh Legislature, Second Session, 2022.

Further, I hereby certify that the members so listed on the Official Roster attached hereto are the duly elected or appointed members of the Unicameral Legislature in the State of Nebraska for the One Hundred Seventh Legislature, Second Session, 2022.

Finally, I hereby certify that all election returns, abstracts, canvass and appointment records with reference to said members are on file in the office of the Secretary of State and are a matter of public record.

Nothing further is certified.

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State of Nebraska on this date of January 5, 2022.

(SEAL) (Signed) Robert. B. Evnen
Secretary of State

DISTRICT/NAME	ELECTED
1 Julie Slama	November 3, 2020
2 Robert Clements	November 6, 2018
3 Carol Blood	November 3, 2020
4 Robert Bob Hilkemann	November 6, 2018
5 Mike McDonnell	November 3, 2020
6 Machaela Cavanaugh	November 6, 2018
7 Tony Vargas	November 3, 2020
8 Megan Hunt	November 6, 2018
9 John Cavanaugh	November 3, 2020
10 Wendy DeBoer	November 6, 2018
11 Terrell McKinney	November 3, 2020

12	Steve Lathrop	November 6, 2018
13	Justin T. Wayne	November 3, 2020
14	John Arch	November 6, 2018
15	Lynne M. Walz	November 3, 2020
16	Ben Hansen	November 6, 2018
17	Joni Albrecht	November 3, 2020
18	Brett Lindstrom	November 6, 2018
19	Mike Flood	November 3, 2020
20	John S. McCollister	November 6, 2018
21	Mike Hilgers	November 3, 2020
22	Mike Moser	November 6, 2018
23	Bruce Bostelman	November 3, 2020
24	Mark A. Kolterman	November 6, 2018
25	Suzanne Geist	November 3, 2020
26	Matt Hansen	November 6, 2018
27	Anna Wishart	November 3, 2020
28	Patty Pansing Brooks	November 6, 2018
29	Eliot Bostar	November 3, 2020
30	Myron Dorn	November 6, 2018
31	Rich Pahls	November 3, 2020
32	Tom Brandt	November 6, 2018
33	Steve Halloran	November 3, 2020
34	Curt Friesen	November 6, 2018
35	Raymond M. Aguilar	November 3, 2020
36	Matt Williams	November 6, 2018
37	John S. Lowe Sr.	November 3, 2020
38	Dave Murman	November 6, 2018
39	Lou Ann Linehan	November 3, 2020
40	Tim Gragert	November 6, 2018
41	Tom Briese	November 3, 2020
42	Michael Groene	November 6, 2018
43	Tom Brewer	November 3, 2020
44	Dan Hughes	November 6, 2018
45	Rita Sanders	November 3, 2020
46	Adam Morfeld	November 6, 2018
47	Steve Erdman	November 3, 2020
48	John P. Stinner Sr.	November 6, 2018
49	Jen Day	November 3, 2020

MESSAGE(S) FROM THE GOVERNOR

October 4, 2021

Mr. President, Speaker Hilgers
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Hilgers and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed to the Climate Assessment Response Committee:

Ervin L. Portis, Nebraska Emergency Management Agency, 2433 NW 24th Street, Lincoln, NE 68524-5086

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

October 28, 2021

Mr. President, Speaker Hilgers
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Hilgers and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed to the Child Abuse Prevention Fund Board:

Clarie K. Bazata, 34 McCormick Drive, Cozad, NE 69130

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

November 9, 2021

Mr. President, Speaker Hilgers
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Hilgers and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed

to the Commission for the Deaf and Hard of Hearing:

Peggy A. Williams, 4515 Hill Drive, Lincoln, NE 68510

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

November 9, 2021

Mr. President, Speaker Hilgers
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Hilgers and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed to the Foster Care Advisory Committee:

Richard L. Wiener, Ph.D., 16310 Charles Circle, Omaha, NE 68118

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

November 24, 2021

Mr. President, Speaker Hilgers
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Hilgers and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed to the Crime Victim's Reparations Committee:

Gerald Randall (Rand) Hansen, 2303 S. 154 Circle, Omaha, NE 68144

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

November 24, 2021

Mr. President, Speaker Hilgers
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Hilgers and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed to the State Personnel Board:

Jerry Lee Jensen, 2137 South 58 Street, Lincoln, NE 68506

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

November 24, 2021

Mr. President, Speaker Hilgers
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Hilgers and Members of the Legislature:

Contingent upon your approval, the following individuals are being reappointed to the Nebraska Ethanol Board:

Scott B. McPheeters, 26118 S. McNickle Road, Gothenburg, NE 69138
Taylor D. Nelson, 831 137 Street, South Sioux City, NE 68776

The aforementioned appointees are respectfully submitted for your

consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

November 24, 2021

Mr. President, Speaker Hilgers
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Hilgers and Members of the Legislature:

Contingent upon your approval, the following individual is being reappointed to the Nebraska Brand Committee:

Terry L. Cone, 97 S. 1st Avenue, Burwell, NE 68823

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

ATTORNEY GENERAL'S OPINIONS

Opinion 21-013

SUBJECT: Constitutionality of the Statutory Requirement that a Political Party Nominee for Governor Select a Candidate for Lieutenant Governor of the Same Political Party (LB 635).

REQUESTED BY: Senator Carol Blood
Nebraska Legislature

WRITTEN BY: Douglas J. Peterson, Attorney General
L. Jay Bartel, Assistant Attorney General

INTRODUCTION

Nebraska law currently provides that "[t]he candidate for Governor of each political party receiving the highest number of votes in the primary election shall select a candidate for Lieutenant Governor of the same political party by filing an affidavit indicating his or her choice with the Secretary of State." Neb. Rev. Stat. § 32-619.01 (2016). Under the Nebraska Constitution, "[e]ach candidate for Governor shall select a person to be the candidate for Lieutenant Governor on the general election ballot. In the general election one vote shall be cast jointly for the candidates for Governor and Lieutenant Governor." Neb. Const. art. IV, § 1. Further, "[n]o person shall be eligible for the office of Governor, or Lieutenant Governor, who shall not have attained the age of thirty years, and who shall not have been for five years next preceding his election a resident and citizen of this state and a citizen of the United States." Neb. Const. art. IV, § 2.

You ask us to address the constitutionality of the requirement in § 32-619.01 that a candidate for Governor of a political party select a candidate for Lieutenant Governor of the same political party. You question whether this requirement unconstitutionally imposes a qualification for the office of Lieutenant Governor beyond what is required under art. IV, § 2, and impermissibly limits a Governor candidate's selection of a Lieutenant Governor candidate under art. IV, § 1. You further raise issues regarding whether § 32-619.01 "violates candidates' rights to choose running mates of their own choosing without regard to partisan designation," or "voters' rights to vote for candidates separate from political party or right to vote for candidates of different parties." You also ask us to consider "[w]hat happens if a gubernatorial candidate chooses a running mate with no party affiliation or a different party affiliation" and, if so, "[w]ill that candidate for Governor be listed on the ballot?"

Initially, we note it is our long-standing policy not to provide opinions to members of the Legislature on the interpretation or constitutionality of existing statutes. Op. Att'y Gen. No. 157 (Dec. 24, 1985). Rather, we only issue opinions to state legislators which pertain "to pending or proposed legislation." *Id.* at 1. Because your request makes no reference to any pending or proposed legislation, we normally would decline to provide an opinion on the questions presented. We have, however, identified pending legislation which would provide for nonpartisan primary elections for statewide offices and U.S. Congressional offices. LB 635. Section 13 of LB 635 proposes to amend § 32-619.01 to remove the "same political party" requirement for Lieutenant Governor candidates and provide instead that the two candidates for Governor receiving the highest number of votes in the primary election shall each select a candidate for Lieutenant Governor without regard for his or her political party. Because our conclusions could impact consideration of this pending legislation, we will respond to your request.

BACKGROUND

Prior to 1970, the Nebraska Constitution provided for the separate election of the Governor and Lieutenant Governor. *See* Neb. Const. art. IV, § 1 (Cum. Supp. 1967) ("The Governor, [and] Lieutenant Governor . . . shall be chosen at the general election . . ."). In 1970, an amendment was adopted providing that "[i]n the general election one vote shall be cast jointly for the candidates for Governor and Lieutenant Governor nominated by the same party." 1969 Neb. Laws, ch. 417, § 1, p. 1428 (Neb. Const. art. IV, § 1 (Cum. Supp. 1972)). At the general election in 2000, the voters approved a constitutional amendment (LR 14CA) requiring "[e]ach candidate for Governor to select a person to be the candidate for Lieutenant Governor on the general election ballot." 1999 Neb. Laws LR 14CA (Neb. Const. art. IV, § 1 (Supp. 2001)). The amendment left the language stating that "[i]n the general election one vote shall be cast jointly for the candidates for Governor and Lieutenant Governor," but removed the previous language stating that the candidates be "nominated by the same party."

After LR 14CA was approved by the voters in 2000, the Legislature passed enabling legislation. 2001 Neb. Laws LB 768. The bill proposed "that the candidates for Governor of each political party receiving the highest number of votes in the primary election will select a candidate for Lieutenant Governor of the same political party within sixty days after the statewide primary election. Each of these two candidates would then run as a team on the general election ballot." Committee Records on LB 768, 97th Leg., 1st Sess., Introducer's Statement of Intent (Feb. 14, 2001). The bill's principal introducer, Senator Schrock, noted the requirement that the Governor select a Lieutenant Governor candidate from "the same political party" could be "controversial." *Id.* at 2. LB 768 was, however, passed with no subsequent discussion of the party affiliation requirement. The bill, codified at Neb. Rev. Stat. § 32-619.01, has not been changed since its enactment.

ANALYSIS

Your primary question is whether the "party affiliation" rule in § 32-619.01 unconstitutionally imposes a qualification for the office of Lieutenant Governor beyond what is required under art. IV, § 2, and impermissibly limits a Governor candidate's selection of a Lieutenant Governor candidate under art. IV, § 1. As explained below, we conclude the "same political party" provision in § 32-619.01 does not conflict with the constitution's requirement that a candidate for Governor select the Lieutenant Governor candidate for the general election ballot and that "one vote shall be cast jointly for the candidates for Governor and Lieutenant Governor." Neb. Const. art. IV, § 1. This interpretation is consistent with the constitutional language and the historical facts contained in the legislative record. Further, the "same political party" requirement imposes no additional qualification for the office of Lieutenant Governor and places no improper limit on the selection of a running mate by a candidate for Governor of a political party.

A. The Party Affiliation Rule Is Consistent with the Joint Vote Requirement in Neb. Const. Art. IV, § 1.

The Nebraska Supreme Court has recognized the following general rules governing the interpretation of constitutional provisions:

The intent and understanding of [the] framers [of a constitutional provision] and the people who adopted it as expressed in the instrument is the main inquiry in construing it The words of a constitutional provision will be interpreted and understood in their most natural and obvious meaning unless the subject indicates or the text suggests they are used in a technical sense. The court may not supply any supposed omission, or add words to or take words from the provision as framed. It must be construed as a whole, and no part will be rejected as meaningless or surplusage, if it can be avoided. If the meaning is clear, the court will give to it the meaning that obviously would be accepted and understood by the layman It is permissible to consider the facts of history in determining the meaning of the language of the Constitution It is also appropriate and helpful to consider, in connection with the historical background, the evil and mischief attempted to be remedied, the objects sought to be accomplished, and the scope of the remedy its terms imply.

State ex rel. Spire v. Beermann, 235 Neb. 384, 389-90, 455 N.W.2d 749, 752 (1990) (quoting *State ex rel. State Railway Comm'n v. Ramsey*, 151 Neb. 333, 340-41, 37 N.W.2d 502, 508 (1949) (citations omitted)).

Under art. IV, § 1, the candidate for Governor must select the candidate for Lieutenant Governor for the general election and "one vote shall be cast jointly for the candidates for Governor and Lieutenant Governor." The crucial inquiry in assessing the propriety of the statutory "party affiliation" rule is whether it is consistent with the intent and meaning of the constitutional "joint vote" requirement in art. IV, § 1.

In Nebraska, "[t]he Governor and Lieutenant Governor shall be elected on the partisan ballot." Neb. Rev. Stat. § 32-506 (2016). A candidate filing for a partisan office must "be a registered voter affiliated with the appropriate party if required pursuant to section 32-702." Neb. Rev. Stat. § 32-602(2) (Cum. Supp. 2020). A person cannot file a candidate filing form as a partisan candidate to have their name placed on the primary election ballot of a political party unless they are "a registered voter of the political party if required by section 32-702" and the party satisfies certain requirements. Neb. Rev. Stat. § 32-610 (Cum. Supp. 2020).

Thus, a person must be affiliated with and be a registered voter of a political party to have their name placed on the primary election ballot as the party's candidate for a partisan office. The offices of Governor and Lieutenant Governor are elected on a partisan ballot. Under § 32-619.01, the winning candidate of a political party in the primary election for Governor must select a candidate for Lieutenant Governor "of the same political

party" to run in the general election. Art. IV, § 1, provides that the candidate for Governor must select a Lieutenant Governor candidate and that one vote must be cast jointly for the candidates for Governor and Lieutenant Governor in the general election. The requirement in § 32-619.01 that a political party candidate for Governor receiving the most votes in the primary election must select a Lieutenant Governor candidate of the same political party for the general election contest for these partisan offices is consistent with the intent and meaning of the "joint vote" requirement in art. IV, § 1.

"The Nebraska Constitution is not a grant, but, rather, a restriction on legislative power, and the Legislature is free to act on any subject not inhibited by the Constitution." *Jaksha v. Thomas*, 243 Neb. 794, 798, 502 N.W.2d 826, 829 (1993). "[C]ourts can enforce only those limitations which the Constitution imposes." *Lenstrom v. Thone*, 209 Neb. 783, 789, 311 N.W.2d 884, 888 (1981). Art. IV, § 1, places no restriction on the Legislature's power to establish a party affiliation rule for nominees for Governor of a political party in selecting a candidate to run with them jointly on the general election ballot. Absent such a restriction in the Constitution, the Legislature was free to enact such a requirement in § 32-619.01.

Construing the "joint vote" requirement in art. IV, § 1, to permit § 32-619.01's "same political party" requirement is also consistent with the historical development of the language in Art. IV, § 1. That section previously required that "the candidates for Governor and Lieutenant Governor [be] nominated by the same party." 1969 Neb. Laws, ch. 417, § 1, p. 1428 (Neb. Const. art. IV, § 1 (Cum. Supp. 1972)). But the people removed that language in 2000, and in so doing, they demonstrated their intent to leave that issue to the Legislature. Notably, the people did not resolve that question in a different way - by, for example, directing that "the candidates for Governor and Lieutenant Governor need not be nominated by the same party." Rather, they decided that the Constitution would be silent. Because the Constitution does not take a position on whether a candidate for Lieutenant Governor must be of the same party as the candidate for Governor, it is open for the Legislature to decide.

The historical facts surrounding the Legislature's consideration of LR 14CA further confirm this conclusion. As originally introduced, LR 14CA required each candidate for Governor to select a Lieutenant Governor candidate "of the same political party status." 1999 Neb. Leg. Journal, 96th Leg., 1st Sess. at 157 (Jan. 12, 1999). Senator Chambers offered a floor amendment (FA23) to strike this language. *Id.* at 596 (Feb. 17, 1999). Opening discussion on the amendment, Senator Chambers stated "[w]e should just make a general statement in the constitution to make it clear that the person who is to be Lieutenant Governor will be selected by the person running for Governor." Floor Debate on LR 14CA, 96th Leg., 1st Sess. at 1149 (Feb. 7, 1999). He noted "there is no need for us to put this type of language in the constitution which would better be argued when we're

considering a statute." *Id.* at 1150. Senator Schimek, citing the existing constitutional language providing that votes were to be cast jointly for the Governor and Lieutenant Governor "nominated by the same party," raised a concern that adoption of FA23 "would change the meaning that is . . . in the constitution now." *Id.* In response, Senator Chambers stated that the language referred to by Senator Schimek was "to prevent, in the general election, the public having the option of voting for a Governor of one party and a Lieutenant Governor of another party . . ." by "put[ting] the Democrat for Governor and the Democrat for Lieutenant Governor on one spot on the ballot, and a vote cast was a vote for both of them. The same with the [Republican] side—a vote for one was a vote for both." *Id.* at 1154. He continued by stating he "was not changing anything by [his] amendment," explaining: "When the names appear on the ballot, there will still have to be one vote cast for the candidate for Governor and Lieutenant Governor of the same party on one ballot, the candidates for Governor and Lieutenant Governor for the other party on the other ballot." *Id.* Advocating that "we should put as little restrictive language in the constitution as possible," Senator Chambers stated:

It will still be clear, with the adoption of this amendment that I'm offering, that in the general election, which is the only time that a person will have to vote for a Lieutenant Governor, they must be of the same political party. One vote will be cast jointly for the Governor and Lieutenant Governor candidate of the same party. *Id.* at 1155.

After FA23 was adopted, Senator Schimek again expressed "concern[] about the Chambers amendment." *Id.* at 1780 (March 4, 1999). Senator Schrock, noting that the "original constitutional amendment" required the Governor candidate to "choose a Lieutenant Governor of the same party," stated: "[S]hould LR 14CA be passed this session then we will need enabling legislation in the statutes next year, and then the issue could be decided by this legislative body as to whether we should require that the Governor candidate choose a Lieutenant Governor candidate from their same party or not." *Id.* at 1781. Toward the end of debate, Senator Schrock urged advancement of the amendment, stating "that [the] issue of whether the Lieutenant Governor should be from the same political party can be addressed statutorily." *Id.* at 1798.

This history reflects a legislative understanding that the "joint vote" requirement authorized the Legislature to implement the amendment by enacting a statute imposing a party affiliation requirement. These historical facts further support concluding that the party affiliation rule in § 32-619.01 is consistent with art. IV, § 1.

B. The Party Affiliation Rule Does Not Impose an Additional Qualification for the Office of Lieutenant Governor.

The constitutional qualifications to be eligible for the offices of Governor and Lieutenant Governor are "hav[ing] attained the age of thirty years" and

being a resident and citizen of this state and the United States "for five years next preceding" election to office. Neb. Const. art. IV, § 2. You contend the party affiliation rule in § 32-619.01 "conflicts with the constitutional qualifications for eligibility for candidates for Governor and Lieutenant Governor because it requires consistency of party membership as eligibility for being candidates for these offices."

"[W]here the Constitution creates an office and enumerates the qualifications for eligibility to the office the legislature is without power to impose other conditions for eligibility." *State ex rel. Quinn v. Marsh*, 141 Neb. 436, 439, 3 N.W.2d 892, 894 (1942). *See also State ex rel. Brazda v. Marsh*, 141 Neb. 817, 830, 5 N.W.2d 206, 214 (1942) ("[W]hen a state Constitution creates an office and names the qualifications of the incumbent, the legislature has no authority to prescribe additional qualifications or to remove any of the requirements provided for by the Constitution.").

While this rule is well-established, the issue here is whether the party affiliation rule in § 32-619.01 imposes an additional qualification for the offices of Governor or Lieutenant Governor. As explained below, the party affiliation rule is not an additional qualification for the offices of Governor or Lieutenant Governor and thus does not violate art. IV, § 2.

In *Roberts v. Cleveland*, 48 N.M. 226, 149 P.2d 120 (N.M. 1944) [*Roberts*], the Supreme Court of New Mexico considered a challenge to the constitutionality of a statute requiring that a person be registered with a political party for a certain length of time to be eligible as that party's nominee for office. The relator asserted that the statute imposed an additional qualification for eligibility to the office of Representative in Congress in violation of the United States Constitution. *Id.* at ___, 149 P.2d at 121. While it was conceded "that the state legislature cannot add to or subtract from the qualifications to hold the office of Congressman," the court noted a "difference between the qualifications of a person to hold the office" and "the qualifications to enter the contest in the Primary Election for the nomination of [a party] as its candidate for said office." *Id.* "Every voter has a right to be a candidate for a public office if he possesses the qualifications required to fill the office. It does not necessarily follow that he can be the candidate of a particular political party." *Id.* "The statute provides when and how one may be a candidate of a political party. If he cannot fill the requirement so as to be the candidate of the political party of his choice, he may still be a candidate at the general election by petition." *Id.* Concluding that the statute did not impose an improper additional qualification for office, the court stated:

[N]o political party under our system can be compelled to put forward as its candidate one who does not affiliate with it. The voter at the general election may vote for whom he pleases but may not be deceived by false labels. It surely is within the power of the legislature to prevent such deception, and we think it clearly appears that it was intended to do so and, likewise, that it was not intended to enlarge upon or subtract

from the constitutional qualifications of our citizens to hold public office. We are determining the qualifications for nomination as the candidate of a political party, and not the right to be a candidate for election to the office. *Id.* at 122.

Roberts instructs that there is a distinction between qualifications necessary to be a candidate for an office and eligibility to be nominated as the candidate of a political party running for an office. Because § 32-619.01 applies to candidates of a "political party" for Governor and requires such candidates to select a Lieutenant Governor candidate of the "same political party," it imposes no qualification for either office.¹ The Legislature has authority to require that candidates of a political party seeking election to an office be affiliated with that party. This requirement does not impose an additional qualification for office. It merely recognizes "the power of the legislature to protect the various political parties in their right to present candidates at the general election who affiliate with the party that presents them." *Roberts*, 48 N.M. at ___, 149 P.2d at 121.²

C. The Party Affiliation Rule Does Not Violate the Rights of Candidates or Voters.

You further raise issues regarding whether § 32-619.01 "violates candidates' rights to choose running mates of their own choosing without regard to partisan designation," or "voters' rights to vote for candidates separate from political party or right to vote for candidates of different parties." It does not.

As explained above, the Legislature may require that candidates of a political party seeking election to an office be affiliated with that party. A candidate for Governor that does not wish to run as a candidate of a political party retains the option to be a candidate by petition and is free to select any person as a Lieutenant Governor candidate without regard to party affiliation. Neb. Rev. Stat. § 32-619 (2016). Section 32-619.01 only requires that a political party's candidate for Governor select a Lieutenant Governor candidate of the same political party. There is no improper restriction on a candidate's right to select a running mate.

Nor does § 32-619 improperly restrict the rights of voters. Again, art. IV, § 1, provides for a joint vote in the general election for the candidate for Governor that wins the primary election and the person that candidate selects for Lieutenant Governor. The Constitution does not permit a separate vote for Governor and Lieutenant Governor. Voters are not denied the right to vote for any candidates running jointly for Governor or Lieutenant Governor, whether they be on the ballot on a party basis or by petition.

D. Effect of a Political Party Nominee for Governor Selecting a Lieutenant Governor Candidate Who Is Not of the Same Political Party.

Finally, you ask us to address "[w]hat happens if a gubernatorial candidate chooses a running mate with no party affiliation or a different party affiliation" and, if so, "[w]ill that candidate for Governor be listed on the ballot?" As a member of the Legislature, you are entitled to ask our opinion about the constitutionality of pending or proposed legislation. While we have found it appropriate to address the constitutional issues you raise based on certain provisions in pending LB 635, your final questions regarding the effect of a political party nominee for Governor selecting a Lieutenant Governor candidate who is not of the same political party, and the placement of those candidates on the ballot, do not involve any pending legislation. Accordingly, we must decline to respond to these questions.

CONCLUSION

"A statute is presumed to be constitutional, and all reasonable doubts are resolved in favor of its constitutionality. *Yant v. City of Grand Island*, 279 Neb. 935, 939, 784 N.W.2d 101, 105 (2010). "The unconstitutionality of a statute must be clearly established before it will be declared void." *Id.* We conclude the "same political party" provision in § 32-619.01 is not in conflict with the Constitution's requirements that a candidate for Governor select the Lieutenant Governor candidate for the general election ballot and that "one vote shall be cast jointly for the candidates for Governor and Lieutenant Governor." Neb. Const. art. IV, § 1. This interpretation is consistent with the constitutional language and the historical facts in the legislative record. Further, the "same political party" requirement imposes no additional qualification for the office of Lieutenant Governor and places no improper limit on the selection of a running mate by the Governor candidate of a political party.

Very truly yours,
(Signed) DOUGLAS J. PETERSON
Attorney General
(Signed) L. Jay Bartel
Assistant Attorney General

pc Patrick J. O'Donnell
Clerk of the Nebraska Legislature

07-1416-29

¹ There is, of course, no "party affiliation" requirement for candidates for Governor seeking to be placed on the general election ballot by petition. Neb. Rev. Stat. § 32-619 (2016). Under the petition process, a person not seeking to be the candidate of a political party for the office of Governor may be a candidate for Governor and select a Lieutenant Governor candidate without any political party affiliation requirement. This further illustrates the party affiliation rule is not an additional qualification for these offices.

² There is some authority supporting the view that requiring a Lieutenant Governor candidate to be of the same political party as a candidate for Governor unconstitutionally adds to the constitutional qualifications for the office of Lieutenant Governor. *Opinion of the Justices*, 290 A.2d 645 (Del. 1972); Wash. Op. Att'y Gen. 1975 No. 4 (March 18, 1975), 1975 WL 165893. Unlike Nebraska, however, Delaware and Washington require the separate election of the Governor and Lieutenant Governor in the general election. While imposing a political party requirement when these offices are constitutionally required to be elected separately may well impose an additional qualification on a Lieutenant Governor candidate, Nebraska does not follow the separate vote model. Nebraska has chosen a "team ticket" model where the candidate for Governor selects the Lieutenant Governor candidate for the general election, and one vote is cast jointly for both candidates. See generally Yeargain, T. Quinn, *One Vote, Two Winners: Team-Ticket Gubernatorial Elections and the Need for Further Reform*, 75 U. Miami L. Rev. 751 (2021). Thus, the Delaware and Washington authority is not persuasive or relevant to interpreting our Constitution.

Opinion 21-015

SUBJECT: Constitutionality of LB 670 – Authorization of Roadway Memorial Signs

REQUESTED BY: Senator Dave Murman
Nebraska Legislature

WRITTEN BY: Douglas J. Peterson, Attorney General
James A. Campbell, Solicitor General

INTRODUCTION

On March 2, 2021, you requested our opinion on the constitutionality of LB 670. That bill authorizes relatives of individuals killed on Nebraska roadways to apply to the Nebraska Department of Transportation (the Department) for roadway memorial signs commemorating their lost loved ones. Those signs display a safety message and a commemorative message about the deceased, including, at the request of the relative, an emblem of belief.

Your request includes two specific questions. First, you ask whether "the provision allowing a qualified relative the option to request . . . an emblem of belief . . . violate[s] the Establishment Clause of the First Amendment to the U.S. Constitution." We conclude that it does not. Second, you ask whether the Department would violate the Equal Protection Clause of the Fourteenth Amendment to the U.S. Constitution if it denies a requested emblem of belief based on the criteria in LB 670. We likewise determine that it would not.

ANALYSIS

LB 670 authorizes the placement of memorial signs on Nebraska roadways "to raise public awareness about highway safety and the dangers of impaired driving and to afford families an opportunity to memorialize family victims." LB 670, § 4(1). Any "qualified relative" of a person killed on the roadways may request one of these memorial signs. *Id.* They do so by filling out a Department-created form and paying "a fee of seventy-five dollars." *Id.*

The signs are "erected by or at the direction of the Department . . . and maintained within the right-of-way at appropriate distances from roadways of the state primary system, but not within any municipality," and they are placed "as close to the location requested by a qualified relative as practicable." LB 670, § 5(1). Each sign will contain two messages: (1) "a safety message"; and (2) a message "memorializ[ing] and commemorat[ing] the deceased." *Id.* at § 5(2)(a). For the safety message, each sign will "[c]ontain one of the following messages: 'Please Drive Safely'; 'Seat Belts Save Lives'; 'Don't Drink and Drive'; 'Don't Text and Drive'; or 'Don't Drive Impaired.'" *Id.* at § 5(2)(d). And for the commemorative message, each sign will "[c]ontain the words 'In Memory of' and the name . . . of the deceased" and "an emblem of belief" if requested by "the qualified relative." *Id.* at § 5(2)(c).

An emblem of belief is "an emblem that represents the decedent's religious affiliation or sincerely held religious belief system, or a sincerely held belief system that was functionally equivalent to a religious belief system in the life of the decedent." LB 670, § 5(2)(c). "In the absence of evidence to the contrary, the department will accept as genuine an applicant's statement regarding the sincerity of the religious or functionally equivalent belief system of a deceased eligible individual." *Id.* Although the "religion or belief system represented by an emblem need not be associated with or endorsed by a church, group, or organized denomination," the emblem cannot be a "social, cultural, ethnic, civic, fraternal, trade, commercial, political, professional, or military emblem[]." *Id.* Nor will the Department "accept any emblem that would have an adverse impact on the dignity and solemnity of the sign honoring the deceased person, including, but not limited to, emblems that contain explicit or graphic depictions or descriptions of sexual organs or sexual activities that are shocking, titillating, or pandering in nature and emblems that display coarse or abusive language or images." *Id.* All the requirements outlined in this paragraph mirror the requirements prescribed in a U.S. Department of Veterans Affairs' regulation defining the emblems of belief that may be placed on government-issued cemetery headstones or markers. *See* 38 C.F.R. § 38.632(b)(2). If the State "determines that [a] proposed emblem does not meet the criteria," it will allow the applicant to either omit "the part of the emblem that is problematic," if feasible, or choose "a different emblem." LB 670, § 5(2)(c).

An emblem of belief included on the list that the Department of Veterans Affairs has approved for government-issued headstones and markers "is presumed to meet the criteria" established in LB 670. LB 670, § 5(2)(c) (as amended). That list currently contains over 75 different emblems. *See Available Emblems of Belief for Placement on Government Headstones and Markers, U.S. Dep't of Veterans Affairs, <https://www.cem.va.gov/ce/hmm/emblems.asp>.* Among them are Judaism's Star of David, the Buddhist Wheel of Righteousness, the Muslim Crescent and Star, Hindu imagery, and various emblems (such as Latin crosses) associated with different Christian denominations. *Id.* Also included are the Atheist symbol, the American Humanist Association's emblem, the Wiccan Pentacle, the Hammer of Thor, a Landing Eagle, a Sandhill Crane, and Druid imagery. *Id.*

Each memorial sign will be "blue with white lettering" that is "legible from the roadway." LB 670, § 5(2)(b). It will be "posted for five years," after which, if the relative does not file another application asking for the sign to remain "for an additional five years," "the sign shall be removed." *Id.* at § 5(2)(e). When the sign is removed, the relative has "the option of retaining the sign before the department discards or recycles it." *Id.*

For the reasons explained below, LB 670's authorization of these signs does not violate the Constitution.

1. The option to request an emblem of belief does not violate the Establishment Clause of the U.S. Constitution.

The Establishment Clause of the U.S. Constitution states that "Congress shall make no law respecting an establishment of religion." U.S. Const. amend. I. While the text applies this prohibition only against Congress, the U.S. Supreme Court has long held that the Establishment Clause also restricts state governments. *Everson v. Bd. of Ed. of Ewing Twp.*, 330 U.S. 1, 8 (1947).

Allowing relatives to select an emblem of belief for their loved ones' memorial sign poses no Establishment Clause problem for two reasons. First, the Establishment Clause does not apply to the speech of a private individual, and a court would likely conclude that the emblem of belief on a memorial sign is the speech of the honored individual and her family instead of the government. Second, even if the emblem of belief is the government's speech, allowing relatives to select one does not violate the Establishment Clause because it is consistent with our national tradition of recognizing religion's importance in the lives of many Americans and does not impermissibly endorse religion.

- A. The Establishment Clause does not apply because the emblem of belief is the expression of the honored individual and her family rather than the government.

The Establishment Clause applies only to government speech—not the expression of private individuals. *Pleasant Grove City, Utah v. Summum*, 555 U.S. 460, 468 (2009) ("[G]overnment speech must comport with the Establishment Clause."); *Capitol Square Rev. & Advisory Bd. v. Pinette*, 515 U.S. 753, 767 (1995) (plurality opinion) ("By its terms [the Establishment] Clause applies only to the words and acts of *government*."). (emphasis in original)). As the U.S. Supreme Court has explained, "there is a crucial difference between *government* speech endorsing religion, which the Establishment Clause forbids, and *private* speech endorsing religion, which the Free Speech and Free Exercise Clauses protect." *Santa Fe Indep. Sch. Dist. v. Doe*, 530 U.S. 290, 302 (2000) (quoting *Board of Ed. of Westside Community Schools (Dist.66) v. Mergens*, 496 U.S. 226, 250 (1990) (opinion of J. O'Connor) (emphasis in original)).

Here, the emblem of belief on each memorial sign is either government speech or private speech within a government-created forum. If the former, then the Establishment Clause must be considered, but if the latter, the Clause is not violated. As we explain below, it is likely that a court would view the emblem of belief as private speech within a government-created forum and thus conclude that the Establishment Clause does not apply.

Numerous U.S. Supreme Court justices have already recognized that religious symbols on individual memorials are the private speech of the deceased instead of the government. For example, in 2019, the late Justice Ruth Bader Ginsburg, joined by Justice Sonia Sotomayor, wrote that the "privately selected religious symbols on individual graves" located on government land "are best understood as the private speech of each veteran." *Am. Legion v. Am. Humanist Ass'n*, 139 S. Ct. 2067, 2112 (2019) (Ginsburg, J., joined by Sotomayor, J., dissenting) (quoting Douglas Laycock, *Government-Sponsored Religious Displays: Transparent Rationalizations and Expedient Post-Modernism*, 61 Case W. Res. L. Rev. 1211, 1242 (2011)). Justice David Souter similarly acknowledged that religious symbols on gravestone "markers in Arlington Cemetery," which are selected by the fallen soldier's family, do "not look like government speech at all." *Summum*, 555 U.S. at 487 (Souter, J., concurring).

The U.S. Supreme Court has established factors for distinguishing government speech from private speech. Those factors ask whether (1) governments have historically used that speech "to convey state messages," (2) the speech is "closely identified in the public mind" with the government, and (3) the government has "direct control over the messages conveyed." *Matal v. Tam*, 137 S. Ct. 1744, 1760 (2017) (discussing *Summum* and *Walker v. Texas Div., Sons of Confederate Veterans, Inc.*, 576 U.S. 200 (2015)). As applied here, those factors demonstrate that the emblems of belief at issue here are private (not government) speech.

First, governments have not historically used emblems of belief on individualized memorials to convey state messages. The closest historical analogues to LB 670's emblems of belief are the religious symbols placed on

the headstones of fallen soldiers in military cemeteries. But the government has not included those emblems to communicate its own messages; rather, it does so, as many U.S. Supreme Court justices have recognized, to "sho[w] respect for[] the individual honoree's faith and beliefs." *Am. Legion*, 139 S. Ct. at 2112 (Ginsburg, J., dissenting) (quoting *Salazar v. Buono*, 559 U.S. 700, 748 n.8 (2010) (Stevens, J., dissenting)).

Second, emblems of belief on individualized memorials located on public land are not closely identified in the public mind with the government. Those emblems appear next to the name of the deceased individuals, and the public commonly understands that the family of those individuals selects them. That imagery is thus "linked to . . . the individual honoree[]" rather than the government. *Am. Legion*, 139 S. Ct. at 2112 (Ginsburg, J., dissenting) (quoting *Salazar*, 559 U.S. at 748 n.8 (Stevens, J., dissenting)).

Third, even though the Department maintains ultimate approval authority over the emblem, the U.S. Supreme Court has made clear that such approval alone is not sufficient to transform private speech into government speech. In *Matal*, the federal government argued that trademarks are government speech because the federal government registers—and thereby approves—each one submitted. 137 S. Ct. at 1757-60. But the Court determined that such approval was not enough to make all trademarks government speech. If it were, then the approving governmental entity, which accepts so many different messages, is "babbling . . . incoherently" and "expressing contradictory views." *Id.* at 1758. To illustrate the point in this context, emblems of beliefs available under LB 670 include religious symbols tied to Judaism, Christianity, Islam, Buddhism, Hinduism, and Wicca, to name a few. But it is unreasonable to suggest that the State is simultaneously speaking all these varying messages about religion. Thus, the mere fact that the Department approves the emblems of belief does not transform the privately selected images into the government's speech. As the Court in *Matal* said, "private speech [cannot] be passed off as government speech by simply affixing a government seal of approval." *Id.*

The U.S. Supreme Court's decision in *Sumnum* further confirms that the emblem of belief on each memorial sign is private speech. Although the Court there held that permanent monuments on public land are typically government speech, it recognized that there are "circumstances in which the forum doctrine" that protects private speech "might properly be applied to a permanent monument." *Sumnum*, 555 U.S. at 480. In particular, the Court said that monuments on which citizens "meeting some . . . criterion[]" could place the name of a person to be honored or some other private message" are likely a form of private speech subject to forum analysis. *Id.* That is precisely what LB 670 creates by allowing relatives of people killed on Nebraska roadways to place the name of their loved ones and their emblem of belief on a memorial sign. Thus, these emblems are private (not government) speech.

Because your request asks specifically whether including the emblem of belief violates the Establishment Clause, our foregoing analysis has focused on whether the emblem is government or private speech. This opinion expresses no view on whether other aspects of the memorial sign—such as the five available safety messages ("Please Drive Safely," "Seat Belts Save Lives," "Don't Drink and Drive," "Don't Text and Drive," or "Don't Drive Impaired")—qualify as government speech.

B. Allowing relatives to select an emblem of belief is consistent with our national tradition of recognizing religion's importance in the lives of many Americans and does not impermissibly endorse religion.

Even if the emblem of belief is government speech, allowing relatives to select an emblem does not violate the Establishment Clause. The U.S. Supreme Court and other federal appellate courts have been unclear about what test applies to Establishment Clause challenges to religious symbols on public land. In some cases, courts have applied the so-called *Lemon* test as modified by Justice Sandra Day O'Connor's endorsement inquiry. *E.g.*, *Lemon v. Kurtzman*, 403 U.S. 602, 612-13 (1971) (establishing the three *Lemon* factors); *Am. Atheists, Inc. v. Davenport*, 637 F.3d 1095, 1117-18 (10th Cir. 2010) (applying the *Lemon* test when resolving an Establishment Clause challenge to cross-shaped roadside memorials). But in other cases, the U.S. Supreme Court and the U.S. Court of Appeals for the Eighth Circuit sitting en banc have applied a historical analysis. *E.g.*, *Van Orden v. Perry*, 545 U.S. 677, 686 (2005) (plurality opinion) (explaining that "the *Lemon* test" is "not useful in dealing with the sort of passive monument" at issue and that the Court's analysis instead was "driven both by the nature of the monument and by our Nation's history"); *ACLU Nebraska Found. v. City of Plattsmouth, Neb.*, 419 F.3d 772, 778 n.8 (8th Cir. 2005) (en banc) ("[W]e do not apply the *Lemon* test.").

The U.S. Supreme Court most recently discussed the appropriate test for these kinds of cases in its 2019 decision in *American Legion*. That case involved a challenge to a large cross-shaped World War I memorial that had been on public land since the 1920s. A majority of the Justices voted to uphold the memorial, but their reasoning was not uniform. The four-Justice plurality explained that "the *Lemon* test presents particularly daunting problems in cases . . . that involve the use, for ceremonial, celebratory, or commemorative purposes, of words or symbols with religious associations." *Am. Legion*, 139 S. Ct. at 2081. Instead of *Lemon*, the plurality opted for an "approach that focuse[d] on the particular" kind of monument or practice at issue "and look[ed] to history for guidance." *Id.* at 2087. Other Justices would have gone further by explicitly overruling *Lemon*. *See id.* at 2097 (Thomas, J., concurring) (preferring to "overrule the *Lemon* test in all contexts"); *id.* at 2101-02 (Gorsuch, J., concurring) (calling *Lemon* "a misadventure" and expressing the view that it is "now shelved").

Some have questioned whether *American Legion's* historical analysis is limited to cases challenging monuments that have stood for a long time or whether it extends to all monument cases. Opting for the broader reading, Justice Gorsuch said that the "message for our lower court colleagues seems unmistakable: Whether a monument . . . is old or new," apply the historical analysis rather than *Lemon. Id.* at 2102. Notably, many federal circuit courts since *American Legion* agree that *Lemon* no longer applies to public display cases. *E.g., Woodring v. Jackson Cty., Indiana*, 986 F.3d 979, 995 (7th Cir. 2021) ("*American Legion* requires us to analyze the County's [display] under the historical approach" because "at least six Justices rejected *Lemon* in cases that involve the use, for ceremonial, celebratory, or commemorative purposes, of words or symbols with religious associations" and "a majority of the Justices" endorsed "the historical approach") (quotation marks omitted); *Kondrat'yev v. City of Pensacola*, 949 F.3d 1319, 1322 (11th Cir. 2020) ("*American Legion* . . . jettisoned *Lemon* . . . at least for cases involving religious references or imagery in public monuments, symbols, mottos, displays, and ceremonies—in favor of an approach that focuses on the particular issue at hand and looks to history for guidance.") (quotation marks omitted); *id.* at 1326 ("*American Legion's* clearest message is this: *Lemon* is dead. Well, sort of. It's dead, that is, at least with respect to cases involving religious displays and monuments"); *Freedom From Religion Found., Inc. v. Cty. of Lehigh*, 933 F.3d 275, 281 (3rd Cir. 2019) ("*American Legion* confirms that *Lemon* does not apply to religious references or imagery in public monuments, symbols, mottos, displays, and ceremonies.") (quotation marks omitted).

Given this consensus after *American Legion*, it is likely that a court would apply the historical analysis, rather than the *Lemon* test, when reviewing LB 670's roadside memorials. But we need not definitively decide which test applies because allowing relatives to select an emblem of belief for the memorial signs passes constitutional muster under either approach.

Starting with the historical analysis, it "is driven both by the nature of the monument and by our Nation's history." *Van Orden*, 545 U.S. at 686 (plurality opinion). Courts "focus[] on the particular" kind of public display at issue "and look[] to history for guidance." *Am. Legion*, 139 S. Ct. at 2087 (plurality opinion). That historical inquiry uncovers an "unbroken" tradition of "official acknowledgment by . . . government of the role of religion in American life." *Van Orden*, 545 U.S. at 686 (plurality opinion) (quoting *Lynch v. Donnelly*, 465 U.S. 668, 674 (1984)). Accordingly, "categories of monuments . . . with a longstanding history" are "constitutional" when they follow in the American "tradition" of recognizing "the important role that religion plays in the lives of many Americans." *Am. Legion*, 139 S. Ct. at 2089 (plurality opinion).

Americans have a long tradition of placing religious symbols on individualized memorials found on public land. The foremost example is the federal government's venerable practice of permitting the families of deceased veterans to mark their gravesites with religious imagery. Since

World War I, the federal government has allowed "a religious emblem" to be included "on government headstones." History of Government Furnished Headstones and Markers, U.S. Dept of Veterans Affairs, <https://www.cem.va.gov/history/hmhist.asp>. Initially, "[t]he choice of emblem was limited to the Latin Cross for the Christian faith and the Star of David for the Jewish faith." *Id.*; see also *Salazar*, 559 U.S. at 726 (Alito, J., concurring) (noting that "the graves of soldiers who perished in [World War I] were marked with either a white cross or a white Star of David"). Now, the approved emblems have expanded to include more than 75 images.

The emblems of belief on the memorial signs authorized by LB 670 are akin to this tradition of religious imagery on government-issued headstones. Both involve individualized memorials on public property bearing privately chosen religious emblems. Since LB 670 is consistent with our nation's long tradition of publicly acknowledging religion on government property, including on individual memorials, the memorials authorized by LB 670 do not violate the Establishment Clause under the historical analysis.

The conclusion is the same under the *Lemon* test, which imposes three requirements on governments. "First, the statute must have a secular legislative purpose." *Lemon*, 403 U.S. at 612. "[S]econd, its principal or primary effect must be one that neither advances nor inhibits religion." *Id.* Third, "the statute must not foster an excessive government entanglement with religion." *Id.* at 613 (quotation marks omitted); see also *Cunningham v. Lutjeharms*, 231 Neb. 756, 760, 437 N.W.2d 806, 810 (1989) (reciting and applying the *Lemon* test). Justice O'Connor slightly altered that test for challenges to displays on public land, and her approach eventually gained widespread acceptance. According to her, "[t]he purpose prong of the *Lemon* test asks whether government's actual purpose is to endorse or disapprove of religion," and "[t]he effect prong asks whether, irrespective of government's actual purpose, the practice under review in fact conveys a message of endorsement or disapproval." *Lynch*, 465 U.S. at 690 (O'Connor, J., concurring).

Permitting relatives to select an emblem of belief for the memorial signs satisfies the three *Lemon* factors. First, LB 670 undeniably has secular legislative purposes. The bill explicitly recognizes that the purposes of the memorial signs are "[1] to raise public awareness about highway safety and the dangers of impaired driving and [2] to afford families an opportunity to memorialize family victims." LB 670, § 4(1). Choosing an emblem of belief is an integral part of family members commemorating their loved ones. These twin purposes—"promot[ing] safety on the State's highways" and "honor[ing] fallen [motorists]"—are undoubtedly legitimate "secular" purposes. *Davenport*, 637 F.3d at 1118.

Second, the effect of allowing an emblem of belief does not convey a message of endorsement for any specific religion or for religion in general. "The clearest command of the Establishment Clause is that one religious denomination cannot be officially preferred over another." *Larson v.*

Valente, 456 U.S. 228, 244 (1982). But LB 670 does not do this because the available emblems of belief are associated with diverse religions, including but not limited to Judaism, Christianity, Islam, Buddhism, Hinduism, and Wicca. Nor does LB 670 prefer "religion to irreligion." *Bd. of Educ. of Kiryas Joel Vill. Sch. Dist. v. Grumet*, 512 U.S. 687, 703 (1994). The emblem of belief "need not be associated with or endorsed by a church, group, or organized denomination," nor connected with religion at all. LB 670, § 5(2)(c). It may instead represent "a sincerely held belief system that was functionally equivalent to a religious belief system in the life of the decedent." *Id.* Indeed, many of the available emblems include nonreligious images, such as the American Humanist Association's symbol, the Hammer of Thor, a Landing Eagle, and a Sandhill Crane. Because options are available for the religious and irreligious alike, LB 670 simply does not endorse religion.

That the emblems are chosen by the honored individual's relatives further demonstrates that the government is not endorsing religion. The U.S. Supreme Court has consistently rejected Establishment Clause challenges when the alleged endorsement of religion arises from "the genuine and independent choices of private individuals." *Zelman v. Simmons-Harris*, 536 U.S. 639, 649 (2002). Here, a private person—the relative who applies for the memorial sign—selects the emblem of belief. Such privately chosen symbols, as Justice Ginsberg explained, "sho[w] respect for[] the individual honoree's faith and beliefs" but "do not suggest governmental endorsement of those faith and beliefs." *Am. Legion*, 139 S. Ct. at 2112 (Ginsburg, J., dissenting). "The goal of avoiding governmental endorsement does not require eradication of all religious symbols in the public realm." *Salazar*, 559 U.S. at 718 (Kennedy, J., joined by Roberts, C.J., and Alito, J.). The Establishment Clause "leaves room to accommodate divergent values within a constitutionally permissible framework." *Id.* at 719.

Third, LB 670 does not excessively entangle the government with religion. When approving a requested emblem of belief, the Department does not interact with any religious organizations. Nor does it decide whether the "religion or belief system represented by an emblem" is "associated with or endorsed by a church, group, or organized denomination." LB 670, § 5(2)(c). Instead, the Department determines whether the requested emblem "represents the decedent's religious affiliation or sincerely held religious belief system, or a sincerely held belief system that was functionally equivalent to a religious belief system in the life of the decedent." *Id.* And in so doing, the Department will generally "accept as genuine an applicant's statement regarding the sincerity of the religious or functionally equivalent belief system of a deceased eligible individual." *Id.* Because the Department does not interact with religious organizations or evaluate the correctness or value of any religious belief, LB 670 does not impermissibly intermingle the State in religious affairs.

Over ten years ago, the U.S. Court of Appeals for the Tenth Circuit applied the *Lemon* test and concluded that twelve-foot-tall cross-shaped

roadside memorials commemorating fallen Utah state troopers violated the Establishment Clause because "the cross memorials would convey to a reasonable observer that the state . . . is endorsing Christianity." *Davenport*, 637 F.3d at 1121. That case, however, is not persuasive when analyzing LB 670. Most importantly, it was decided long before *American Legion*, and thus its use of the *Lemon* test is suspect. But even under *Lemon*, the outcome there does not dictate the outcome here because those memorials were different from LB 670's memorial signs in at least three critical ways. First, the memorials in *Davenport* took the shape of a religious symbol (the cross), yet LB 670's memorials are the shape of a standard road sign. *See id.* at 1120 (noting that the Utah memorials were in the shape of "a Latin cross"). Second, all the Utah memorials featured religious symbolism associated with only one religion (Christianity), but here, LB 670 authorizes a vast array of diverse religious and nonreligious emblems. *See id.* at 1121 (observing that "all of the fallen [Utah] troopers are memorialized with a Christian symbol"). Third, the trooper memorials displayed the logo of the Utah Highway Patrol—a governmental agency—yet no state logo is found on LB 670's memorial signs. *See id.* (stating that the Utah memorials "conspicuously bear[] the imprimatur of a state entity"). For these reasons, even if the Utah cross memorials conveyed endorsement of Christianity, the very different memorial signs authorized by LB 670 do not impermissibly endorse religion.

In sum, whether a court applies the historical analysis or the *Lemon* test, LB 670's roadside memorials do not violate the Establishment Clause.

2. Denying an emblem of belief that does not meet LB 670's requirements would not violate the Equal Protection Clause of the Fourteenth Amendment to the U.S. Constitution.

The Equal Protection Clause of the Fourteenth Amendment to the U.S. Constitution forbids a State from "deny[ing] to any person within its jurisdiction the equal protection of the laws." U.S. Const. amend. XIV. In essence, this is a directive "that all persons similarly situated should be treated alike." *City of Cleburne, Tex. v. Cleburne Living Ctr.*, 473 U.S. 432, 439 (1985).

"The general rule is that legislation is presumed to be valid and will be sustained" under the Equal Protection Clause "if the classification drawn by the statute is rationally related to a legitimate state interest." *Id.* at 440. A more demanding level of scrutiny is warranted only if the statute "impermissibly interferes with the exercise of a fundamental right or operates to the peculiar disadvantage of a suspect class." *Massachusetts Bd. of Ret. v. Murgia*, 427 U.S. 307, 312 (1976) (per curiam) (footnotes omitted). Neither of those conditions is present here.

To begin with, LB 670's criteria for emblems of belief do not discriminate against a suspect class. While "religion" is an "inherently suspect distinction[]," *City of New Orleans v. Dukes*, 427 U.S. 297, 303 (1976), LB

670 does not distinguish based on religion. The bill permits both (1) emblems of belief connected to religion and (2) emblems of belief related to "a sincerely held belief system" that is not religious but is "functionally equivalent to a religious belief system in the life of the decedent." LB 670, § 5(2)(c). Because LB 670 allows both religious and nonreligious emblems, it does not discriminate based on religion.

Nor does LB 670 infringe a fundamental right. The only potentially relevant fundamental right is freedom of expression protected by the Free Speech Clause of the First Amendment to the U.S. Constitution. *See* U.S. Const. amend. I (forbidding governments from "abridging the freedom of speech"). As explained above, LB 670's authorization of emblems of belief on the memorial signs creates a forum for private individuals to engage in expression. To determine whether the bill's parameters for those emblems violates the Free Speech Clause, it is first necessary to decide what type of speech forum LB 670 creates.

The U.S. Supreme Court has recognized three different kinds of forums for speech: (1) a traditional public forum; (2) a designated public forum; and (3) a nonpublic forum. A traditional public forum is a place, like a sidewalk or park, that has historically "been used for purposes of assembly, communicating thoughts between citizens, and discussing public questions." *Perry Educ. Ass'n v. Perry Loc. Educators' Ass'n*, 460 U.S. 37, 45 (1983). A designated public forum is a location, such as a public school's "meeting facilities" or a "municipal theater," *id.*, that "has not traditionally been regarded as a public forum" but "is intentionally opened up for that purpose." *Sumnum*, 555 U.S. at 469. And a nonpublic forum is "a forum that is limited to use by certain groups or dedicated solely to the discussion of certain subjects." *Id.* at 470.

LB 670 creates a nonpublic forum. Government-created signs in public rights of way, unlike sidewalks or parks, are not places that have historically been used for private expression. Nor does LB 670 intentionally open memorial signs or rights of way for the widespread discussion of public questions. Rather, the government-created forum is limited to use by certain individuals (relatives of people killed on Nebraska roadways) and dedicated solely to certain subjects (safety and commemorative messages). That is a quintessential nonpublic forum.

In a nonpublic forum, the government may impose restrictions on speech that "reserve the forum for its intended purposes." *Perry Educ. Ass'n*, 460 U.S. at 46; *see also Rosenberger v. Rector & Visitors of Univ. of Virginia*, 515 U.S. 819, 830 (1995) (excluding certain content is "permissible if it preserves the purposes of that limited forum"). "Implicit in the concept of the nonpublic forum is the right to make distinctions in access on the basis of subject matter and speaker identity." *Perry Educ. Ass'n*, 460 U.S. at 49. It is well established that speech restrictions in a nonpublic forum are constitutional so long as they are (1) "reasonable in light of the purpose

which the forum at issue serves," *id.* at 49, and (2) "viewpoint neutral." *Summum*, 555 U.S. at 470.

LB 670's two main criteria for emblems of belief satisfy these requirements. The first criterion requires that the emblem represent a religion or "a sincerely held belief system that was functionally equivalent to a religious belief system in the life of the decedent." LB 670, § 5(2)(c). This limitation is reasonable in light of the forum's commemorative purpose. Death and the commemoration of death are closely tied to religion, religious beliefs, and other deeply held beliefs that are functionally equivalent to religion. It is thus sensible to restrict emblems of belief in this way. To be sure, LB 670 could have been drafted to allow applicants to choose "social, cultural, ethnic, civic, fraternal, trade, commercial, political, professional, or military emblems." *Id.* But it is not unreasonable for the legislature to exclude such symbols, perhaps worrying that some might lessen or detract from the solemn commemorative message that the memorial sign is supposed to convey. Moreover, restricting emblems to images associated with religion or a functionally equivalent belief system is viewpoint neutral. It identifies a permissible subject matter and allows varying views on those topics. This is a classic example of a content-based but viewpoint-neutral standard that is permitted in a nonpublic forum.

LB 670's second key criterion for emblems of belief prohibits imagery "that would have an adverse impact on the dignity and solemnity of the sign honoring the deceased person, including, but not limited to, emblems that contain explicit or graphic depictions or descriptions of sexual organs or sexual activities that are shocking, titillating, or pandering in nature and emblems that display coarse or abusive language or images." LB 670, § 5(2)(c). This too is directly related to the commemorative purpose of the sign. Emblems that harm the "dignity" of the deceased's memorial surely undercut the commemorative purpose of the forum. Therefore, it is reasonable for the government to exclude such images. Furthermore, this requirement excludes content in a viewpoint neutral manner. It does not matter if a "sexual," "coarse," or "abusive" image expresses a pro-religious or an anti-religious message—if it would undermine the dignity of the memorial, it is not permitted. The Free Speech Clause does not forbid such a modest effort to preserve the dignity of solemn memorials posted on the roadside for the public to see.

Since LB 670 does not infringe on a fundamental right or discriminate against a suspect class, any claim under the Equal Protection Clause would be subject to rational-basis review. *City of Cleburne*, 473 U.S. at 439. For all the reasons that the bill's restrictions are reasonable under the Free Speech Clause as discussed above, it easily withstands rational-basis review under the Equal Protection Clause. *See Perry Educ. Ass'n*, 460 U.S. at 54 ("We have rejected this contention [of impermissible content-based discrimination] when cast as a First Amendment argument, and it fares no better in equal protection garb."); *OSU Student All. v. Ray*, 699 F.3d 1053, 1067 (9th Cir. 2012) (observing that the "equal protection claims rise and fall

with the First Amendment claims" and that the U.S. Supreme Court "has noted that one analysis will often control both claims").

For these reasons, we conclude that the Department would not violate the Equal Protection Clause by denying an emblem of belief based on the criteria in LB 670.

CONCLUSION

Based on the information currently available to us, we conclude that LB 670 is constitutional. Allowing the deceased's relatives to choose from a diverse array of religious and nonreligious emblems of belief does not violate the Establishment Clause. And denying an emblem of belief that fails to conform to the prescribed criteria does not violate the Equal Protection Clause.

Very truly yours,
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(Signed) James A. Campbell
Assistant Attorney General

pc Patrick J. O'Donnell
Clerk of the Legislature

Opinion 21-016

SUBJECT: Interpretation of the Phrase "Actively Engaged in the Teaching Profession" in Neb. Rev. Stat. § 79-313 (2014).

REQUESTED BY: Senator Steve Erdman
Nebraska Legislature

WRITTEN BY: Douglas J. Peterson, Attorney General
L. Jay Bartel, Assistant Attorney General

INTRODUCTION

Persons who are "actively engaged in the teaching profession" are ineligible for membership on the State Board of Education ["State Board"]. Neb. Rev. Stat. § 79-313(1) (2014). You have asked our opinion on "two gray areas" concerning the meaning of this phrase. Restated, your specific questions are:

1. Does tutoring K-12 students for a stipend while serving on the State Board violate § 79-313(1)?
2. Does concurrently teaching high school students in a dual credit course offered at a community college, college, or university while serving on the State Board violate § 79-313(1)?

It is our long-standing policy not to provide opinions to members of the Legislature on the interpretation or constitutionality of existing statutes. Op. Att'y Gen. No. 157 (Dec. 24, 1985). Rather, we only issue opinions to state legislators which pertain "to pending or proposed legislation." *Id.* at 1. Although you reference no pending or proposed legislation, your request letter states you are considering introducing legislation to "clarify" the meaning of § 79-313. Accordingly, we will proceed to consider your questions.

CONSTITUTIONAL AND STATUTORY PROVISIONS

Neb. Const. art. VII, § 3, provides:

The State Board of Education shall be composed of eight members, who shall be elected from eight districts of substantially equal population as provided by the Legislature. Their term of office shall be for four years each. Their duties and powers shall be prescribed by the Legislature, and they shall receive no compensation, but shall be reimbursed their actual expense incurred in the performance of their duties. The members of the State Board of Education shall not be actively engaged in the educational profession and they shall be elected on a nonpartisan ballot. (emphasis added).

In addition, Neb. Rev. Stat. § 79-313 (2014) provides:

No person shall be eligible to membership on the State Board of Education (1) who is actively engaged in the teaching profession, (2) who is a holder of any state office or a member of a state board or commission unless the board or commission is limited to an advisory capacity, or (3) unless he or she is a citizen of the United States, a resident of the state for a period of at least six months, and a resident of the district from which he or she is elected for a period of at least six months immediately preceding his or her election. (emphasis added).

In Op. Att'y Gen. No. 02013 (April 11, 2002), we concluded that "educational profession" and "teaching profession" have the same meaning. The legislative history of § 79-313 indicates the statute was enacted in accordance with the constitutional amendment creating the State Board. We reasoned that construing "teaching profession" and "educational profession" to have the same meaning was consistent with Op. Att'y Gen. No. 95004 (January 18, 1995) and *State ex rel. Brazda v. Marsh*, 141 Neb. 817, 830, 5 N.W.2d 206, 214 (1942) [*"Brazda"*], holding that "when a state Constitution creates an office and names the qualifications of the incumbent, the legislature has no authority to prescribe additional qualifications or to remove any of the requirements provided for by the Constitution." Op. Att'y Gen. No. 02013 at 7. We concluded that if the terms had different meanings, § 79-313 could be construed to impose an additional eligibility requirement for membership on the State Board contrary to the rule in *Brazda*. *Id.* at 8.

We also "conclude[d] that 'teaching profession' and 'educational profession' include positions in a school setting other than teaching." Op. Att'y Gen. No. 02013 at 8. In reaching this conclusion, we noted an earlier opinion construing the prohibition in Neb. Rev. Stat. § 72-201(2) against a member of the Board of Educational Lands and Funds being actively engaged in the "teaching profession." We relied on the legislative intent language in Neb. Rev. Stat. § 79-1280, now codified as § 79-859, which "declares teaching in public schools in this state and the related services, including administrative and supervisory services, to be a profession, with all of the rights, responsibilities, and privileges accorded other recognized professions." *Id.* (citing Op. Att'y Gen. No. 33 at 2 (February 25, 1983)). Accordingly, "'educational profession' as used in Neb. Const. art. VII, § 3 and 'teaching profession' as used in § 79-313 have the same meaning and that definition includes not only teaching but also services related to teaching, such as administrative and supervisory services." Op. Att'y Gen. No. 02013 at 9.

ANALYSIS

Recently, in *State ex rel. Peterson v. Shively*, 310 Neb. 1, 10-11, ___ N.W.2d ___, ___ (2021), the Nebraska Supreme Court recounted the following general rules governing the interpretation of constitutional provisions:

The words in a constitutional provision must be interpreted and understood in their most natural and obvious meaning unless the subject indicates or the text suggests that they are used in a technical sense. If the meaning of a constitutional provision is clear, the court will give to it the meaning that obviously would be accepted and understood by laypersons. Constitutional provisions are not subject to strict construction and receive a broader and more liberal construction than do statutes. It is the duty of courts to ascertain and to carry into effect the intent and purpose of the framers of the constitution or of an amendment thereto. (footnotes omitted).

"Educational" means "pertaining to education." <https://www.dictionary.com/browse/educational>. "Education" is "the act or process of imparting or acquiring knowledge, developing the powers of reasoning and judgment, and generally of preparing oneself or others intellectually for mature life." <https://www.dictionary.com/browse/education>. "Teaching" is "the act or profession of a person who teaches." <https://www.dictionary.com/browse/teaching>. "Profession" means "a vocation requiring knowledge or some department of learning or science; . . . the body of persons engaged in an occupation or calling." <https://www.dictionary.com/browse/profession>.

Art. VII, § 3 and § 79-313(1) prohibit members of the State Board from being "actively engaged" in the educational or teaching profession. Construing the meaning of the term "actively engaged in the day to day

labor and management of" a farm or ranch in Neb. Const. art. XII, § 8, the Nebraska Supreme Court found the "most natural and obvious meaning" of "actively" is "constantly engaged." *Hall v. Progress Pig, Inc.*, 259 Neb. 407, 414, 610 N.W.2d 420, 427-28 (2000).

Your first scenario involves a person tutoring K-12 students for a stipend. While you do not further define this role, a "tutor" ordinarily means "a person employed to instruct another in some branch or branches of learning, especially a private instructor." <https://www.dictionary.com/browse/tutor>. Teachers, as well as educational administrators and supervisors, are required to hold Nebraska certificates or permits. *See* Neb. Rev. Stat. §§ 79-801 and 79-802 (2014). While a tutor may be certificated, there is no statute or rule imposing such a requirement or regulating persons engaged in tutoring. While tutors provide instruction to students, this type of assistance does not seem to fall within the common understanding of what constitutes the "educational" or "teaching" profession. That is particularly true if the tutoring is not performed on a constant and regular basis, which would be necessary to meet the "actively engaged" requirement.

Your second question concerns teaching a course at a community college, college, or university where high school students can participate and receive dual credit. In 2008, this office issued an informal opinion to a member of the State Board addressing whether he could teach a class at the University of Nebraska at Omaha ["UNO"] in light of the constitutional requirement that members not be actively engaged in the educational profession. Op. Att'y Gen. No. I08012 (July 1, 2008). We noted the underlying objective of the prohibition against State Board members being actively engaged in the educational profession was "to prevent conflicts of interest." *Id.* at 3. The State Board, along with the Commissioner of Education, are "responsible for the general supervision and administration of the Nebraska school system, which encompasses grades Kindergarten through 12." *Id.* (emphasis in original). The member's proposed employment, however, involved teaching a class at UNO, which is not part of the Nebraska school system and not under the State Board's supervision. Because the potential for any conflict of interest due to the member's service on the State Board and teaching the class was "negligible," we concluded that the member's teaching of a class at UNO was likely permissible. *Id.* at 3-4.

Applying the reasoning of this opinion here, we find that a member's teaching of a community college, college, or university course likely does not constitute actively engaging in the "educational profession" within the prohibition in art. VII, § 3. While high school students would participate in the class for dual credit, the instruction is still part of a post K-12 educational curriculum, which is outside the State Board's general supervision. As there is no real potential conflict of interest posed by a member engaging in this activity, we doubt it would be construed as barred by the constitutional prohibition.

Finally we point out that, to the extent you contemplate legislation, bear in mind that the statutory prohibition against members of the State Board being "actively engaged in the teaching profession" in § 79-313(1) is based on, and has the same meaning as, the constitutional prohibition in art. VII, § 3, against members being "actively engaged in the educational profession." "The Legislature's power of definition may not be employed to nullify or circumvent the provisions of the Nebraska Constitution." *MAPCO Ammonia Pipeline, Inc. v. State Bd. of Equalization & Assessment*, 238 Neb. 565, 571, 471 N.W.2d 734, 739 (1991). Any legislative attempt to amend the statutory prohibition in § 79-313 must be consistent with the intent and meaning of the constitutional requirement that State Board members not be actively engaged in the educational profession.

Very truly yours,
DOUGLAS J. PETERSON
(Signed) L. Jay Bartel
Assistant Attorney General

pc Patrick J. O'Donnell
Clerk of the Nebraska Legislature

07-1418-29

Opinion 21-018

SUBJECT: Constitutionality of the Absence of a Voter Petition Process for Reorganization of School Districts That Are Members of a Learning Community

REQUESTED BY: Senator Robert Hilkemann
Nebraska Legislature

WRITTEN BY: Douglas J. Peterson, Attorney General
Leslie S. Donley, Assistant Attorney General

INTRODUCTION

You have requested an opinion of the Attorney General as to the constitutionality of certain school reorganization statutes which impact the Learning Community of Douglas and Sarpy Counties ("Learning Community"). You state in your request letter that voters in Nebraska "generally have the statutory right to petition to reorganize their school district," but voters who reside within a learning community "are expressly deprived of this petition right." You point to the difference between statutes which authorize legal voters to petition for school reorganization and the Learning Community Reorganization Act ("LCRA"), Neb. Rev. Stat. §§ 79-4,117 to 79-4,129 (2014, Cum. Supp. 2020), where plans for reorganization may only be proposed by the school boards of the affected districts. In this respect, you state that "in *any* public school district

*anywhere in Nebraska other than Douglas and Sarpy Counties,*¹ the voters may petition for the reorganization of their district, notwithstanding the views of their school board members. But voters in my district—and indeed in the entire Learning Community of Douglas and Sarpy Counties—lack this petition right." (Your emphasis.)

You indicate that you "have concerns regarding the constitutionality of the differentiated treatment" of Nebraskans under the school district reorganization law. As you consider legislation to address this issue, you have sought our opinion on the following questions:

1. Would Nebraska's exclusion of learning community voters from the school district reorganization petition right otherwise afforded to every other voter in the state withstand equal protection scrutiny under the Nebraska and federal Constitutions?

This question includes, but is not limited to, the following subissues:

- a. Would the petition right afforded under the Reorganization of School Districts Act sufficiently parallel the fundamental right to petition guaranteed by the First Amendment, such that Nebraska's exclusion of learning community voters from the reorganization petition right would be subject to a heightened—*i.e.*, greater than rational basis—level of judicial scrutiny?
 - b. Even if Nebraska's exclusion of learning community voters from the reorganization petition right is subject only to rational basis scrutiny, what legitimate interest does the state have in restricting the reorganization initiation right to school boards in learning communities, but not everywhere else in the state?
2. Other than equal protection, would the exclusion of learning community voters from the reorganization petition right suffer from any other constitutional infirmity known to the Attorney General, including, but not limited to, violating the special legislation clause under Article III, Section 18 of the Nebraska Constitution?

BACKGROUND

In 2006, the Nebraska Legislature enacted LB 1024, creating "a new type of educational service unit . . . to be referred to as a learning community."² Neb. Rev. Stat. § 79-2101 (2014) defines learning community as "a political subdivision which shares the territory of member school districts and is governed by a learning community coordinating council." Pursuant to Neb. Rev. Stat. § 79-2102 (2014), "[a] learning community shall be established for each city of the metropolitan class and shall include all school districts for which the principal office of the school district is located in the county where the city of the metropolitan class is located and all school districts for which the principal office of the school district is located in a county that

has a contiguous border of at least five miles in the aggregate with such city of the metropolitan class."

The petition process referenced in your opinion request is set out in Neb. Rev. Stat. §§ 79-413 to 79-422 (2014, Cum. Supp. 2020, Supp. 2021), not the Reorganization of School Districts Act ("RSDA"), Neb. Rev. Stat. §§ 79-432 to 79-451 (2014, Cum. Supp. 2020, Supp. 2021).³ With respect to petitions from legal voters, § 79-413 provides, in pertinent part:

(1) The State Committee for the Reorganization of School Districts ["State Committee"] created under section 79-435 may create a new school district from other districts or change the boundaries of any district that is not a member of a learning community upon receipt of petitions signed by sixty percent of the legal voters of each district affected. If the petitions contain signatures of at least sixty-five percent of the legal voters of each district affected, the state committee shall approve the petitions.

(2) Petitions proposing to change the boundaries of existing school districts that are not members of a learning community through the transfer of a parcel of land, not to exceed six hundred forty acres, shall be approved by the state committee when the petitions involve the transfer of land between Class III or IV school districts or when there would be an exchange of parcels of land between Class III or IV school districts and the petitions have the approval of at least sixty-five percent of the school board of each affected district.

(3)(a) Petitions proposing to create a new school district or to change the boundary lines of existing school districts that are not members of a learning community, any of which involves the transfer of more than six hundred forty acres, shall, when signed by at least sixty percent of the legal voters in each district affected, be submitted to the state committee. The state committee shall, within forty days after receipt of the petition, hold one or more public hearings and review and approve or disapprove such proposal.⁴

Neb. Rev. Stat. § 79-413 (Cum. Supp. 2020). Under this provision, petitions must contain the items listed in § 79-419 when a new district is created from other districts. In addition, § 79-415 provides that petitions "may be initiated and accepted by the school board or board of education of any district that is not a member of a learning community."

"Reorganization" under the LCRA "means the formation of new school districts that will become members of a learning community, the alteration of boundaries of established school districts that are members of a learning community, the dissolution or disorganization of established school districts that are members of a learning community through or by means of any one or combination of the methods set out in section 79-4,120, and any other alteration of school district boundaries involving a school district that is a member of a learning community" Neb. Rev. Stat. § 79-4,118(2)

(2014). Reorganization is accomplished by one or more of the following methods:

(1) The creation of new districts; (2) the uniting of one or more established districts; (3) the subdivision of one or more established districts; (4) the transfer and attachment to an established district of a part of the territory of one or more districts; and (5) the dissolution or disorganization of an established district for any of the reasons specified by law.

Neb. Rev. Stat. § 79-4,120 (2014). Pursuant to § 79-4,126(1), "[t]he school board of any school district in a learning community may propose a plan of reorganization." Such plan may be submitted to the State Committee when approved by "at least sixty percent of the members of the school board of each affected school district . . ." *Id.* The contents of any plan must include the items set out in § 79-4,123, including

[a] summary of the reasons for each proposed change, realignment, or adjustment of the boundaries which shall include, but not be limited to, an explanation of how the plan complies with any statutory requirements for learning community organization and an assurance that the plan does not increase the geographic size of any school district that has more than twenty-five thousand formula students for the most recent certification of state aid pursuant to section 79-1022[.]

The State Committee is required to hold one or more public hearings on any plan of reorganization prior to approval. § 79-4,122. In determining whether to approve a plan, the State Committee must consider the following criteria:

(1) the educational needs of pupils in the learning community, (2) economies in administration costs, (3) the future use of existing satisfactory school buildings, sites, and play fields, (4) the convenience and welfare of pupils, (5) transportation requirements, (6) the equalization of the educational opportunity of pupils, (7) the amount of outstanding indebtedness of each district and proposed disposition thereof, (8) the equitable adjustment of all property, debts, and liabilities among the districts involved, (9) any additional statutory requirements for learning community organization, and (10) any other matters which, in its judgment, are of importance.

§ 79-4,121. Once the State Committee approves a plan or part of a plan, it shall be designated as the "final approved plan" and submitted to the county clerk pursuant to § 79-4,128 and to the boards of the affected school districts. § 79-4,126(2).

ANALYSIS

The Fourteenth Amendment of the U.S. Constitution prohibits the state from "deny[ing] to any person within its jurisdiction the equal protection of the laws." U.S. Const., amend XIV, § 1. Article I, § 3 of the Nebraska Constitution states that "[n]o person shall be deprived of life, liberty, or property, without due process of law, nor be denied equal protection of the laws." When a statute is challenged under the Equal Protection Clause, "[t]he general rule is that legislation is presumed to be valid and will be sustained if the classification drawn by the statute is rationally related to a legitimate state interest." *City of Cleburne v. Cleburne Living Center*, 473 U.S. 432, 440 (1985); *Pick v. Nelson*, 247 Neb. 487, 528 N.W.2d 309 (1995); *Robotham v. State*, 241 Neb. 379, 488 N.W.2d 533 (1992). "When a classification created by state action does not jeopardize the exercise of a fundamental right or categorize because of an inherently suspect characteristic, the Equal Protection Clause requires only that the classification rationally further a legitimate state interest." *Citizens of Decatur for Equal Educ. v. Lyons-Decatur School Dist.*, 274 Neb. 278, 303, 739 N.W.2d 742, 763 (2007) ["*Citizens of Decatur*"].

I. The Equal Protection Clause Protects People, Not Geographic Areas.

In *Hawkins v. Johanns*, 88 F. Supp. 2d 1027 (D. Neb. 2000) ["*Hawkins*"], the court considered an equal protection challenge brought by residents of Class I (elementary only) school districts. At issue were statutes that required association between Class I districts and other districts (Class II-VI) and imposed restrictions on Class I districts pertaining to budgets, tax levies, special building funds, and merger, dissolution or reorganization. The plaintiffs claimed they were treated differently because their school districts lacked the same powers as the other districts in the state. Prior to determining the level of scrutiny to be applied, the court noted that "the Equal Protection Clause protects people and not places, such as political subdivisions of a state," citing *Missouri v. Lewis*, 101 U.S. 22 (1879) ["*Lewis*"]. *Id.* at 1042. In *Lewis*, the U.S. Supreme Court upheld a Missouri law that gave all citizens in the state, except those residing in four counties and the City of St. Louis, a right to appeal to the Missouri Supreme Court. The Court observed that

[e]ach State has the right to make political subdivisions of its territory for municipal purposes, and to regulate their local government. . . . The Fourteenth Amendment does not profess to secure to all persons in the United States the benefit of the same laws and the same remedies. Great diversities in these respects may exist in two States separated only by an imaginary line. . . . If diversities of laws and judicial proceedings may exist in the several States without violating the equality clause in the Fourteenth Amendment, there is no solid reason why there may not be such diversities in different parts of the same State.

Lewis, 101 U.S. at 30-31. The *Hawkins* court stated that "the *Lewis* rule applies where the statutory rights of citizens of a state are unequal because

of the way in which that state has created and empowered political subdivisions." *Hawkins*, 88 F. Supp. 2d at 1042. The court further stated that

[t]he *Lewis* doctrine stands for the proposition that such inequality of power does not (1) warrant an inference that the Equal Protection Clause is violated or (2) permit the court to ignore the separate identities and boundaries of the subdivisions when it conducts an equal protection analysis. Therefore, in deciding what level of scrutiny to apply, we start with the assumption that the State of Nebraska is free to create political subdivisions even though Nebraska's law lands unequally on the residents of those subdivisions. To put it simply, the court should not be suspicious of differences created by political subdivisions.

Id. at 1042-1043.⁵

Courts in other jurisdictions have applied the *Lewis* rule when the distinctions at issue are geographically based. In *Salsburg v. Maryland*, 346 U.S. 545 (1954), the U.S. Supreme Court considered the validity of a criminal statute that made illegally procured evidence inadmissible except in prosecutions in one particular county for violations of state gambling laws. The Court found that the statute did not violate equal protection of the law, stating: "We find little substance to appellant's claim that distinctions based on county areas are necessarily so unreasonable as to deprive him of the equal protection of the laws guaranteed by the Federal Constitution. The Equal Protection Clause relates to equality between persons as such rather than between areas. . . . Territorial uniformity is not a constitutional requisite." *Id.* at 550-552. See also *McGowan v. Maryland*, 366 U.S. 420 (1961) (Sunday closing laws that discriminated between various counties held not to violate equal protection.); *Reeder v. Kansas City Board of Police Commissioners*, 796 F.2d 1050, 1053 (8th Cir. 1986) ("So long as all persons within the jurisdictional reach of the statute are equally affected by the law, it matters not that those outside the territorial reach of the law are free to behave differently."); *Sherwood School Dist. 88J v. Washington Cty. Education Service Dist.*, 167 Or. App. 372, 6 P.3d 518 (2000) ["*Sherwood*"] (Statute which denied voters within affected geographical area the right to bring remonstrance petition, where the statute was intended to resolve longstanding dispute between school districts and improve traffic flow in the affected areas, found not to violate equal protection.).

You assert in your request letter that legal voters in the Learning Community are expressly denied the petition right given to the voters in all other public school districts in the state. While the Learning Community may share the territory of member school districts, it is not a school district. It is a separate and distinct political subdivision, governed by a coordinating council. The Learning Community is a clear example of how the statutory rights of citizens are unequal based on how the Legislature "created and empowered political subdivisions." Based on *Lewis* and its progeny, no equal protection violation is implicated by the fact that legal voters outside

the Learning Community have a right to petition for school boundary changes, while Learning Community voters do not.

II. The Legal Voters in the Learning Community Have No Right to Petition to Change School District Boundaries.

Neb. Const. art. VII, § 1 states, in part: "The Legislature shall provide for the free instruction in the common schools of this state of all persons between the ages of five and twenty-one years." "What methods and what means should be adopted in order to furnish free instruction to the children of the state has been left by the constitution to the legislature." *Affolder v. State*, 51 Neb. 91, 93, 70 N.W. 544, 545 (1897). "Nebraska's constitutional history shows that the people of Nebraska have repeatedly left school funding decisions to the Legislature's discretion." *Nebraska Coalition for Educational Equity and Adequacy v. Heineman*, 273 Neb. 531, 550, 731 N.W.2d 164, 179 (2007). "This provision of the Constitution leaves all matters pertaining to schools and school districts, their creation, dissolution, government, and control with the Legislature. In all such matters the State is supreme." *Farrell v. School Dist. No. 54, Lincoln Cty.*, 164 Neb. 853, 858, 84 N.W.2d 126, 131 (1957). In *Halstead v. Rozmiarek*, 167 Neb. 652, 660-661, 94 N.W.2d 37, 43-44 (1959), the Nebraska Supreme Court stated:

A school district in this state has no territorial integrity. It is subject to the reserve power of the state exercised through administrative authority to change its territory according to current educational needs and good educational principles. The state may change or repeal all powers of a school district, take without compensation its property, expand or restrict its territorial area, unite the whole or a part of it with another subdivision or agency of the state, or destroy the district with or without the consent of the citizens.

See also *Petition of DeJonge*, 179 Neb. 539, 545, 139 N.W.2d 296, 300 (1966) ("The state is supreme in the creation and control of school districts and may as it thinks proper, modify or withdraw any of their powers, or destroy such school districts without consent of residents thereof, or even over their protests."); *Kaup v. Sweet*, 187 Neb. 226, 229, 188 N.W.2d 891, 894 (1971) ("[T]he Legislature has plenary power over the boundaries of school districts."); *Clark v. Sweet*, 187 Neb. 232, 234, 188 N.W.2d 889, 891 (1971) ("[T]he inhabitants of school districts have no vested rights in the territorial integrity of school districts."); *McDonald v. Rentfrow*, 176 Neb. 796, 800, 127 N.W.2d 480, 483 (1964) ("The fixing of boundaries of school districts is exclusively a legislative function, and it may be properly delegated to a subordinate agency, providing the Legislature prescribes the manner and the standards under which the power of the designated board may be exercised."); and 78 C.J.S., *Schools and School Districts*, § 15 ("The formation of school districts is a governmental function and, generally, a state legislative function. . . . [T]he legislature has power to create, abolish, divide, merge or alter school districts, or to prescribe or change the form of

organization and functions of school districts, and its power is plenary, or unrestricted, but may be delegated.").

The Legislature has the sole power to determine school district boundaries. It has delegated some of this authority with the enactment of the petition process provisions in §§ 79-413–79-422, the RSDA and the LCRA, among others. Those statutes set out the procedures through which school reorganization may be achieved at the local level and represent the current official policy of school reorganization in Nebraska. Since the Legislature's power with respect to school district's boundaries is supreme, there is no right, either express or implied, to petition for school boundary changes.

III. The First Amendment Right to Petition the Government for Redress of Grievances Does Not "Sufficiently Parallel" the Petition Right Authorized in § 79-413 *et seq.*

The First Amendment provides that "Congress shall make no law . . . abridging . . . the right of the people . . . to petition the government for a redress of grievances." U.S. Const. amend. XIV. The Nebraska Constitution also provides that "[t]he right of the people peaceably to assemble to consult for the common good, and to petition the government, or any department thereof, shall never be abridged." Neb. Const. art. I, § 19. "The very idea of a government, republican in form, implies a right on the part of its citizens to meet peaceably for consultation in respect to public affairs and to petition for a redress of grievances." *U.S. v. Cruikshank*, 92 U.S. 542, 552 (1875). "The right to petition is cut from the same cloth as the other guarantees of [the First Amendment], and is an assurance of a particular freedom of expression." *McDonald v. Smith*, 472 U.S. 479, 482 (1985). "[T]he rights to assemble peaceably and to petition for a redress of grievances are among the most precious of the liberties safeguarded by the Bill of Rights. These rights, moreover, are intimately connected both in origin and in purpose, with the other First Amendment rights of free speech and free press." *United Mine Workers of America, Dist. 12 v. Illinois State Bar Ass'n*, 389 U.S. 217, 222 (1967).

The right to petition extends to all departments of government, and includes the right to access the courts. *California Motor Transport Co. v. Trucking Unlimited*, 404 U.S. 508, 510 (1972). "[T]he Petition Clause protects the right of individuals to appeal to courts and other forums established by the government for resolution of legal disputes." *Borough of Duryea, Pa. v. Guarnieri*, 564 U.S. 379, 387 (2011). "But 'the text of the First Amendment [does not] speak in terms of successful petitioning—it speaks simply of 'the right of the people . . . to petition the Government for a redress of grievances.'" *Santa Fe Alliance for Public Health and Safety v. City of Santa Fe*, 993 F.3d 802, 819 (10th Cir. 2021) ["*Santa Fe*"] (quoting *BE & K Const. Co. v. NLRB*, 536 U.S. 516, 532 (2002) (omission in original)).

With these principles in mind, we have considered your question as to whether the right to petition for a boundary change sufficiently parallels the First Amendment right to petition such that the exclusion of the petition process for Learning Community voters would be subject to a heightened level of scrutiny, i.e., above rational basis. In this respect, we have identified no cases which would establish, infer or suggest that the constitutional right to petition the government is in any way analogous to petitioning the government to change a school district boundary which, as previously discussed, is strictly a legislative function. For example, in *Baptiste v. Kennealy*, 490 F. Supp. 3d 353 (D. Mass. 2020), a recent case involving a challenge to the legislative moratorium on residential evictions due to the COVID-19 emergency, the court stated:

"In a nutshell, while there is a constitutional right to court access, there is no complementary constitutional right to receive or be eligible for a particular form of relief." *Inmates of Suffolk Cnty. Jail*, 129 F.3d at 660. This means that a legislature may, among other things, alter rights and remedies without violating the First Amendment right to petition if doing so does not violate another guarantee of the United States Constitution.

Id. at 393. *See also Santa Fe* (Alliance members' right to petition the government was not violated under telecommunications legislation because local officials could not adopt their desired outcome and because the members could not prevail on legal claims seeking compensation for injuries allegedly caused by radio-frequency emissions.); *Doherty v. Merck & Co., Inc.*, 892 F.3d 493 (1st Cir. 2018) (Maine statute prohibiting wrongful birth actions did not infringe on patient's First Amendment right to petition.); *Patchak v. Jewell*, 828 F.3d 995 (D.C. Cir. 2016) (Legislation which removed federal court jurisdiction over any claims relating to Indian land taken into trust on behalf of the tribe for casino use did not violate resident's First Amendment right to petition.); *Ruiz v. Hull*, 191 Ariz. 441, 457, 957 P.2d 984, 1000 (1998), *cert. denied*, 525 U.S. 1093 (1999) ("The right to petition bars state action interfering with access to the legislature, the executive branch and its various agencies, and the judicial branch."); *Highland Park Women's Club v. Dept. of Revenue*, 206 Ill. App. 3d 447, 459, 564 N.E.2d 890, 897 (1990) (The First Amendment right to petition did not entitle plaintiff to a specific administrative remedy; the right only "entitles citizens to communicate and address their government in matters which they deem to be important and to lodge complaints with appropriate governmental agencies.").

Legal voters in the Learning Community have a First Amendment right to bring their district boundary concerns to their local school boards, the Learning Community Coordinating Council, county boards, the State Committee, the Nebraska Legislature, the governor, etc. Learning Community voters do not have a First Amendment right to a specific remedy or outcome, i.e., a boundary change. Since the First Amendment right is inapposite to the petition right set out in the reorganization statutes,

there is no basis to apply a heightened level of scrutiny to the challenge presented.

IV. The Absence of a Petition Process for Learning Community Voters Does Not Violate the Equal Protection Clause.

We will now turn to your question as to whether the absence of a petition process for Learning Community voters violates the Equal Protection Clause or art. I, § 3. Since the classification does not implicate a fundamental right or suspect class,⁶ any challenge would be subject to rational basis scrutiny. Moreover, "[u]nder the Fourteenth Amendment, differentiation on the basis of geographic location is subject to rational basis analysis only. *Sherwood*, 167 Or. App. at 393, 6 P.3d at 531. Under that standard, Nebraska would have to demonstrate that the absence of the petition process for Learning Community voters is based upon a legitimate public purpose and that the separate classification bears a reasonable relation to that purpose.

As originally enacted, the boundaries of all school districts required to be in the learning community would remain as they existed on March 1, 2006, until a learning community was formed. 2006 Neb. Laws LB 1024, § 109, codified at Neb. Rev. Stat. § 79-2107. Legislation enacted in 2007 Neb. Laws LB 647, § 41 "permanently froze school district boundaries." *Sarpy County Farm Bureau v. Learning Community of Douglas and Sarpy Counties*, 283 Neb. 212, 234, 808 N.W.2d 598, 615 (2012) [*Sarpy Cty. Farm Bureau*"]. In 2016, the Legislature outright repealed § 79-2107. 2016 Neb. Laws LB 1067, § 70.

In *Sarpy Cty. Farm Bureau*, the Nebraska Supreme Court considered an action brought by three taxpayers seeking a declaration that the Learning Community's common general fund levy was unconstitutional. The court's summary of the "extensive" legislative history of the Learning Community indicates that during the committee hearing, the principal introducer of LB 1024 stated that the bill "was intended to address 'the metro area school organization issue.'" *Id.* at 232, 808 N.W.2d at 614. This issue involved an attempt by Omaha Public Schools ("OPS") to "expand its school district boundaries to the city limits of Omaha . . ." *Id.* at 233, 808 N.W.2d at 614. The plan, known as "One City, One School District," was predicated on two statutes: Section 79-409, which provided in part that "[e]ach incorporated city of the metropolitan class in the State of Nebraska shall constitute one Class V school district" (2003) and § 79-535 ("All schools erected or organized within the limits of cities of the metropolitan class shall be under the direction and control of the board of education . . .") (2003). Under the plan, OPS would assume control of a number of schools currently in the Millard and Ralston school districts located within the boundaries of the City of Omaha. In addition, schools located within Elkhorn Public Schools would be subject to the same proposal in the event the City of Elkhorn was annexed into the City of Omaha.

At an open meeting on June 6, 2005, the OPS Board of Education unanimously adopted a resolution directing OPS administration and legal counsel "to take all necessary steps to assure that all schools organized or existing within the city of Omaha are under the direction of the [OPS] Board of Education, that all property and students within the city of Omaha are part of [OPS], that [OPS] has the means necessary to provide the necessary education to all such students, and to otherwise carry out the intent of the Legislature that as the city of Omaha grows, Omaha Public Schools also grow." Minutes of the OPS Board of Education, June 6, 2005 at 27, 28. The proposal came in the midst of pending litigation brought by OPS in 2003 seeking a declaration in the Douglas County District Court that the state's school funding system was unconstitutional. *See Douglas County School District 0001 a/k/a Omaha Public Schools, et al. v. Heineman*, Doc. 1028, No. 017, Douglas County District Court (JUSTICE Case No. CI 10 9348401).

During floor debate on LB 1024, Senator Raikes described the gains to be made by enacting LB 1024:

We achieve an opportunity for cooperation between school districts that is locally directed. The benefit of individual school districts and the variety of choices they offer students and parents is retained. The financial underpinnings of districts are made more equitable. Student mobility and opportunity [are] enhanced, and the possibility of focus programs or campuses that serve the entire metro area is created.

Id. at 232, 808 N.W.2d at 614. The court noted that the legislative history

also reflects concern about educational issues unique to a metropolitan area. One senator stated that L.B. 1024 encouraged "suburban districts" "to be involved with the urban district in making sure that all children have the best opportunities for educational success." The principal introducer of L.B. 1024 stated, "One of the main objectives of the learning community is to address . . . the issue of integration within the entire learning community . . ." He stated that the legislation "basically involves a cooperative arrangement for funding, for addressing building needs, and for addressing whatever student mobility issues and educational opportunity issues that may be available, and the last may be the most important." Another senator described the learning community structure as one in which the member districts are "interrelated," explaining, "We're trying to find a way to bring better delivery of services, to bring the benefits of local control and shared responsibilities in the larger group all together in one bill . . ."

Id. at 234, 808 N.W.2d at 615 (internal citations omitted).

The legislative history of LB 641 in 2007 included further discussion on the boundary issues that precipitated LB 1024:

So you had a situation in June of 2005 where, all of a sudden, this policy was to be put in place and a huge amount of disruption resulted, amounting to taking over school buildings put there by other districts, operated by other districts, in addition to changing district allegiances and so on and so forth. We were left at that time with the proposition or the issue of, if you believe one city, one school district is a good policy—and I do, for the reasons I have mentioned—how do you adjust state policy given the situation that had arisen? The answer that was offered at that time, and I think has remained throughout the discussion which dates back more than two years now, involves five key components. In the metro area specifically, there should be a two-county area involved in public education that involves both the cooperation and competition among public school districts. There should be shared financial resource. There should be governance relating both to the individual school districts and to the cooperative involving all the school districts. And there should be a combined dedication to the expansion of educational opportunities for students, as well as diversity opportunities for students.

Floor Debate on LB 641, 100th Neb. Leg., 1st Sess. 55 (May 9, 2007) (Statement of Sen. Raikes).

"The Legislature has plenary legislative authority except as limited by the state and federal Constitutions." *Pony Lake School Dist. 30 v. State Comm. for Reorganization of School Districts*, 271 Neb. 173, 181, 710 N.W.2d 609, 618 (2006). "The Nebraska Constitution is not a grant, but, rather, is a restriction on legislative power, and the Legislature may legislate on any subject not inhibited by the constitution." *State ex rel. Peterson v. Shively*, 310 Neb. 1, 11, 963 N.W.2d 508, 516 (2021). As noted in *Hawkins*, "in order to meet changing conditions, '[v]iable local governments may need many innovations, numerous combinations of old and new devices, [and] great flexibility in municipal arrangements . . .'" *Hawkins*, 88 F. Supp. 2d at 1045 (quoting *Sailors v. Board of Education of Kent Cty.*, 387 U.S. 105, 110 (1967)). The legislative history reveals that the Legislature created a learning community to address the "metro area issue" created by OPS' One City, One School District proposal. A learning community was established for the purpose of working to integrate our schools, for the purpose of creating a common levy, for the purpose of trying to address the problems in Omaha." *Sarpy Cty. Farm Bureau*, 283 Neb. at 233, 808 N.W.2d at 614. Based on the foregoing, the Legislature had a legitimate government purpose for enacting LB 1024, which included a unique reorganization scheme for school districts within the newly formed entity. And so long as the voters residing within the Learning Community are treated similarly under the LCRA, there is no equal protection violation.

V. The Absence of a Petition Process for Learning Community Voters Does Not Constitute Special Legislation in Violation of Neb. Const. art. III, § 18.

Your final question asks whether the absence of a petition process would violate any other portion of the Nebraska Constitution, including the prohibition against special legislation in Neb. Const. art. III, § 18. This provision states, in pertinent part:

The Legislature shall not pass local or special laws in any of the following cases, that is to say: . . . Granting to any corporation, association, or individual any special or exclusive privileges, immunity, or franchise whatever In all other cases where a general law can be made applicable, no special law shall be enacted.

The Nebraska Supreme Court has determined that "[b]y definition, a legislative act is general, and not special, if it operates alike on all persons of a class or on persons who are brought within the relations and circumstances provided for and if the classification so adopted by the Legislature has a basis in reason and is not purely arbitrary." *Haman v. Marsh*, 237 Neb. 699, 709, 467 N.W.2d 836, 844 (1991) ["*Haman*"]. "A legislative act that applies only to particular individuals or things of a class is special legislation." *Id.*

"A legislative act can violate Neb. Const. art. III, § 18, as special legislation in one of two ways: (1) by creating a totally arbitrary and unreasonable method of classification, or (2) by creating a permanently closed class." *Id.* at 709, 467 N.W.2d at 845. "A special legislation analysis focuses on a legislative body's purpose in creating a challenged class and asks if there is a substantial difference of circumstances to suggest the expediency of diverse legislation." *J.M. v. Hobbs*, 288 Neb. 546, 557, 849 N.W.2d 480, 489 (2014). "The prohibition aims to prevent legislation that arbitrarily benefits a special class." *Id.* "[L]egislative classifications must be real and not illusive; they cannot be based on distinctions without a substantial difference." *Id.* at 558, 849 N.W.2d at 489. "A legislative body's distinctive treatment of a class is proper if the class has some reasonable distinction from other subjects of a like general character." *Big John's Billiards, Inc. v. State*, 288 Neb. 938, 945, 852 N.W.2d 727, 735 (2014) ["*Big John's*"]. "And that distinction must bear some reasonable relation to the legitimate objectives and purposes of the legislative act." *Id.* Since no closed class is implicated here, the question is whether the distinction created in the reorganization statutes for legal voters residing within the Learning Community establishes an arbitrary and unreasonable classification.

Applying these principles to the petition process statutes and the LCRA, we believe that the distinctions presented do not violate art. III, § 18. As discussed in Section IV. above, the Legislature created a new kind of political subdivision to address the "metro area issue." The decision was made to create a two-county system comprised of member school districts. The school districts retained their individual governance, but are subject to the collective governance of the coordinating council. Thus, a substantial difference of circumstances exists to warrant diverse legislation on the matter of reorganization. Consequently, for all the reasons that the LCRA is

reasonable under the rational-basis test, it is also reasonable under a special legislation review.

Finally, "[a] statute is presumed to be constitutional, and all reasonable doubts are resolved in favor of its constitutionality." *Sarpy Cty. Farm Bureau*, 283 Neb. at 239, 808 N.W.2d at 618. "[T]he unconstitutionality of a statute must be clearly established before it will be declared void." *State ex rel. Stenberg v. Omaha Racing and Exposition, Inc.*, 263 Neb. 991, 992, 644 N.W.2d 563, 565 (2002). "The burden of establishing the unconstitutionality of a statute is on the one attacking its validity." *Big John's*, 288 Neb. at 943-944, 852 N.W.2d at 734.

CONCLUSION

Neb. Const. art. VII, § 1 leaves all matters pertaining to schools and school districts to the Legislature, and its power is supreme. In this respect, the legal voters of the Learning Community have neither an express nor fundamental right to petition for school boundary changes. The First Amendment right to petition the government for redress of grievances is not analogous to petitioning the government for a boundary change. Thus, no greater judicial scrutiny than rational basis review is warranted. The fact that the statutory rights of citizens may be unequal in different areas of the state does not implicate an equal protection violation. The legislative history of 2006 Neb. Laws LB 1024 demonstrates that the Legislature had a legitimate public purpose for establishing a learning community to address the metro area organization issue, create cooperation and competition among school districts, share resources, and expand educational and diversity opportunities for students, among other things. Such legislation, including a specific reorganization scheme for member school districts, is neither arbitrary nor irrational. Consequently, it is the opinion of this office that the absence of a voter petition process for school district reorganization for legal voters in the Learning Community does not violate the Equal Protection Clause, Neb. Const. art. I, § 3, or art. III, § 18.

Sincerely,
DOUGLAS J. PETERSON
(Signed) Leslie S. Donley
Assistant Attorney General

pc Patrick J. O'Donnell
Clerk of the Nebraska Legislature

49-2824-29

¹ The member school districts in the Learning Community include Bellevue, Bennington, Douglas County West, Elkhorn, Gretna, Millard, Omaha, Papillion-La Vista, Ralston, Springfield Platteview, and Westside.

² Committee Records on LB 1024, 99th Neb. Leg., 2nd Sess., Introducer's Statement of Intent (Jan. 30, 2006).

³ Under the RSDA, school boards may file plans of reorganization with the State Committee. § 79-441. Prior to completion or approval, the State Committee is required to hold a public hearing or hearings regarding the proposed plan. § 79-442. Within thirty days of holding the hearing(s), the State Committee must notify the school district as to whether it approves or disapproves the proposed plan. § 79-444. An approved plan must contain the items listed in § 79-443, e.g., a map showing both established and proposed boundaries. A "final approved plan" is then returned to the school district to be submitted to the voters of the affected districts at a special election. § 79-446. Rules pertaining to the special election are set out in § 79-447. If the proposed plan is adopted, the county clerk shall implement the changes proposed in the plan. § 79-450.

⁴ Section 79-413(3)(b) and (c) set out the procedures when a bond election is held in conjunction with the petition.

⁵ Applying a rational basis level of scrutiny, the *Hawkins* court found that the Legislature had a legitimate government purpose in enacting the challenged statutes. "By using an ingenious strategy, Nebraska hoped to promote tax equity, educational effectiveness, and cost efficiency while still maintaining the separate identities of various political subdivisions." *Id.* at 1046. The court further found that "the relationship between the governmental purpose and the challenged statutes is neither arbitrary nor irrational." *Id.* The court concluded that "Nebraska's innovation in the reorganization of Class I school districts is rationally related to a legitimate governmental purpose and such an experiment is, therefore, not violative of the Constitutional guarantee of equal protection." *Id.* at 1047.

⁶ "A suspect class is one that has been "'saddled with such disabilities, or subjected to such a history of purposeful unequal treatment . . . as to command extraordinary protection from the majoritarian political process.'" *Citizens of Decatur*, 274 Neb. at 303, 739 N.W.2d at 762.

COMMUNICATION(S)

Received a copy of HCR 2023 from the state of Arizona relating to the State of Arizona's opposition to any Federal action infringing on Arizona's constitutional power to manage, control and administer elections.

COMMUNICATION(S)

December 1, 2021

Patrick O'Donnell
Clerk of the Legislature
State Capitol
Lincoln NE 68508

Good Morning,

We are writing to inform you of the delay in the issuance of the Annual Comprehensive Financial Report (ACFR) for the fiscal year ended June 30, 2021. Auditing standards state that we are responsible for communicating significant matters related to the financial statement audit that are, in the auditor's professional judgment, relevant to the responsibilities of those charged with governance. In accordance with Neb. Rev. Stat. § 81-1125.01, the Director of Administrative Services is to provide the audited ACFR at least twenty days before the commencement of each regular session of the Legislature. However, based on the current progress of the ACFR and back log of items still to be completed by the Department of Administrative Services (DAS), for the Auditor of Public Accounts (APA) to audit, the ACFR will not be completed by the statutory deadline of December 16, 2021.

Our process for completing the audit of the ACFR involves an extensive list of items that were to be provided by DAS, by certain dates to assist with meeting the statutory deadline. There are over 100 items that have exceeded the communicated dates and are yet to be provided to the APA. When those items are provided, our office will need sufficient time to perform auditing procedures to ensure the financials are materially correct for our opinion. In addition to the delay of items provided, the APA has also encountered significant errors in those items audited to date. At this time we have proposed 45 adjustments to the financial statements totaling nearly \$7 billion. We have also concluded that the Unemployment Insurance Fund will have a modified opinion as neither DAS nor the Department of Labor were able to provide accurate financial statements for the fund.

Given the items noted above, we feel it necessary at this time to communicate the situation to you, so you are aware of the expected noncompliance and the delay in the ACFR for this year.

Please feel free to contact us with any questions you may have.

Thank you,

Craig Kubicek, CPA, CFE
Deputy Auditor
Auditor of Public Accounts

ANNOUNCEMENT(S)

Priority designation(s) received:

Halloran - LR14

BILLS ON FIRST READING

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

LEGISLATIVE BILL 685. Introduced by Executive Board: Hughes, 44, Chairperson.

A BILL FOR AN ACT relating to appropriations; to eliminate obsolete provisions appropriating funds for FY2017-18 and FY2018-19; and to outright repeal section 90-561, Revised Statutes Cumulative Supplement, 2020.

LEGISLATIVE BILL 686. Introduced by Hughes, 44.

A BILL FOR AN ACT relating to the Legislature; to amend section 50-401.01, Reissue Revised Statutes of Nebraska; to change the composition of the Executive Board of the Legislative Council; and to repeal the original section.

LEGISLATIVE BILL 687. Introduced by Blood, 3.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2715.07, Revised Statutes Supplement, 2021; to adopt the Property Tax Circuit Breaker Act; to harmonize provisions; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 688. Introduced by Blood, 3.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-6702 and 81-12,193, Revised Statutes Cumulative Supplement, 2020, and sections 77-6703 and 84-612, Revised Statutes Supplement, 2021; to adopt the Property Tax Reduction Act; to eliminate credits under the Nebraska Property Tax Incentive Act; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 689. Introduced by Blood, 3.

A BILL FOR AN ACT relating to the Nebraska Uniform Limited Liability Company Act; to amend section 21-192, Revised Statutes Supplement, 2021; to change provisions relating to fees; and to repeal the original section.

LEGISLATIVE BILL 690. Introduced by Blood, 3.

A BILL FOR AN ACT relating to education; to amend section 79-807, Revised Statutes Cumulative Supplement, 2020; to redefine a term; and to repeal the original section.

LEGISLATIVE BILL 691. Introduced by Blood, 3.

A BILL FOR AN ACT relating to the Address Confidentiality Act; to amend section 42-1202, Reissue Revised Statutes of Nebraska, and sections 42-1203, 42-1204, and 42-1209, Revised Statutes Cumulative Supplement, 2020; to provide enrollment eligibility to kidnapping survivors; to define a term; and to repeal the original sections.

LEGISLATIVE BILL 692. Introduced by Blood, 3.

A BILL FOR AN ACT relating to civil actions; to prohibit causing sexual contact when a condom has been removed without consent as prescribed; to provide for a civil action; and to define a term.

LEGISLATIVE BILL 693. Introduced by Blood, 3.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 60-3,184, 60-3,185, 60-3,189, 60-3,190, 77-202.23, and 77-202.24, Reissue Revised Statutes of Nebraska; to define and redefine terms; to change provisions relating to motor vehicle tax exemptions, motor vehicle fee exemptions, and property tax exemptions for certain veterans; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 694. Introduced by Blood, 3.

A BILL FOR AN ACT relating to civil actions; to amend section 25-224, Reissue Revised Statutes of Nebraska; to provide for a statute of limitations for exposure to certain chemicals, prescription drugs, or medical devices; to define terms; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 695. Introduced by Blood, 3.

A BILL FOR AN ACT relating to political subdivisions; to amend section 23-114.01, Reissue Revised Statutes of Nebraska, section 19-929, Revised Statutes Cumulative Supplement, 2020, and section 18-2119, Revised Statutes Supplement, 2021; to prohibit granting conditional use permits or zoning exceptions to persons delinquent in the payment of real property taxes; to provide a duty and a contracting requirement under the Community Development Law; to harmonize provisions; to provide a duty for the Revisor of Statutes; and to repeal the original sections.

LEGISLATIVE BILL 696. Introduced by Blood, 3.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the State Department of Education; and to declare an emergency.

LEGISLATIVE BILL 697. Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to health care facilities; to amend sections 71-401 and 71-403, Revised Statutes Cumulative Supplement, 2020; to

define terms; to provide for licensure of rural emergency hospitals; to require coverage for rural emergency hospital services; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 698. Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend section 68-911, Reissue Revised Statutes of Nebraska; to provide requirements regarding coverage; and to repeal the original section.

LEGISLATIVE BILL 699. Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Economic Development; and to declare an emergency.

LEGISLATIVE BILL 700. Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to retirement; to amend sections 23-2317.01, 84-1319.01, and 84-1511, Reissue Revised Statutes of Nebraska, sections 23-2309.01, 23-2310.05, 72-1243, 79-921, 84-1310.01, 84-1311.03, and 84-1322, Revised Statutes Cumulative Supplement, 2020, and sections 79-9,117 and 84-1503, Revised Statutes Supplement, 2021; to eliminate obsolete provisions relating to investment options under certain acts, the state investment officer, and the Public Employees Retirement Board; to change provisions relating to certain funds; to eliminate provisions relating to termination of employment and early retirement inducement notification; to change provisions relating to preretirement planning and repayment of a distribution after reemployment; to change duties of and provide duties for the Public Employees Retirement Board; to provide a deadline for a certain compliance audit; to define terms; to provide for retirement training sessions; to eliminate a retirement education and financial planning program; to harmonize provisions; to repeal the original sections; to outright repeal section 84-1511.01, Reissue Revised Statutes of Nebraska; and to declare an emergency.

LEGISLATIVE BILL 701. Introduced by Williams, 36.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2912 and 77-5806, Reissue Revised Statutes of Nebraska; to change certain deadlines under the Nebraska Job Creation and Mainstreet Revitalization Act and the Nebraska Advantage Research and Development Act; and to repeal the original sections.

LEGISLATIVE BILL 702. Introduced by Williams, 36.

A BILL FOR AN ACT relating to the School Readiness Tax Credit Act; to amend section 77-3605, Reissue Revised Statutes of Nebraska, and section 77-3604, Revised Statutes Cumulative Supplement, 2020; to change

provisions relating to the availability of tax credits; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 703. Introduced by Williams, 36.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the University of Nebraska; and to declare an emergency.

LEGISLATIVE BILL 704. Introduced by Williams, 36.

A BILL FOR AN ACT relating to public health and welfare; to amend sections 38-1414 and 38-1416, Reissue Revised Statutes of Nebraska; to change education requirements for funeral directing and embalming licensure; to eliminate reporting requirements relating to caskets; to harmonize provisions; to repeal the original sections; and to outright repeal section 71-609, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 705. Introduced by Williams, 36.

A BILL FOR AN ACT relating to the Barber Act; to amend sections 71-201, 71-208.02, and 71-219, Reissue Revised Statutes of Nebraska; to eliminate provisions relating to booth rental permits; to change requirements for registration as a barber instructor or assistant barber instructor; to harmonize provisions; to repeal the original sections; and to outright repeal section 71-219.05, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 706. Introduced by Williams, 36.

A BILL FOR AN ACT relating to the Real Property Appraiser Act; to amend sections 76-2201, 76-2203, 76-2207.23, and 76-2218, Reissue Revised Statutes of Nebraska, sections 76-2233.01 and 76-2236, Revised Statutes Cumulative Supplement, 2020, and sections 76-2207.30, 76-2221, 76-2230, 76-2231.01, and 76-2232, Revised Statutes Supplement, 2021; to define and redefine terms; to change provisions relating to continuing education, experience, and educational requirements for real property appraisers; to change provisions relating to exemptions to the Real Property Appraiser Act; to change provisions relating to temporary credentials for nonresident real property appraisers; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 707. Introduced by Williams, 36.

A BILL FOR AN ACT relating to banking and finance; to amend sections 8-148.06, 8-1502, 45-736, and 59-1722, Reissue Revised Statutes of Nebraska, sections 8-108, 8-148.07, and 8-148.08, Revised Statutes Cumulative Supplement, 2020, sections 8-101.03, 8-135, 8-141, 8-143.01, 8-157.01, 8-183.04, 8-1,140, 8-318, 8-355, 8-1101, 8-1101.01, 8-1704, 8-1707, 8-2724, 8-2903, 8-3005, 8-3007, 21-17,115, 69-2103, 69-2104, and 69-2112, Revised Statutes Supplement, 2021, and section 4A-108, Uniform

Commercial Code, Revised Statutes Supplement, 2021; to redefine a term; to change provisions relating to banks, financial institutions, bank subsidiaries, and residential mortgage loans; to adopt updates to federal law relating to banks, financial institutions, securities, money transmitters, commodities, financial exploitation of vulnerable adults, digital asset depository institutions, credit unions, transactions involving franchises, consumer rental purchase agreements, and funds transfers; and to repeal the original sections.

LEGISLATIVE BILL 708. Introduced by Hughes, 44.

A BILL FOR AN ACT relating to law; to amend section 49-707, Reissue Revised Statutes of Nebraska; to eliminate a copyright requirement; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 709. Introduced by McCollister, 20.

A BILL FOR AN ACT relating to the Occupational Board Reform Act; to amend section 84-947, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to preliminary applications by individuals with a criminal conviction; and to repeal the original section.

LEGISLATIVE BILL 710. Introduced by McCollister, 20.

A BILL FOR AN ACT relating to public assistance; to amend section 68-1017.02, Revised Statutes Supplement, 2021; to change provisions relating to federal Supplemental Nutrition Assistance Program eligibility; and to repeal the original section.

LEGISLATIVE BILL 711. Introduced by Hughes, 44.

A BILL FOR AN ACT relating to the Board of Educational Lands and Funds; to amend sections 72-257, 72-257.01, 72-258, 72-258.01, 72-258.02, and 72-258.03, Reissue Revised Statutes of Nebraska; to change provisions relating to the sale of educational land; to provide duties; to redefine a term; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 712. Introduced by Hughes, 44.

A BILL FOR AN ACT relating to prairie dogs; to amend sections 23-3803, 23-3804, 23-3805, 23-3806, and 23-3808, Reissue Revised Statutes of Nebraska; to change provisions of the Black-Tailed Prairie Dog Management Act relating to management plans, duties, powers, notices, liens, penalties, appeals, trespass, damages, and liability as prescribed; to harmonize provisions; to provide severability; and to repeal the original sections.

LEGISLATIVE BILL 713. Introduced by Flood, 19.

A BILL FOR AN ACT relating to the Community Development Law; to amend section 18-2147, Revised Statutes Supplement, 2021; to prohibit the use of tax-increment financing for certain purposes; and to repeal the original section.

LEGISLATIVE BILL 714. Introduced by Geist, 25.

A BILL FOR AN ACT relating to the Motor Vehicle Operator's License Act; to amend section 60-4,115, Reissue Revised Statutes of Nebraska; to change the distribution of certain fees; to provide an operative date; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 715. Introduced by Hunt, 8.

A BILL FOR AN ACT relating to insurance; to eliminate the prohibition regarding certain group insurance contracts and health maintenance agreements providing coverage for abortion; to eliminate the Mandate Opt-Out and Insurance Coverage Clarification Act; and to outright repeal sections 44-1615.01, 44-8401, 44-8402, 44-8403, and 44-8404, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 716. Introduced by Hunt, 8.

A BILL FOR AN ACT relating to abortion; to amend sections 28-325, 28-327.02, 28-327.03, 28-327.04, 28-327.07, 28-327.09, 28-327.10, 28-327.11, 28-327.12, 28-328, 28-329, 28-330, 28-331, 28-335, 28-343, 28-3,103, 28-3,105, 28-3,106, 28-3,107, 38-193, 38-201, 38-601, 44-1615.01, 44-8403, 71-6901, 71-6902.01, 71-6903, 71-6906, 71-6907, and 71-6909, Reissue Revised Statutes of Nebraska, and sections 28-326, 28-327, 28-327.01, 28-345, 28-347, and 38-2021, Revised Statutes Cumulative Supplement, 2020; to allow advanced practice registered nurses, certified nurse midwives, and physician assistants to perform abortions as prescribed; to define and redefine terms; to change applicability of provisions relating to unprofessional conduct; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 717. Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to the In the Line of Duty Compensation Act; to amend section 81-8,317, Revised Statutes Supplement, 2021; to change the amount of compensation under the act; and to repeal the original section.

LEGISLATIVE BILL 718. Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to health care benefits; to define terms; to provide requirements for cost-sharing and coverage; to provide for applicability; to provide for rules and regulations; and to provide a duty for the Revisor of Statutes.

LEGISLATIVE BILL 719. Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation Act; to amend sections 48-120, 48-121, 48-121.01, 48-122, 48-122.01, 48-122.03, 48-126, 48-134, and 48-134.01, Reissue Revised Statutes of Nebraska; to require payment for interpreter services; to change provisions relating to the right to select a physician, compensation schedules, maximum and minimum weekly income benefits, and calculation of wages; to require annual cost-of-living adjustments to benefits as prescribed; to define terms; to require payment of benefits to a personal representative; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 720. Introduced by Albrecht, 17.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 60-107, 60-119.01, 60-169, 60-302.01, 60-336.01, 60-386, 60-3,113.04, 60-3,193.01, 60-462.01, 60-479.01, 60-4,111.01, 60-4,132, 60-4,134, 60-4,138, 60-4,147.02, 60-4,168, 60-501, 60-628.01, 60-6,265, 60-2705, and 60-2909.01, Reissue Revised Statutes of Nebraska, section 75-369.03, Revised Statutes Cumulative Supplement, 2020, and sections 75-363, 75-364, 75-366, 75-392, and 75-393, Revised Statutes Supplement, 2021; to adopt updates to federal law and update certain federal references; to change certain civil penalties; and to repeal the original sections.

LEGISLATIVE BILL 721. Introduced by Hilkemann, 4; Lowe, 37; Stinner, 48; Williams, 36.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the University of Nebraska; and to declare an emergency.

LEGISLATIVE BILL 722. Introduced by Hilkemann, 4.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Department of Economic Development; and to provide for a transfer of funds.

LEGISLATIVE BILL 723. Introduced by Briese, 41.

A BILL FOR AN ACT relating to the Nebraska Property Tax Incentive Act; to amend section 77-6703, Revised Statutes Supplement, 2021; to change provisions relating to the calculation of tax credits; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 724. Introduced by Hansen, M., 26.

A BILL FOR AN ACT relating to the Local Option Municipal Economic Development Act; to amend section 18-2705, Revised Statutes Supplement, 2021; to provide certain funding for the development and implementation of

an affordable housing action plan as part of an economic development program; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 725. Introduced by Hansen, M., 26.

A BILL FOR AN ACT relating to the Community Development Law; to amend section 18-2105, Reissue Revised Statutes of Nebraska; to authorize guidelines for the consideration and approval of certain redevelopment projects; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 726. Introduced by Hansen, M., 26.

A BILL FOR AN ACT relating to sanitary and improvement districts; to amend sections 31-727.01, 31-736, 31-767, 31-768, 31-769, and 31-771, Reissue Revised Statutes of Nebraska, and sections 31-727, 31-727.02, 31-728, 31-740, 31-744, and 31-749, Revised Statutes Supplement, 2021; to change provisions relating to powers and duties, extraterritorial zoning jurisdiction, and publication of notice; to require compliance with municipal planning requirements; to harmonize provisions; to eliminate obsolete provisions; and to repeal the original sections.

LEGISLATIVE BILL 727. Introduced by Hansen, M., 26.

A BILL FOR AN ACT relating to sanitary and improvement districts; to amend section 31-735, Reissue Revised Statutes of Nebraska; to change the procedure for election of the board of trustees of a district as prescribed; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 728. Introduced by Lindstrom, 18.

A BILL FOR AN ACT relating to insurance; to amend section 44-4052, Reissue Revised Statutes of Nebraska; to adopt the Travel Insurance Act; to eliminate travel insurance provisions; to harmonize provisions; to provide an operative date; to repeal the original section; and to outright repeal section 44-4068, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 729. Introduced by Lindstrom, 18.

A BILL FOR AN ACT relating to economic development; to adopt the Quick Action Closing Fund Act.

LEGISLATIVE BILL 730. Introduced by Lindstrom, 18.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2717 and 77-2734.03, Revised Statutes Cumulative Supplement, 2020, and section 77-2715.07, Revised Statutes Supplement, 2021; to adopt the Growing Our Workforce Investment Now Act; to provide tax credits; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 731. Introduced by Cavanaugh, J., 9; Hunt, 8.

A BILL FOR AN ACT relating to the Small Wireless Facilities Deployment Act; to amend section 86-1236, Revised Statutes Cumulative Supplement, 2020; to provide requirements for a wireless provider as prescribed; and to repeal the original section.

LEGISLATIVE BILL 732. Introduced by Cavanaugh, J., 9; McKinney, 11.

A BILL FOR AN ACT relating to juveniles; to prohibit use of deception in questioning juveniles; to prohibit admission of certain evidence; and to define terms.

LEGISLATIVE BILL 733. Introduced by Cavanaugh, J., 9.

A BILL FOR AN ACT relating to the Nebraska Political Accountability and Disclosure Act; to amend section 49-1401, Reissue Revised Statutes of Nebraska; to regulate ballot question contributions and expenditures by foreign nationals and their subsidiaries as prescribed; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 734. Introduced by Cavanaugh, J., 9.

A BILL FOR AN ACT relating to the Nebraska Political Accountability and Disclosure Act; to amend section 49-1401, Reissue Revised Statutes of Nebraska; to provide a limit on contributions made to a candidate committee as prescribed; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 735. Introduced by Bostar, 29; Halloran, 33; Hansen, B., 16.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-1736.06, Revised Statutes Supplement, 2021; to change an interest rate relating to property tax refunds; and to repeal the original section.

LEGISLATIVE BILL 736. Introduced by Bostar, 29.

A BILL FOR AN ACT relating to renewable fuels; to amend section 66-2201, Revised Statutes Cumulative Supplement, 2020; to redefine a term; and to repeal the original section.

LEGISLATIVE BILL 737. Introduced by Bostar, 29.

A BILL FOR AN ACT relating to public health; to adopt the Primary Care Investment Act.

LEGISLATIVE BILL 738. Introduced by Bostar, 29.

A BILL FOR AN ACT relating to LIBOR; to adopt the LIBOR Transition Act; to provide severability; and to declare an emergency.

LEGISLATIVE BILL 739. Introduced by Bostar, 29.

A BILL FOR AN ACT relating to insurance; to amend section 44-7,102, Reissue Revised Statutes of Nebraska; to change the requirement for screening coverage for colorectal cancer; and to repeal the original section.

LEGISLATIVE BILL 740. Introduced by DeBoer, 10.

A BILL FOR AN ACT relating to income taxes; to amend section 77-2716, Revised Statutes Supplement, 2021; to provide a deduction for rent paid on dwellings as prescribed; and to repeal the original section.

LEGISLATIVE BILL 741. Introduced by DeBoer, 10.

A BILL FOR AN ACT relating to the Child and Maternal Death Review Act; to amend sections 71-3404, 71-3407, 71-3409, and 71-3410, Reissue Revised Statutes of Nebraska, and section 71-3405, Revised Statutes Cumulative Supplement, 2020; to define and redefine terms; to provide for the review of stillbirths; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 742. Introduced by Erdman, 47; Brewer, 43.

A BILL FOR AN ACT relating to the Open Meetings Act; to amend sections 84-1411 and 84-1413, Revised Statutes Supplement, 2021; to change provisions relating to minutes kept as an electronic record; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 743. Introduced by Erdman, 47; Brewer, 43.

A BILL FOR AN ACT relating to the Open Meetings Act; to amend section 84-1410, Reissue Revised Statutes of Nebraska; to change provisions relating to when closed sessions may be held; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 744. Introduced by Erdman, 47; Brewer, 43.

A BILL FOR AN ACT relating to the livestock; to amend sections 54-170, 54-171, 54-172, 54-173, 54-176, 54-179, 54-182, 54-189, 54-199, 54-1,108, 54-1,111, 54-1,122, and 54-415, Reissue Revised Statutes of Nebraska; to define and redefine terms; to change provisions under the Livestock Brand Act relating to approved nonvisual identifiers, physical inspections, electronic inspections, powers and duties of the Nebraska Brand Committee, and fees; to eliminate terms, obsolete provisions, and a penalty; to harmonize provisions; to repeal the original sections; to outright repeal sections 54-171.01, 54-179.03, 54-179.04, 54-187.01, and 54-1,124.01,

Reissue Revised Statutes of Nebraska; and to declare an emergency.

LEGISLATIVE BILL 745. Introduced by Cavanaugh, M., 6; Cavanaugh, J., 9; Hansen, M., 26; Hunt, 8; Pansing Brooks, 28.

A BILL FOR AN ACT relating to marriage; to amend sections 42-102, 42-103, 42-104, 42-106, 42-109, and 42-110, Reissue Revised Statutes of Nebraska; to change terminology; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 746. Introduced by Friesen, 34.

A BILL FOR AN ACT relating to the Department of Natural Resources; to amend section 61-201, Reissue Revised Statutes of Nebraska; to remove the requirement that the Director of Natural Resources be a professional engineer; and to repeal the original section.

LEGISLATIVE BILL 747. Introduced by Friesen, 34.

A BILL FOR AN ACT relating to aeronautics; to amend sections 3-103 and 11-201, Revised Statutes Cumulative Supplement, 2020; to remove a requirement that the appointment of the Director of Aeronautics be subject to confirmation by the Legislature; to eliminate obsolete provisions; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 748. Introduced by Friesen, 34.

A BILL FOR AN ACT relating to forfeiture of property; to amend section 28-431, Reissue Revised Statutes of Nebraska; to change provisions relating to issuance of title; and to repeal the original section.

LEGISLATIVE BILL 749. Introduced by Friesen, 34.

A BILL FOR AN ACT relating to the Motor Vehicle Certificate of Title Act; to amend section 60-146, Reissue Revised Statutes of Nebraska; to change an identification inspection provision; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 750. Introduced by Friesen, 34.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 60-144, 60-149, 60-151, 60-392, 60-3,102, 60-3,119, 60-3,122, 60-3,122.02, 60-3,122.03, 60-3,123, 60-3,124, 60-3,125, 60-3,126, 60-3,128, 60-3,130.02, 60-3,135.01, 60-3,198, 60-3,203, 60-3,221, 60-3,226, 60-3,232, 60-3,233, 60-3,237, 60-3,241, 60-3,243, 60-3,245, 60-3,247, 60-3,249, 60-3,251, 60-3,253, 60-462, 60-463, 60-481, 60-490, 60-4,122, 60-4,124, 60-4,130.03, 60-4,130.04, 60-4,139.01, 60-4,149.01, 60-4,174, 60-4,183, 60-4,188, 66-1401, and 66-1421, Reissue Revised Statutes of

Nebraska, and section 30-2715.01, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to transfer-on-death certificates of title as prescribed, the Motor Vehicle Certificate of Title Act, the Motor Vehicle Registration Act, the Motor Vehicle Operator's License Act, and the International Fuel Tax Agreement Act; to provide for a postage and handling fee as prescribed; to define a term; to eliminate obsolete provisions; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 751. Introduced by Arch, 14.

A BILL FOR AN ACT relating to the Transportation Innovation Act; to amend section 39-2806, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to the Economic Opportunity Program; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 752. Introduced by Arch, 14.

A BILL FOR AN ACT relating to the Respiratory Care Practice Act; to amend section 38-3205, Reissue Revised Statutes of Nebraska; to redefine a term; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 753. Introduced by Arch, 14; Lathrop, 12.

A BILL FOR AN ACT relating to the Uniform Credentialing Act; to amend sections 38-178 and 38-2894, Revised Statutes Cumulative Supplement, 2020, and section 38-101, Revised Statutes Supplement, 2021; to define terms; to require notification regarding stem cell therapy as prescribed; to provide for disciplinary action; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 754. Introduced by Bostar, 29.

A BILL FOR AN ACT relating to schools; to amend section 79-10,110.03, Revised Statutes Supplement, 2021; to extend the commercial air filter pilot program; and to repeal the original section.

LEGISLATIVE BILL 755. Introduced by Brandt, 32.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Agriculture for the Independent Processor Assistance Program; and to declare an emergency.

LEGISLATIVE BILL 756. Introduced by Brandt, 32.

A BILL FOR AN ACT relating to public health; to amend sections 71-2432, 71-2434, and 71-2435, Reissue Revised Statutes of Nebraska, and section 71-2433, Revised Statutes Cumulative Supplement, 2020; to change and eliminate definitions; to change powers and duties relating to reporting and rehabilitation of properties contaminated by methamphetamine,

enforcement, and terminations of leases; to remove obsolete language; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 757. Introduced by Brandt, 32.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend sections 60-6,298 and 60-6,301, Reissue Revised Statutes of Nebraska; to change provisions relating to the allowable distance traveled by vehicles exceeding the maximum weight, length, or load when carrying grain or other seasonally harvested products; and to repeal the original sections.

LEGISLATIVE BILL 758. Introduced by Brandt, 32.

A BILL FOR AN ACT relating to the Nebraska Farm-to-School Program Act; to amend sections 79-2902 and 79-2904, Revised Statutes Supplement, 2021; to define terms; to change provisions relating to the Nebraska farm-to-school program; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 759. Introduced by Dorn, 30.

A BILL FOR AN ACT relating to the Business Innovation Act; to amend section 81-12,162, Revised Statutes Cumulative Supplement, 2020; to change a limitation relating to microloans; and to repeal the original section.

LEGISLATIVE BILL 760. Introduced by Dorn, 30.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Health and Human Services; and to declare an emergency.

LEGISLATIVE BILL 761. Introduced by Dorn, 30.

A BILL FOR AN ACT relating to agriculture; to adopt the Precision Agriculture Infrastructure Grant Act.

LEGISLATIVE BILL 762. Introduced by Dorn, 30.

A BILL FOR AN ACT relating to appropriations; to state intent regarding appropriations to the Department of Health and Human Services; and to declare an emergency.

LEGISLATIVE BILL 763. Introduced by Dorn, 30.

A BILL FOR AN ACT relating to recreational liability; to amend section 37-729, Reissue Revised Statutes of Nebraska; to redefine terms; and to repeal the original section.

LEGISLATIVE BILL 764. Introduced by Aguilar, 35.

A BILL FOR AN ACT relating to the Nebraska County and City Lottery Act; to amend section 9-606, Reissue Revised Statutes of Nebraska; to redefine a term; and to repeal the original section.

LEGISLATIVE BILL 765. Introduced by Aguilar, 35.

A BILL FOR AN ACT relating to the Nebraska Visitors Development Act; to amend sections 81-3717 and 81-3720, Reissue Revised Statutes of Nebraska; to change provisions relating to authorized uses for a County Visitors Improvement Fund; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 766. Introduced by Kolterman, 24; Blood, 3; Bostar, 29; Brandt, 32; Brewer, 43; Cavanaugh, J., 9; DeBoer, 10; Dorn, 30; Gragert, 40; Hilkemann, 4; Lathrop, 12; Lindstrom, 18; McCollister, 20; McDonnell, 5; Morfeld, 46; Pahls, 31; Pansing Brooks, 28; Stinner, 48; Walz, 15; Williams, 36; Wishart, 27.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the University of Nebraska for pancreatic cancer research; and to declare an emergency.

LEGISLATIVE BILL 767. Introduced by Kolterman, 24; Aguilar, 35; Bostar, 29; Flood, 19; Lindstrom, 18; McCollister, 20; Morfeld, 46; Pahls, 31; Stinner, 48; Wishart, 27.

A BILL FOR AN ACT relating to pharmacy benefit managers; to adopt the Pharmacy Benefit Manager Licensure and Regulation Act; to eliminate provisions relating to pharmacy benefit managers; to provide an operative date; to provide severability; and to outright repeal section 71-2484, Revised Statutes Cumulative Supplement, 2020.

LEGISLATIVE BILL 768. Introduced by Albrecht, 17; Bostelman, 23; Briese, 41; Lowe, 37; McDonnell, 5; Murman, 38; Sanders, 45; Slama, 1.

A BILL FOR AN ACT relating to schools; to amend sections 79-712 and 79-713, Reissue Revised Statutes of Nebraska, and section 79-760.01, Revised Statutes Supplement, 2021; to change provisions relating to comprehensive health education; to prohibit academic content standards in new areas; and to repeal the original sections.

LEGISLATIVE BILL 769. Introduced by Halloran, 33; Arch, 14; Erdman, 47; Hansen, B., 16; Kolterman, 24; McDonnell, 5; Murman, 38; Williams, 36.

A BILL FOR AN ACT relating to state employees; to require certain state employees to submit to fingerprinting and criminal history record checks.

LEGISLATIVE BILL 770. Introduced by Day, 49.

A BILL FOR AN ACT relating to the Dentistry Practice Act; to amend section 38-1114, Reissue Revised Statutes of Nebraska; to change provisions relating to board membership; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 771. Introduced by Day, 49; Hilkemann, 4.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend sections 60-601, 60-605, 60-611, 60-640, and 60-678, Reissue Revised Statutes of Nebraska; to define and redefine terms; to provide for the regulation of electric bicycles as prescribed; to provide a penalty; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 772. Introduced by Day, 49; Blood, 3; Cavanaugh, M., 6.

A BILL FOR AN ACT relating to public health and welfare; to prohibit providers of services relating to examination or treatment of injuries arising from sexual assault, domestic assault, and child abuse from taking actions relating to victims' debts for such services.

LEGISLATIVE BILL 773. Introduced by Brewer, 43; Albrecht, 17; Bostelman, 23; Briese, 41; Clements, 2; Erdman, 47; Flood, 19; Gragert, 40; Groene, 42; Halloran, 33; Hansen, B., 16; Lindstrom, 18; McDonnell, 5; Murman, 38; Slama, 1.

A BILL FOR AN ACT relating to firearms; to amend sections 18-1703, 69-2429, 69-2435, 69-2439, 69-2440, 69-2441, 69-2442, 69-2443, and 69-2445, Reissue Revised Statutes of Nebraska, sections 14-102, 15-255, 16-227, 17-556, 28-101, 28-1201, and 28-1351, Revised Statutes Cumulative Supplement, 2020, and sections 28-1202 and 69-2436, Revised Statutes Supplement, 2021; to prohibit regulation of the carrying of concealed handguns by cities, villages, and counties; to provide for the carrying of a concealed handgun without a permit; to provide for requirements, limits, and offenses relating to carrying a concealed handgun; to change provisions of the Concealed Handgun Permit Act; to provide penalties; to change, provide, and eliminate definitions; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 774. Introduced by Brewer, 43; Bostelman, 23; Erdman, 47; Gragert, 40; Hansen, B., 16; Lowe, 37; McDonnell, 5.

A BILL FOR AN ACT relating to government; to adopt the First Freedom Act.

LEGISLATIVE BILL 775. Introduced by Brewer, 43; Gragert, 40.

A BILL FOR AN ACT relating to the Integrated Solid Waste Management Act; to amend section 13-2039, Reissue Revised Statutes of Nebraska; to prohibit land disposal of wind turbine blades and their component parts; and to repeal the original section.

LEGISLATIVE BILL 776. Introduced by Brewer, 43; Gragert, 40.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716, Revised Statutes Supplement, 2021; to provide an income tax deduction for certain military pay as prescribed; and to repeal the original section.

LEGISLATIVE BILL 777. Introduced by Brewer, 43; Erdman, 47; Geist, 25.

A BILL FOR AN ACT relating to the Nebraska Educational Telecommunications Act; to amend sections 79-1312, 79-1313, and 79-1316, Reissue Revised Statutes of Nebraska; to require the Nebraska Educational Telecommunications Commission to develop and maintain a digital archive of Nebraska Legislature video coverage as prescribed; to change powers and duties of the commission; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 778. Introduced by Brewer, 43.

A BILL FOR AN ACT relating to public lettings and contracts; to adopt the Government Neutrality in Contracting Act.

LEGISLATIVE BILL 779. Introduced by Gragert, 40; Bostelman, 23; Brewer, 43; Wishart, 27.

A BILL FOR AN ACT relating to the Nebraska National Guard; to amend section 85-505.01, Revised Statutes Cumulative Supplement, 2020, and section 85-505, Revised Statutes Supplement, 2021; to eliminate an entitlement period relating to tuition assistance; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 780. Introduced by Gragert, 40.

A BILL FOR AN ACT relating to employment; to amend sections 48-302, 48-303, and 48-675, Reissue Revised Statutes of Nebraska; to change provisions relating to child labor; to change provisions relating to employment certificate approval and record keeping; to change provisions relating to Employment Security Law and short-time compensation plans; and to repeal the original sections.

LEGISLATIVE BILL 781. Introduced by Slama, 1; Aguilar, 35; Albrecht, 17; Bostelman, 23; Brewer, 43; Briese, 41; Clements, 2; Erdman, 47; Flood, 19; Friesen, 34; Geist, 25; Gragert, 40; Groene, 42; Halloran, 33;

Hansen, B., 16; Lindstrom, 18; Lowe, 37; McDonnell, 5; Moser, 22; Murman, 38; Sanders, 45.

A BILL FOR AN ACT relating to abortion; to amend sections 28-101 and 38-2021, Revised Statutes Cumulative Supplement, 2020; to adopt the Heartbeat Act; to provide a penalty; to redefine unprofessional conduct; to harmonize provisions; to provide severability; and to repeal the original sections.

LEGISLATIVE BILL 782. Introduced by Vargas, 7; Cavanaugh, J., 9; Cavanaugh, M., 6.

A BILL FOR AN ACT relating to appropriations; to amend Laws 2021, LB380, section 104; to change provisions regarding appropriations for the Department of Health and Human Services; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 783. Introduced by Groene, 42; Halloran, 33; Murman, 38; Williams, 36.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Economic Development; and to declare an emergency.

LEGISLATIVE BILL 784. Introduced by Groene, 42; Erdman, 47.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-202, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to a property tax exemption for hospitals; and to repeal the original section.

LEGISLATIVE BILL 785. Introduced by Groene, 42; Albrecht, 17; Arch, 14; Brewer, 43; Clements, 2; Erdman, 47; Geist, 25; Halloran, 33; Murman, 38; Sanders, 45; Slama, 1.

A BILL FOR AN ACT relating to elections; to amend sections 32-808, 32-942, and 32-943, Reissue Revised Statutes of Nebraska; to change provisions relating to early voting; and to repeal the original sections.

LEGISLATIVE BILL 786. Introduced by Groene, 42; Albrecht, 17; Brewer, 43; Clements, 2; Erdman, 47; Geist, 25; Halloran, 33; Murman, 38; Williams, 36.

A BILL FOR AN ACT relating to the Nebraska Political Accountability and Disclosure Act; to amend section 49-1496, Reissue Revised Statutes of Nebraska; to change information required for a statement of financial interests; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 787. Introduced by Groene, 42; Albrecht, 17;

Clements, 2; Erdman, 47; Halloran, 33.

A BILL FOR AN ACT relating to the Nebraska Budget Act; to amend section 13-502, Reissue Revised Statutes of Nebraska, and section 13-503, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to the applicability of the act; to redefine a term; and to repeal the original sections.

LEGISLATIVE BILL 788. Introduced by Groene, 42; Brewer, 43; Halloran, 33; Murman, 38.

A BILL FOR AN ACT relating to the Nebraska Rural Projects Act; to amend sections 81-12,213 and 81-12,218, Revised Statutes Supplement, 2021; to change provisions relating to certain limits on matching funds; to change legislative intent regarding appropriations; to provide for transfers of funds; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 789. Introduced by Groene, 42; Clements, 2; Halloran, 33.

A BILL FOR AN ACT relating to urban housing; to amend sections 19-5504 and 81-1237, Revised Statutes Cumulative Supplement, 2020, and sections 18-2119 and 19-5505, Revised Statutes Supplement, 2021; to provide an exception for an affordable housing report and change an affordable housing action plan requirement under the Municipal Density and Missing Middle Housing Act; to redefine a term under the Middle Income Workforce Housing Investment Act; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 790. Introduced by Groene, 42; Williams, 36.

A BILL FOR AN ACT relating to the Community Development Law; to amend section 18-2155, Revised Statutes Cumulative Supplement, 2020, and sections 18-2101.02 and 18-2147, Revised Statutes Supplement, 2021; to change provisions relating to redevelopment plans receiving an expedited review; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 791. Introduced by Lowe, 37; Aguilar, 35; Briese, 41; Friesen, 34.

A BILL FOR AN ACT relating to county government and officers; to amend sections 23-1901, 23-1901.02, 33-116, and 39-1506, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to county surveyors, engineers, and highway superintendents; to change a county population requirement; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 792. Introduced by Lowe, 37; Albrecht, 17; Arch,

14; Brewer, 43; Clements, 2; Day, 49; Erdman, 47; Halloran, 33; Hansen, B., 16; Hilkemann, 4; Lathrop, 12; Murman, 38; Pansing Brooks, 28; Sanders, 45; Slama, 1; Stinner, 48; Vargas, 7; Williams, 36.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Department of Health and Human Services.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 262. Introduced by Blood, 3.

WHEREAS, the United States cattle industry is the largest segment of American agriculture, annually generating about sixty-seven billion dollars in cash receipts; and

WHEREAS, virtually all imported consumer goods, including pet treats, clothing, tools, and electronic equipment, are required to be labeled indicating their country of origin as a condition of entry into the United States; and

WHEREAS, Nebraska consumers appreciate such labeling because it allows them to exercise a choice in the marketplace of which countries of origin to support with their purchasing dollars; and

WHEREAS, beef cattle production is a leading industry in Nebraska and plays a large role in the agriculture economy; and

WHEREAS, the state leads the nation in cattle on feed and ranks fourth in the total number of cows; and

WHEREAS, mandatory country of origin labeling for beef provides cattle producers in Nebraska and across the United States with a greater ability to compete in the retail grocery market by allowing consumers to choose between purchasing a superior beef product born, raised, and slaughtered in America or a foreign beef product imported from among twenty countries; and

WHEREAS, without mandatory country of origin labeling, multinational beef packers and other importers can harm the American beef industry by offering foreign-sourced beef products without providing consumers knowledge about what they are purchasing; and

WHEREAS, the competitive price established for fed cattle on the fed cattle spot market makes it the most important market for the live cattle industry; and

WHEREAS, over the past several years the volume of spot-market sales of fed cattle shrank to historic lows; and

WHEREAS, the cattle industry recognizes that the shrinking spot market volume reduces competition in the United States cattle industry and that voluntary and industry-led efforts do not produce meaningful improvements regarding this issue; and

WHEREAS, the spot-market price for fed cattle influences prices for nearly all cattle sold throughout the live cattle supply chain, regardless of age or weight; and

WHEREAS, demand for Nebraska beef increases when American consumers choose to purchase beef entirely produced in Nebraska; and

WHEREAS, Nebraska cattlemen play an incredibly important role in growing Nebraska's economy; and

WHEREAS, the federal American Beef Labeling Act of 2021 introduced by Senator John Thune requires retailers to indicate country of origin labeling for beef products; and

WHEREAS, United States Senate Bill 949 introduced by Senator Chuck Grassley requires beef packers to purchase at least fifty percent of their cattle needs through the spot market and to slaughter those cattle within fourteen days.

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

1. That the Legislature supports both the federal American Beef Labeling Act of 2021 and United States Senate Bill 949 and encourages all members of Congress to cosponsor and quickly pass these bills.

2. That the Clerk of the Legislature prepare and transmit a copy of this resolution to the majority and minority leaders of the United States Senate, the Speaker of the United States House of Representatives, and each member of the Nebraska congressional delegation.

Laid over.

SPEAKER'S ANNOUNCEMENT

Pursuant to Rule 4, Section 8, LR262 was referred to the Reference Committee.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 263CA. Introduced by Blood, 3.

THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION, RESOLVE THAT:

Section 1. At the general election in November 2022, the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article III, section 22:

III-22 (1) Each Legislature shall make appropriations for the expenses of the Government. And whenever it is deemed necessary to make further appropriations for deficiencies, the same shall require a two-thirds vote of all the members elected to the Legislature.

(2) Bills making appropriations for the pay of members and officers of the Legislature, and for the salaries of the officers of the Government, shall contain no provision on any other subject.

(3) The Legislature shall not impose responsibility for a program created after the year 2022 or an increased level of service required under an existing program after the year 2022 on any political subdivision of the state unless the subdivision is fully reimbursed by the state for the cost of such

program or increase in level of service. Reimbursement by the state shall be in the form of a specific appropriation or an increase in state distribution of revenue to such political subdivision.

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

A constitutional amendment to require the state to reimburse political subdivisions for responsibilities imposed or increased levels of service required after the year 2022.

For

Against.

LEGISLATIVE RESOLUTION 264CA. Introduced by Erdman, 47; Albrecht, 17; Brewer, 43; Clements, 2; Halloran, 33; Hansen, B., 16; McDonnell, 5; Murman, 38.

THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION, RESOLVE THAT:

Section 1. At the general election in November 2022, the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article VIII, section 1:

VIII-1 (1) This subsection applies on and after January 1, 2024. Notwithstanding any other provision of this Constitution to the contrary, no taxes other than retail consumption taxes and excise taxes shall be imposed upon the people of Nebraska.

(2) This subsection applies prior to January 1, 2024. The necessary revenue of the state and its governmental subdivisions shall be raised by taxation in such manner as the Legislature may direct. Notwithstanding Article I, section 16, Article III, section 18, or Article VIII, section 4, of this Constitution or any other provision of this Constitution to the contrary: (a)(1) Taxes shall be levied by valuation uniformly and proportionately upon all real property and franchises as defined by the Legislature except as otherwise provided in or permitted by this Constitution; (b)(2) tangible personal property, as defined by the Legislature, not exempted by this Constitution or by legislation, shall all be taxed at depreciated cost using the same depreciation method with reasonable class lives, as determined by the Legislature, or shall all be taxed by valuation uniformly and proportionately; (c)(3) the Legislature may provide for a different method of taxing motor vehicles and may also establish a separate class of motor vehicles consisting of those owned and held for resale by motor vehicle dealers which shall be taxed in the manner and to the extent provided by the Legislature and may also establish a separate class for trucks, trailers, semitrailers, truck-tractors, or combinations thereof, consisting of those owned by residents and nonresidents of this state, and operating in interstate commerce, and may provide reciprocal and proportionate taxation of such vehicles. The tax proceeds from motor vehicles taxed in each county shall be allocated to the county and the cities, villages, and school districts of such county; (d)(4) the

Legislature may provide that agricultural land and horticultural land, as defined by the Legislature, shall constitute a separate and distinct class of property for purposes of taxation and may provide for a different method of taxing agricultural land and horticultural land which results in values that are not uniform and proportionate with all other real property and franchises but which results in values that are uniform and proportionate upon all property within the class of agricultural land and horticultural land; ~~(e)(5)~~ the Legislature may enact laws to provide that the value of land actively devoted to agricultural or horticultural use shall for property tax purposes be that value which such land has for agricultural or horticultural use without regard to any value which such land might have for other purposes or uses; ~~(f)(6)~~ the Legislature may prescribe standards and methods for the determination of the value of real property at uniform and proportionate values; ~~(g)(7)~~ in furtherance of the purposes for which such a law of the United States has been adopted, whenever there exists a law of the United States which is intended to protect a specifically designated type, use, user, or owner of property or franchise from discriminatory state or local taxation, such property or franchise shall constitute a separate class of property or franchise under the laws of the State of Nebraska, and such property or franchise may not be taken into consideration in determining whether taxes are levied by valuation uniformly or proportionately upon any property or franchise, and the Legislature may enact laws which statutorily recognize such class and which tax or exempt from taxation such class of property or franchise in such manner as it determines; and ~~(h)(8)~~ the Legislature may provide that livestock shall constitute a separate and distinct class of property for purposes of taxation and may further provide for reciprocal and proportionate taxation of livestock located in this state for only part of a year. Each actual property tax rate levied for a governmental subdivision shall be the same for all classes of taxed property and franchises. Taxes uniform as to class of property or the ownership or use thereof may be levied by valuation or otherwise upon classes of intangible property as the Legislature may determine, and such intangible property held in trust or otherwise for the purpose of funding pension, profit-sharing, or other employee benefit plans as defined by the Legislature may be declared exempt from taxation. Taxes other than property taxes may be authorized by law. Existing revenue laws shall continue in effect until changed by the Legislature.

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

A constitutional amendment to provide that, beginning January 1, 2024, no taxes other than retail consumption taxes and excise taxes shall be imposed upon the people of Nebraska.

For

Against.

LEGISLATIVE RESOLUTION 265. Introduced by Geist, 25.

WHEREAS, Lux Middle School was recognized as a 2021 National Blue Ribbon School by the United States Department of Education; and

WHEREAS, the National Blue Ribbon Schools Program honors schools for their overall academic performance or for closing achievement gaps between student subgroups; and

WHEREAS, Lux Middle School was recognized for its work spotlighting specific instructional practices as part of its teachers' professional learning; and

WHEREAS, recipients are determined by their performance on state assessments or other tests or how well they closed achievement disparities between students over the past five years.

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

1. That the Legislature congratulates the students, faculty, and staff of Lux Middle School on their admirable achievements and applauds their dedication to a high standard of education.
2. That a copy of this resolution be sent to Lux Middle School.

Laid over.

LEGISLATIVE RESOLUTION 266. Introduced by Day, 49; Lindstrom, 18.

PURPOSE: The purpose of this resolution is to propose an interim study to examine Nebraska's processes relating to investigation of reports of child abuse or neglect in licensed child care facilities.

Allegations of child abuse by a staff member and owner of Rosewood Academy in Omaha, Nebraska, occurring in December 2020 and January 2021 were unknown to parents who entrusted Rosewood Academy to care for their children. The Department of Health and Human Services is responsible for licensing child care facilities to ensure the safety of children. Additionally, the Department of Health and Human Services or law enforcement is responsible for investigating reports of child abuse in licensed child care facilities and immediately notifying each person having custody of a child who has allegedly been abused or neglected of the report.

The interim study shall include, but not be limited to, an examination of:

- (1) The current statutory requirements for parental notice of abuse or neglect in licensed child care facilities;
- (2) The responsibilities of the Division of Children and Family Services and the Division of Public Health of the Department of Health and Human Services and law enforcement agencies when an allegation of child abuse or neglect involves a licensed child care facility;
- (3) How Nebraska's statutes relating to out-of-home child abuse or neglect compare to other states;
- (4) The rights of parents whose children are alleged victims of abuse or neglect in licensed child care facilities to receive notice of such allegations;

(5) The remedies available to parents whose children are alleged victims of abuse or neglect in licensed child care facilities.

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

1. That the Judiciary Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 267. Introduced by Gragert, 40.

WHEREAS, the Crofton High School girls' cross country team won the 2021 Class D Girls' State Cross Country Championship; and

WHEREAS, the 2021 Crofton High School girls' cross country team consisted of Jordyn Arens, Rylie Arens, Kiera Altwine, Elizabeth Wortmann, and Ashley Tramp; and

WHEREAS, under the direction of Coach Mickey Doerr, Crofton High School outscored runner-up Nebraska Christian by a score of 46 to 48; and

WHEREAS, this is the twentieth such championship title for Crofton High School; and

WHEREAS, Jordyn Arens, a sophomore on the cross country team, placed first overall at the championship meet with a time of 19 minutes and 11.43 seconds; and

WHEREAS, such a team achievement is made possible through the support of teachers, administrators, parents, and the community; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

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

1. That the Legislature congratulates the Crofton High School girls' cross country team on winning the 2021 Class D Girls' State Cross Country Championship.

2. That a copy of this resolution be sent to the Crofton High School girls' cross country team and Coach Mickey Doerr.

Laid over.

AMENDMENT(S) - Print in Journal

Senator Albrecht filed the following amendment to [LB310](#):
[AM1511](#)

(Amendments to Standing Committee amendments, AM635)

1 1. Strike the original sections and all amendments thereto and

2 insert the following new sections:

3 Section 1. Section 77-2004, Reissue Revised Statutes of Nebraska, is

4 amended to read:

5 77-2004 (1) In the case of a father, mother, grandfather,
6 grandmother, brother, sister, son, daughter, child or children legally
7 adopted as such in conformity with the laws of the state where adopted,
8 any lineal descendant, any lineal descendant legally adopted as such in
9 conformity with the laws of the state where adopted, any person to whom
10 the deceased for not less than ten years prior to death stood in the
11 acknowledged relation of a parent, or the spouse or surviving spouse of
12 any such persons, the rate of tax shall be:

13 (a) For decedents dying prior to January 1, 2023, one percent of the
14 clear market value of the property ~~in excess of forty thousand dollars~~
15 received by each person in excess of forty thousand dollars; -

16 (b) For decedents dying on or after January 1, 2023, and before
17 January 1, 2025, one percent of the clear market value of the property
18 received by each person in excess of one hundred thousand dollars;

19 (c) For decedents dying on or after January 1, 2025, and before
20 January 1, 2026, seventy-five hundredths of one percent of the clear
21 market value of the property received by each person in excess of one
22 hundred thousand dollars;

23 (d) For decedents dying on or after January 1, 2026, and before
24 January 1, 2027, five-tenths of one percent of the clear market value of
25 the property received by each person in excess of one hundred thousand
26 dollars;

1 (e) For decedents dying on or after January 1, 2027, and before
2 January 1, 2028, twenty-five hundredths of one percent of the clear
3 market value of the property received by each person in excess of one
4 hundred thousand dollars; and

5 (f) For decedents dying on or after January 1, 2028, zero percent.
6 (2) Any interest in property, including any interest acquired in the
7 manner set forth in section 77-2002, which may be valued at a sum less
8 than or equal to the applicable exempt amount under subsection (1) of
9 this section ~~forty thousand dollars~~ shall not be subject to tax. In
10 addition, the homestead allowance, exempt property, and family
11 maintenance allowance shall not be subject to tax. Interests passing to
12 the surviving spouse by will, in the manner set forth in section 77-2002,
13 or in any other manner shall not be subject to tax. Any interest passing
14 to a person described in subsection (1) of this section who is under
15 twenty-two years of age shall not be subject to tax.

16 Sec. 2. Section 77-2005, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 77-2005 (1) In the case of an uncle, aunt, niece, or nephew related
19 to the deceased by blood or legal adoption, or other lineal descendant of
20 the same, or the spouse or surviving spouse of any of such persons, the
21 rate of tax shall be:

22 (a) For decedents dying prior to January 1, 2023, thirteen percent
23 of the clear market value of the property received by each person in
24 excess of fifteen thousand dollars; -

25 (b) For decedents dying on or after January 1, 2023, and before
26 January 1, 2024, eleven percent of the clear market value of the property
27 received by each person in excess of forty thousand dollars;

28 (c) For decedents dying on or after January 1, 2024, and before
29 January 1, 2025, nine percent of the clear market value of the property
30 received by each person in excess of forty thousand dollars;

31 (d) For decedents dying on or after January 1, 2025, and before
1 January 1, 2026, seven percent of the clear market value of the property
2 received by each person in excess of forty thousand dollars;

3 (e) For decedents dying on or after January 1, 2026, and before
4 January 1, 2027, five percent of the clear market value of the property
5 received by each person in excess of forty thousand dollars;

6 (f) For decedents dying on or after January 1, 2027, and before

7 January 1, 2028, three percent of the clear market value of the property
 8 received by each person in excess of forty thousand dollars; and
 9 (g) For decedents dying on or after January 1, 2028, zero percent.
 10 (2) If the clear market value of the beneficial interest is less
 11 than or equal to the applicable exempt amount under subsection (1) of
 12 this section fifteen thousand dollars or less, it shall not be subject to
 13 tax. In addition, any interest passing to a person described in
 14 subsection (1) of this section who is under twenty-two years of age shall
 15 not be subject to tax.
 16 Sec. 3. Section 77-2006, Reissue Revised Statutes of Nebraska, is
 17 amended to read:
 18 77-2006 (1) In all other cases the rate of tax shall be:
 19 (a) For decedents dying prior to January 1, 2023, eighteen percent
 20 of the clear market value of the beneficial interests received by each
 21 person in excess of ten thousand dollars; -
 22 (b) For decedents dying on or after January 1, 2023, and before
 23 January 1, 2024, fifteen percent of the clear market value of the
 24 beneficial interests received by each person in excess of twenty-five
 25 thousand dollars;
 26 (c) For decedents dying on or after January 1, 2024, and before
 27 January 1, 2025, twelve percent of the clear market value of the
 28 beneficial interests received by each person in excess of twenty-five
 29 thousand dollars;
 30 (d) For decedents dying on or after January 1, 2025, and before
 31 January 1, 2026, nine percent of the clear market value of the beneficial
 1 interests received by each person in excess of twenty-five thousand
 2 dollars;
 3 (e) For decedents dying on or after January 1, 2026, and before
 4 January 1, 2027, six percent of the clear market value of the beneficial
 5 interests received by each person in excess of twenty-five thousand
 6 dollars;
 7 (f) For decedents dying on or after January 1, 2027, and before
 8 January 1, 2028, three percent of the clear market value of the
 9 beneficial interests received by each person in excess of twenty-five
 10 thousand dollars; and
 11 (g) For decedents dying on or after January 1, 2028, zero percent.
 12 Such rates of tax shall be applied to the clear market value of the
 13 beneficial interests in excess of ten thousand dollars received by each
 14 person.
 15 (2) If the clear market value of the beneficial interest is less
 16 than or equal to the applicable exempt amount under subsection (1) of
 17 this section ten thousand dollars or less, it shall not be subject to any
 18 tax. In addition, any interest passing to a person who is under twenty-
 19 two years of age shall not be subject to tax.
 20 Sec. 4. On or before July 1, 2023, and on or before July 1 of each
 21 year thereafter through July 1, 2029, the county treasurer of each county
 22 shall submit a report regarding inheritance taxes to the Department of
 23 Revenue. The report shall be submitted on a form prescribed by the
 24 department and shall include the following information for the most
 25 recently completed calendar year:
 26 (1) The amount of inheritance tax revenue generated under section
 27 77-2004 and the number of persons receiving property that was subject to
 28 tax under section 77-2004;
 29 (2) The amount of inheritance tax revenue generated under section
 30 77-2005 and the number of persons receiving property that was subject to
 31 tax under section 77-2005;
 1 (3) The amount of inheritance tax revenue generated under section
 2 77-2006 and the number of persons receiving property that was subject to
 3 tax under section 77-2006; and
 4 (4) The number of persons who do not reside in this state and who

5 received any property that was subject to tax under section 77-2004,
6 77-2005, or 77-2006.
7 Sec. 5. The Revisor of Statutes shall assign section 4 of this act
8 to Chapter 77, article 20.
9 Sec. 6. Original sections 77-2004, 77-2005, and 77-2006, Reissue
10 Revised Statutes of Nebraska, are repealed.

Senator Albrecht filed the following amendment to LB596:

AM1520

1 1. On page 3, line 11, strike "2021" and insert "2022".
2 2. On page 4, line 19, strike "2025" and insert "2026".

Senator Flood filed the following amendment to LB502:

AM1514 is available in the Bill Room.

VISITOR(S)

The Doctor of the Day was Dr. Dale Michels from Walton.

ADJOURNMENT

At 11:29 a.m., on a motion by Speaker Hilgers, the Legislature adjourned until 11:00 a.m., Thursday, January 6, 2022.

Patrick J. O'Donnell
Clerk of the Legislature

SECOND DAY - JANUARY 6, 2022

LEGISLATIVE JOURNAL

**ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION**

SECOND DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, January 6, 2022

PRAYER

The prayer was offered by Senator DeBoer.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Lowe.

ROLL CALL

Pursuant to adjournment, the Legislature met at 11:00 a.m., Speaker Hilgers presiding.

The roll was called and all members were present except Senators Vargas, Walz, and Wayne who were excused.

SENATOR LINDSTROM PRESIDING

CORRECTIONS FOR THE JOURNAL

The Journal for the first day was approved.

**2021 INTERIM REPORT
ON THE DISPOSITION OF
INTERIM STUDY RESOLUTIONS**

Agriculture

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
196	Interim study to examine the potential applications for blockchain technology in agricultural operations			X

Appropriations

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
145	Interim study of the adequacy of current aged and disabled medicaid waiver assisted-living provider rates		X	
178	Interim study to solicit input from Nebraskans regarding funds from the federal American Rescue Plan of 2021		X	
179	Interim study to examine funding mechanisms in the American Rescue Plan of 2021		X	
200	Interim study to examine the long-term fiscal sustainability of the Nebraska Health Care Cash Fund		X	
209	Interim study to examine the appropriations necessary for creating public health crisis zones		X	
210	Interim study to examine poverty and incarceration and the appropriations necessary to reduce both		X	
212	Interim study to examine the health care workforce shortage in Nebraska		X	

Banking, Commerce and Insurance

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
101	Interim study to examine whether legislation should be enacted to provide for comprehensive regulation of pharmacy benefit managers		X	
100	Interim study to determine whether the Real Property Appraiser Act should be updated		X	
116	Interim study to review the credentialing requirements in the Public Accountancy Act in furtherance of the purposes of the Occupational Board Reform Act		X	

214	Interim study to examine state regulated health plans and state employee health plans and copay accumulator adjusted programs			X
104	Interim study to examine barriers related to early detection of colorectal cancer in Nebraska		X	
199	Interim study to examine the creation of a rural economic development plan			X

Business and Labor

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
139	Interim study to examine the financial health of individuals in Nebraska's workforce over one year into the COVID-19 pandemic		Public Hearing 08/18/2021	
140	Interim study to evaluate Nebraska's unemployment insurance system		Public Hearing 08/18/2021	
154	Interim study to evaluate the impact of COVID-19 on Nebraska's workforce			X
158	Interim study to examine the accuracy of payments by the Department of Labor to recipients of state and federal benefit programs		Public Hearing 08/11/2021	
166	Interim study to review Nebraska Fair Employment Practice Act		Public Hearing 08/11/2021	
170	Interim study to examine the potential impact the innovation hubs could have in Nebraska		Public Hearing 08/11/2021	
206	Interim study to examine worker's compensation		Public Hearing 10/06/2021	

Education

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
148	Interim study to examine the duties of education support professionals in Nebraska			X

149	Interim study to examine the potential for statewide early childhood autism spectrum disorder screening		X	
157	Interim study to examine how Nebraska schools can recruit teachers and administrators who can accurately reflect the proportion of students of color attending Nebraska schools		X	
161	Interim study to examine the impact of natural hair discrimination in Nebraska education settings			X
180	Interim study to examine the identification of at-risk and economically disadvantaged students as a qualification factor for state-funded, education-related programs		X	
181	Interim study to examine home visitation for families in Nebraska		X	
182	Interim study to examine the school enrollment options available to students		X	
185	Interim study to examine the feasibility of an agricultural school or education center in Nebraska			X
204	Interim study to examine a coding curriculum for students in Nebraska			X
213	Interim study to examine the mental and behavioral health needs of Nebraska students and the role of schools psychologists		X	
227	Interim study to examine learning communities and learning community coordinating councils			X

Executive Board

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
218	Interim study to examine issues related to pay and benefits of legislative staff		X	
141	Interim study to create a select		X	

	committee of the Legislature to be known as the School Finance Study Committee			
83	Interim study to examine the gubernatorial appointment process to boards, commissions, and similar entities		X	
226	Interim study to examine ways the Legislature provides oversight of state agencies		X	

General Affairs

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
115	Interim study to examine and review liquor laws in Nebraska		X	
174	Interim study to examine issues within the jurisdiction of the General Affairs Committee		X	
175	Interim study to examine and review the game of keno			X
176	Interim study to examine the statutes governing horseracing and the State Racing Commission		X	
177	Interim study to examine the State Athletic Commissioner and review occupational licenses and regulations for professional boxers and professional boxing promoters	X		
187	Interim study to examine liquor laws in Nebraska		X	

Government, Military and Veterans Affairs

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
137	Interim study to assess the operations and practices of the Central Nebraska Veterans' Home		X	
171	Interim study to examine the rights, roles, and responsibilities of Nebraska county election officials, and relevant court and corrections personnel in carrying out state law regarding voting rights for former felony offenders			X

191	Interim study to examine the effect of universal recognition of occupational licenses on populations frequently negatively impacted by occupational licensing in the state		X	
215	Interim study to examine county fees and fines set by statute and the cost for administering the associated services			X
225	Interim study to review occupational regulation of truth and deception examiners pursuant to the Occupational Board Reform Act	X (report to be submitted by 12/15/2021)		

Health and Human Services

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
110	Interim study to investigate the advertisement and use of unproven stem cell injections as a therapy for health disorders			X
142	Interim study to determine whether legislation should be enacted to provide for additional supports and further address the issue of maternal depression in Nebraska		X	
143	Interim study to examine the mental and behavioral health needs of Nebraskans, assess the shortage of providers, and determine what is needed to ensure an adequate behavioral health service delivery system		X	
151	Interim study to examine whether the Solemn Covenant of the States to Award Prizes for Curing Diseases compact should be adopted			X
163	Interim study to examine postacute placement challenges in Nebraska's health care system		X	
165	Interim study to explore ways of improving dental benefits under the medical assistance program			X

184	Interim study to examine the contract process and rates paid to family service providers in Northern, Southeast, Central, and Western Service Areas of Nebraska		X	
190	Interim study to examine the work participation requirements in the federal Temporary Assistance for Needy Families (TANF) program in Nebraska			X
198	Interim study to examine Nebraska's practices relating to social security benefits owed to certain children in the foster care system		X	
201	Interim study to examine issues within the jurisdiction of the Health and Human Services Committee			X
202	Interim study to examine federal legislation regarding COVID-19 pandemic assistance			X
203	Interim study to examine medicaid expansion and behavioral health			X
207	Interim study to examine methods for preventing the spread of human immunodeficiency virus		X	
221	Interim study to examine maternal and infant mortality and morbidity		X	
237	Interim study to examine existing status regarding directed health measures			X
239	Interim study to examine the effectiveness of medicaid waivers in Nebraska overseen by the Department of Health and Human Services		X	

Judiciary

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
76	Interim study of court fees as a funding source for the court			X

	system and judicial branch			
97	Interim study to determine whether further revision to the Nebraska grand jury laws is necessary			X
129	Interim study to review staffing at the Department of Correctional Services		X	
138	Interim study to examine remedies available for incarcerated persons who have property lost, stolen, or damaged during their confinement			X
156	Interim study to examine mental health and addiction issue within the Nebraska criminal justice system			X
164	Interim study to examine problem solving courts		X	
167	Interim study to examine possible solutions to address conflicts between the child welfare system and custody decision made in civil cases			X
173	Interim study to examine the organizational structure and funding of the Nebraska Law Enforcement Training Center		X	
183	Interim study to examine the Nebraska law relating to body-worn cameras by law enforcement agents			X
189	Interim study to examine sex offender registration in Nebraska			X
194	Interim study to examine methods of ending domestic and sexual violence in Nebraska			X
205	Interim study to examine the use of mediation as a supplement or alternative to residential eviction			X
231	Interim study to examine issues within the jurisdiction of the Judiciary Committee		X	

Natural Resources

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
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23	Interim study to examine the progress of natural resources districts in fulfilling their originally intended purpose		X	
34	Interim study to examine the structure and funding of the Nebraska Environmental Trust			X
117	Interim study to examine surface water irrigation projects and infrastructure		X	
136	Interim study to examine and evaluate the causes, costs, and impacts of rolling electrical power outages during the extreme weather events of February 2021	X		
152	Interim study to evaluate the need for laws that would allow the Department of Environment and Energy to respond to emergency situations related to pesticide-treated seed and grain		X	
188	Interim study to examine issues related to adopting reward-based conservation programs			X
192	Interim Study to review methods of water augmentation and develop statutory definitions			X
223	Interim study to examine how to slow or stop the spread of the emerald ash borer			X
246	Interim study to examine issues within jurisdiction of the Natural Resources Committee			X

Nebraska Retirement Systems

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
105	Interim study to examine the public employees' retirement systems administered by the Public Employees Retirement Board		X	
106	Interim study to monitor underfunded defined benefit plans administered by political subdivisions as required by 13-2402	X		

Revenue

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
261	Interim study to examine the structure and administration of compliance with certain taxes		X	
232	Interim study to examine the assessment procedures of county assessors for each class of property and whether the assessment process would benefit from other parties assessing certain classes of property		X	
230	Interim study to examine a potential constitutional amendment to limit property taxation to residential property only		X	
186	Interim study to examine nonprofit movie theaters and tax-exempt status	X		
162	Interim study to examine School Readiness Tax Credit Act			X

Transportation and Telecommunications

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
127	Interim study to identify a more equitable scale for motor vehicle taxation		X	
147	Interim study to examine the transfer of state-owned property to local political subdivisions		X	
155	Interim study to examine issues related to the operation of autonomous vehicles in Nebraska		X	
193	Interim study to examine broadband mapping and broadband speed testing in Nebraska		X	
233	Interim study to review issues relating to the collection of agricultural data in precision farming		X	
234	Interim study to examine issues		X	

	related to the regulation and taxation of electric vehicles			
235	Interim study to review the occupational regulations for motor vehicle dealers	report to be issued by 12/15/2021		
236	Interim study to review issues relating to the Nebraska Expressway System		X	

Urban Affairs

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
69	Interim study to examine receive reports and public input under the Municipal Density and Missing Middle Housing Act		X	
122	Interim study to examine the statutes governing cities of the metropolitan class		X	
123	Interim study to review the occupational regulations for radon measurement specialists and radon mitigation specialists	X		
124	Interim study to examine issues relating to the designation of extremely blighted areas under the Community Development Law		X	
125	Interim study to examine issues relating to the designation of enhance employment areas under the Community Development Law		X	
126	Interim study to examine issues relating to the designation of blighted areas and extremely blighted areas under the Community Development Law		X	
131	Interim study to examine the lack of affordable housing in Nebraska		X	
172	Interim study to examine the negative impacts of an oversaturation of nonprofit organizations and philanthropy in densely populated areas of high poverty		X	
208	Interim study to examine the			X

	commercial property assessed clean energy financing in Nebraska			
211	Interim study to examine issues related to adopting construction codes		X	

ANNOUNCEMENT(S)

Priority designation(s) received:

- Clements - LB310
- Brewer - LB773
- Linehan - LB364

BILLS ON FIRST READING

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

LEGISLATIVE BILL 793. Introduced by McCollister, 20.

A BILL FOR AN ACT relating to the Election Act; to amend sections 14-205, 14-206, 14-207, 32-554, 32-801, 32-812, 32-813, 32-817, 32-1003, 32-1004, 32-1119, and 32-1122, Reissue Revised Statutes of Nebraska, sections 16-104, 17-527, 19-409, 32-101, 32-103, 32-202, 32-538, 32-901, and 32-1008, Revised Statutes Cumulative Supplement, 2020, and sections 32-816 and 32-1005, Revised Statutes Supplement, 2021; to define terms; to provide for ranked-choice voting for certain city or village offices; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 794. Introduced by McCollister, 20.

A BILL FOR AN ACT relating to the Election Act; to amend sections 32-507, 32-609, and 32-813, Reissue Revised Statutes of Nebraska; to provide for nonpartisan election of the State Treasurer and the Auditor of Public Accounts; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 795. Introduced by Flood, 19.

A BILL FOR AN ACT relating to the Nebraska Uniform Prudent Management of Institutional Funds Act; to amend section 58-615, Reissue Revised Statutes of Nebraska; to change provisions relating to the release or modification of restrictions on the management, investment, or purpose of an institutional fund; and to repeal the original section.

LEGISLATIVE BILL 796. Introduced by Urban Affairs Committee: Wayne, 13, Chairperson; Arch, 14; Blood, 3; Briese, 41; Hansen, M., 26; Hunt, 8; Lowe, 37.

A BILL FOR AN ACT relating to the Community Development Law; to amend section 18-2117.02, Revised Statutes Cumulative Supplement, 2020; to change certain reporting requirements; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 797. Introduced by Urban Affairs Committee: Wayne, 13, Chairperson; Arch, 14; Blood, 3; Briese, 41; Hansen, M., 26; Hunt, 8; Lowe, 37.

A BILL FOR AN ACT relating to the Community Development Law; to amend section 18-2101, Revised Statutes Cumulative Supplement, 2020; to provide for removal of substandard and blighted area designations and extremely blighted area designations as prescribed; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 798. Introduced by Urban Affairs Committee: Wayne, 13, Chairperson; Arch, 14; Blood, 3; Briese, 41; Hansen, M., 26; Hunt, 8; Lowe, 37.

A BILL FOR AN ACT relating to the Community Development Law; to amend section 18-2101.02, Revised Statutes Supplement, 2021; to change provisions relating to extremely blighted areas; and to repeal the original section.

LEGISLATIVE BILL 799. Introduced by Urban Affairs Committee: Wayne, 13, Chairperson; Arch, 14; Blood, 3; Briese, 41; Hansen, M., 26; Hunt, 8; Lowe, 37.

A BILL FOR AN ACT relating to the Municipal Density and Missing Middle Housing Act; to amend sections 19-5503 and 19-5504, Revised Statutes Cumulative Supplement, 2020; to update a federal reference; to change provisions relating to the contents of an affordable housing report; and to repeal the original sections.

LEGISLATIVE BILL 800. Introduced by Urban Affairs Committee: Wayne, 13, Chairperson; Arch, 14; Blood, 3; Briese, 41; Hansen, M., 26; Hunt, 8; Lowe, 37.

A BILL FOR AN ACT relating to cities of the metropolitan class; to amend sections 14-102.01, 14-102.02, 14-104, 14-106, 14-107, 14-108, 14-110, 14-111, 14-112, 14-113, 14-115, 14-116, 14-118, 14-120, 14-121, 14-122, 14-123, 14-124, 14-125, 14-136, 14-201, 14-201.03, 14-202, 14-204, 14-205, 14-206, 14-207, 14-210, 14-211, 14-212, 14-213, 14-214, 14-215, 14-216, 14-217.02, 14-218, 14-219, 14-220, 14-221, 14-224, 14-225, 14-226, 14-227, 14-228, 14-229, 14-230, 14-360, 14-361, 14-362, 14-365,

14-365.01, 14-365.02, 14-365.03, 14-365.04, 14-365.05, 14-365.06, 14-365.07, 14-365.08, 14-365.09, 14-365.10, 14-365.11, 14-365.12, 14-365.13, 14-366, 14-367, 14-372, 14-373, 14-373.01, 14-373.02, 14-374, 14-375, 14-376, 14-383, 14-384, 14-385, 14-386, 14-387, 14-388, 14-389, 14-390, 14-391, 14-393, 14-394, 14-395, 14-396, 14-397, 14-399, 14-3,100, 14-3,101, 14-3,105, 14-3,108, 14-3,109, 14-3,111, 14-3,112, 14-3,113, 14-3,114, 14-3,115, 14-3,116, 14-3,117, 14-3,118, 14-3,119, 14-3,120, 14-3,121, 14-3,122, 14-3,123, 14-3,124, 14-3,125, 14-3,126, 14-3,128, 14-401, 14-402, 14-404, 14-405, 14-406, 14-408, 14-409, 14-410, 14-411, 14-412, 14-413, 14-414, 14-416, 14-417, 14-418, 14-501, 14-501.01, 14-503, 14-504, 14-505, 14-506, 14-507, 14-508, 14-509, 14-510, 14-511, 14-512, 14-513, 14-514, 14-515, 14-516, 14-517, 14-518, 14-519, 14-520, 14-521, 14-522, 14-523, 14-524, 14-525, 14-526, 14-527, 14-528, 14-529, 14-530, 14-531, 14-532, 14-533, 14-534, 14-535, 14-536, 14-538, 14-539, 14-540, 14-541, 14-542, 14-543, 14-544, 14-545, 14-546, 14-547, 14-548, 14-549, 14-550, 14-556, 14-557, 14-558, 14-559, 14-560, 14-562, 14-563, 14-564, 14-565, 14-566, 14-568, 14-601, 14-602, 14-603, 14-604, 14-605, 14-606, 14-609, 14-702, 14-704, 14-709, 14-804, 14-805, 14-806, 14-807, 14-808, 14-809, 14-810, 14-811, 14-812, 14-813, 14-814, 14-816, 14-817, 14-818, 14-1201, 14-1202, 14-1203, 14-1204, 14-1205, 14-1206, 14-1207, 14-1211, 14-1212, 14-1215, 14-1216, 14-1217, 14-1218, 14-1219, 14-1220, 14-1221, 14-1222, 14-1223, 14-1224, 14-1225, 14-1226, 14-1227, 14-1228, 14-1229, 14-1230, 14-1231, 14-1232, 14-1233, 14-1234, 14-1235, 14-1236, 14-1237, 14-1238, 14-1239, 14-1240, 14-1241, 14-1242, 14-1243, 14-1244, 14-1245, 14-1246, 14-1247, 14-1248, 14-1249, 14-1250, 14-1251, 14-1252, 14-1702, 14-1703, 14-1704, 14-1705, 14-1706, 14-1707, 14-1708, 14-1709, 14-1710, 14-1711, 14-1712, 14-1713, 14-1714, 14-1715, 14-1716, 14-1717, 14-1718, 14-1719, 14-1721, 14-1722, 14-1723, 14-1724, 14-1725, 14-1726, 14-1727, 14-1728, 14-1729, 14-1730, 14-1731, 14-1732, 14-1734, 14-1735, 14-1737, 14-1738, 14-1739, 14-2001, 14-2002, 14-2003, and 14-2004, Reissue Revised Statutes of Nebraska, sections 14-101, 14-101.01, 14-102, 14-103, 14-105, 14-109, 14-117, 14-363, 14-364, 14-392, 14-398, 14-3,102, 14-3,103, 14-3,106, 14-3,107, 14-403, 14-415, 14-419, 14-420, 14-502, 14-553, 14-567, 14-607, 14-1733, 19-414, and 19-415, Revised Statutes Cumulative Supplement, 2020, and sections 14-137 and 77-3523, Revised Statutes Supplement, 2021; to change provisions relating to city officers, elections, powers, duties, public improvements, subdividing and platting, consolidation of cities and villages, ordinances, planning and zoning, fiscal management, city departments, claims and awards, bridges, parking facilities, and landmark heritage preservation districts; to eliminate provisions relating to municipal coal yards, boards of public welfare, superintendency of departments and taxes and assessments; to harmonize provisions; to repeal the original sections; and to outright repeal sections 14-114, 14-126, 14-223, and 14-554, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 801. Introduced by Hughes, 44.

A BILL FOR AN ACT relating to the ImagiNE Nebraska Act; to amend section 77-6818, Revised Statutes Supplement, 2021; to redefine qualified

location as prescribed; and to repeal the original section.

LEGISLATIVE BILL 802. Introduced by Hughes, 44.

A BILL FOR AN ACT relating to the Nebraska Wheat Resources Act; to amend sections 2-2303, 2-2309, 2-2311, 2-2312, 2-2315, and 2-2318, Reissue Revised Statutes of Nebraska; to redefine terms; to change powers of the Nebraska Wheat Development, Utilization, and Marketing Board; to change provisions relating to the excise tax collected on wheat; to change provisions relating to the cooperative authority of the board; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 803. Introduced by Hughes, 44.

A BILL FOR AN ACT relating to game and parks; to amend section 37-455, Revised Statutes Cumulative Supplement, 2020; to redefine a term; to change provisions relating to limited permits for deer, antelope, wild turkey, or elk; and to repeal the original section.

LEGISLATIVE BILL 804. Introduced by Hughes, 44.

A BILL FOR AN ACT relating to the Nebraska Power Review Board; to amend section 70-1003, Revised Statutes Cumulative Supplement, 2020; to change the compensation for certain board members as prescribed; and to repeal the original section.

LEGISLATIVE BILL 805. Introduced by Hughes, 44.

A BILL FOR AN ACT relating to the Noxious Weed Control Act; to amend section 2-958.02, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to prioritization of applications and intent to appropriate funds; and to repeal the original section.

LEGISLATIVE BILL 806. Introduced by Bostelman, 23.

A BILL FOR AN ACT relating to drainage; to amend section 31-201, Reissue Revised Statutes of Nebraska; to change a provision relating to drainage by a landowner as prescribed; and to repeal the original section.

LEGISLATIVE BILL 807. Introduced by Brandt, 32.

A BILL FOR AN ACT relating to county government; to amend section 23-355.01, Reissue Revised Statutes of Nebraska; to change provisions relating to a tax levy and county funding for a nonprofit county historical association or society; and to repeal the original section.

LEGISLATIVE BILL 808. Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to the Uniform Controlled Substances Act;

to amend section 28-416, Revised Statutes Cumulative Supplement, 2020, and section 28-405, Revised Statutes Supplement, 2021; to change provisions relating to the schedules of controlled substances; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 809. Introduced by Moser, 22.

A BILL FOR AN ACT relating to water; to amend section 71-5322, Reissue Revised Statutes of Nebraska, and sections 71-5318 and 81-15,153, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to the use of the Land Acquisition and Source Water Loan Fund; to change certain powers and duties of the Department of Environment and Energy; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 810. Introduced by Cavanaugh, J., 9.

A BILL FOR AN ACT relating to juvenile facilities; to amend section 83-4,134.01, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to room confinement of juveniles and required reports; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 811. Introduced by Dorn, 30.

A BILL FOR AN ACT relating to the Nebraska Real Estate License Act; to amend section 81-887.03, Reissue Revised Statutes of Nebraska; to change provisions relating to auctioneers of real estate; to eliminate provisions relating to reciprocity; to repeal the original section; and to outright repeal sections 81-887.01 and 81-887.02, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 812. Introduced by Hilkemann, 4.

A BILL FOR AN ACT relating to the Pharmacy Practice Act; to amend section 38-2891, Revised Statutes Supplement, 2021; to provide for vaccine administration by pharmacy technicians; to harmonize provisions; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 813. Introduced by Hilkemann, 4.

A BILL FOR AN ACT relating to appropriations; to state intent relating to fund transfers and appropriation for trails.

LEGISLATIVE BILL 814. Introduced by McKinney, 11.

A BILL FOR AN ACT relating to the Legislature; to state findings; to provide for racial impact statements for legislation; to provide powers and duties for the office of Legislative Research.

LEGISLATIVE BILL 815. Introduced by McKinney, 11.

A BILL FOR AN ACT relating to public health; to adopt the Diaper Changing Accommodation Act; and to provide an operative date.

LEGISLATIVE BILL 816. Introduced by McKinney, 11.

A BILL FOR AN ACT relating to the Nebraska Treatment and Corrections Act; to amend section 83-178, Reissue Revised Statutes of Nebraska; to require collection of certain data upon admission of persons committed to the department; and to repeal the original section.

LEGISLATIVE BILL 817. Introduced by Linehan, 39.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-376, 77-27,195, 77-4110, 77-4933, 77-5731, and 77-5807, Reissue Revised Statutes of Nebraska, sections 77-6811, 77-6831, 77-6832, 77-6837, and 77-6839, Revised Statutes Cumulative Supplement, 2020, and section 77-5907, Revised Statutes Supplement, 2021; to change provisions relating to the examination of financial records and certain reporting requirements; to change the ImagiNE Nebraska Act as prescribed; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 818. Introduced by Linehan, 39.

A BILL FOR AN ACT relating to the Sports Arena Facility Financing Assistance Act; to amend sections 13-3102, 13-3103, 13-3104, and 13-3108, Revised Statutes Supplement, 2021; to define and redefine terms; to authorize the use of state assistance to pay for nearby parking facilities as prescribed; to change provisions relating to limitations on state assistance; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 819. Introduced by Linehan, 39.

A BILL FOR AN ACT relating to revenue and taxation; to eliminate provisions relating to a tax study; and to outright repeal sections 77-3,115 and 77-3,116, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 820. Introduced by Hansen, M., 26.

A BILL FOR AN ACT relating to municipalities; to amend sections 14-101, 14-101.01, 15-101, 19-415, and 31-508, Revised Statutes Cumulative Supplement, 2020; to change the population threshold for cities of the metropolitan class and cities of the primary class; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 821. Introduced by Hansen, M., 26.

A BILL FOR AN ACT relating to municipalities; to amend section 13-522, Reissue Revised Statutes of Nebraska, and section 13-518, Revised Statutes

Supplement, 2021; to adopt the Aid to Municipalities Act; to create a fund; to change provisions relating to budget limitations; to provide a duty for the Revisor of Statutes; and to repeal the original sections.

LEGISLATIVE BILL 822. Introduced by Hansen, M., 26.

A BILL FOR AN ACT relating to the Motor Vehicle Operator's License Act; to amend section 60-4,100, Reissue Revised Statutes of Nebraska; to change provisions relating to reinstatement fees for operator's licenses; and to repeal the original section.

LEGISLATIVE BILL 823. Introduced by Hansen, B., 16.

A BILL FOR AN ACT relating to the Administrative Procedure Act; to amend section 84-920, Revised Statutes Cumulative Supplement, 2020; to prohibit state agencies from imposing annual filing and reporting requirements on charitable organizations as prescribed; to state intent; to define a term; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 824. Introduced by Hansen, B., 16.

A BILL FOR AN ACT relating to personal care services; to amend sections 71-407, 71-6501, and 71-6602, Reissue Revised Statutes of Nebraska; to include bathing as an activity of daily living; and to repeal the original sections.

LEGISLATIVE BILL 825. Introduced by Lindstrom, 18.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716, Revised Statutes Supplement, 2021; to change provisions relating to the taxation of benefits received under the federal Social Security Act; and to repeal the original section.

LEGISLATIVE BILL 826. Introduced by Lindstrom, 18.

A BILL FOR AN ACT relating to the Public Funds Deposit Security Act; to amend section 77-2387, Revised Statutes Cumulative Supplement, 2020; to redefine a term; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 827. Introduced by Lindstrom, 18.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2701 and 77-2716, Revised Statutes Supplement, 2021; to allow income tax deductions for the cost of certain property and for certain research or experimental expenditures as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 828. Introduced by Briese, 41.

A BILL FOR AN ACT relating to elections; to amend section 32-101, Revised Statutes Cumulative Supplement, 2020; to provide a violation and a penalty for unlawful manipulation of certain elections as prescribed; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 829. Introduced by DeBoer, 10; Wishart, 27.

A BILL FOR AN ACT relating to offenses against animals; to amend sections 28-1009, 28-1012.01, and 28-1019, Reissue Revised Statutes of Nebraska; to change penalty and sentencing provisions as prescribed; to change a deadline for filing a hearing application relating to seized animals; and to repeal the original sections.

LEGISLATIVE BILL 830. Introduced by DeBoer, 10.

A BILL FOR AN ACT relating to children and families; to amend section 42-369, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to cash medical support; and to repeal the original section.

LEGISLATIVE BILL 831. Introduced by Cavanaugh, M., 6.

A BILL FOR AN ACT relating to criminal procedure; to amend sections 29-2258, 29-3601, 29-3602, 29-3603, and 29-3606, Reissue Revised Statutes of Nebraska, and sections 23-1201 and 83-1,135, Revised Statutes Cumulative Supplement, 2020; to name an act; to provide for caregiver diversion programs; to provide for conditional release of pregnant and postpartum inmates; to harmonize provisions; to repeal the original sections; and to outright repeal sections 29-3604, 29-3605, 29-3607, 29-3608, and 29-3609, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 832. Introduced by Cavanaugh, M., 6.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2715.03, Reissue Revised Statutes of Nebraska, and section 77-2716, Revised Statutes Supplement, 2021; to change individual income tax brackets and rates as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 833. Introduced by Pahls, 31.

A BILL FOR AN ACT relating to civil procedure; to amend section 25-228, Revised Statutes Cumulative Supplement, 2020; to change the statute of limitations on certain civil actions for sexual assault of a child; and to repeal the original section.

LEGISLATIVE BILL 834. Introduced by Hunt, 8.

A BILL FOR AN ACT relating to the Wage and Hour Act; to amend section

48-1202, Reissue Revised Statutes of Nebraska; to redefine a term; and to repeal the original section.

LEGISLATIVE BILL 835. Introduced by Hunt, 8.

A BILL FOR AN ACT relating to the Nebraska educational savings plan trust; to amend section 85-1804, Revised Statutes Cumulative Supplement, 2020, and section 85-1802, Revised Statutes Supplement, 2021; to define and redefine terms; to change powers and duties; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 836. Introduced by Hunt, 8.

A BILL FOR AN ACT relating to the Community Development Law; to amend section 18-2101, Revised Statutes Cumulative Supplement, 2020; to require the review of substandard and blighted area designations and extremely blighted area designations as prescribed; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 837. Introduced by Hunt, 8.

A BILL FOR AN ACT relating to the Nebraska Energy Code; to amend section 81-1611, Revised Statutes Cumulative Supplement, 2020; to require the Director of Environment and Energy to provide information to the Legislature as prescribed; and to repeal the original section.

LEGISLATIVE BILL 838. Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to the State Department of Education; to provide for an aid program; and to declare intent to appropriate funds.

LEGISLATIVE BILL 839. Introduced by Government, Military and Veterans Affairs Committee: Brewer, 43, Chairperson; Halloran, 33; Hansen, M., 26; Hunt, 8; Lowe, 37; Sanders, 45.

A BILL FOR AN ACT relating to truth and deception examiners; to amend sections 81-1932 and 81-1933, Reissue Revised Statutes of Nebraska, and section 84-512, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to truth and deception examinations; to repeal the Licensing of Truth and Deception Examiners Act; to provide a duty for the Revisor of Statutes; to harmonize provisions; to repeal the original sections;

and to outright repeal sections 81-1901, 81-1902, 81-1903, 81-1904, 81-1905, 81-1906, 81-1907, 81-1908, 81-1909, 81-1910, 81-1911, 81-1912, 81-1913, 81-1914, 81-1915, 81-1916, 81-1917, 81-1918, 81-1919, 81-1920, 81-1923, 81-1924, 81-1925, 81-1926, 81-1927, 81-1928, 81-1929, 81-1930, 81-1931, 81-1934, 81-1935, and 81-1936, Reissue Revised Statutes of Nebraska, and sections 81-1921 and 81-1922, Revised Statutes Cumulative Supplement, 2020.

LEGISLATIVE BILL 840. Introduced by Brewer, 43.

A BILL FOR AN ACT relating to legal notices; to amend sections 25-2228 and 33-141, Reissue Revised Statutes of Nebraska; to change provisions relating to publication and rates; and to repeal the original sections.

LEGISLATIVE BILL 841. Introduced by Brewer, 43.

A BILL FOR AN ACT relating to the Election Act; to amend sections 32-101, 32-103, and 32-939, Revised Statutes Cumulative Supplement, 2020; to define a term; to provide for registration to vote and application for ballots for members of the Nebraska National Guard; to provide for applications for ballots for emergency response providers; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 842. Introduced by Brewer, 43.

A BILL FOR AN ACT relating to the Civic and Community Center Financing Act; to amend section 13-2706, Reissue Revised Statutes of Nebraska, and sections 13-2703, 13-2705, 13-2707, 13-2707.01, and 13-2709, Revised Statutes Cumulative Supplement, 2020; to define and redefine terms; to authorize grants of assistance to tribal governments as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 843. Introduced by Brewer, 43.

A BILL FOR AN ACT relating to elections; to amend sections 32-118, 32-235, 32-318.01, 32-326, 32-331, 32-559, 32-615, 32-623, 32-809, 32-905, 32-908, 32-918, 32-949.01, 32-1031, 32-1033, 42-1207, 49-1494, and 77-3444, Reissue Revised Statutes of Nebraska, sections 17-503, 32-101, 32-103, 32-221, 32-223, 32-230, 32-231, 32-312, 32-956, 32-960, 32-962, 32-1121, 32-1203, 32-1306, 32-1405, 32-1524, and 32-1525, Revised Statutes Cumulative Supplement, 2020, and section 32-330, Revised Statutes Supplement, 2021; to define and redefine terms; to change provisions relating to petitions, filing, mailing, and voting deadlines, appointment of election workers, voter registration, registered voter lists, confidential records, primary election ballots, polling places, assistance for voting, replacement ballots, poll watchers, county canvassing boards, election costs, recall elections, initiative and referendum petitions, and electioneering; to eliminate certain filing requirements; to provide requirements for distribution of applications for voter registration and

requests for ballots for early voting; to provide requirements regarding requests for ballots for early voting; to provide for canceling elections as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 844. Introduced by McCollister, 20.

A BILL FOR AN ACT relating to the Legislature; to amend section 32-566, Revised Statutes Cumulative Supplement, 2020; to provide requirements for filling vacancies in the Legislature; and to repeal the original section.

LEGISLATIVE BILL 845. Introduced by Slama, 1.

A BILL FOR AN ACT relating to boycotts; to adopt the Anti-Discrimination Against Israel Act; and to declare an emergency.

LEGISLATIVE BILL 846. Introduced by Slama, 1.

A BILL FOR AN ACT relating to the Nebraska Banking Act; to amend section 8-124, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to an annual audit; and to repeal the original section.

LEGISLATIVE BILL 847. Introduced by Wishart, 27.

A BILL FOR AN ACT relating to the Political Subdivisions Construction Alternatives Act; to amend section 13-2903, Revised Statutes Supplement, 2021; to redefine political subdivision to include certain utilities and power districts; and to repeal the original section.

LEGISLATIVE BILL 848. Introduced by Halloran, 33.

A BILL FOR AN ACT relating to the Animal Health and Disease Control Act; to amend sections 54-2940 and 54-2946, Reissue Revised Statutes of Nebraska; to change powers of the Department of Agriculture and duties of owners or custodians of dead animals relating to catastrophic livestock mortality or euthanization; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 849. Introduced by Bostar, 29.

A BILL FOR AN ACT relating to the Election Act; to amend section 32-1518, Reissue Revised Statutes of Nebraska; to provide a penalty for certain violations relating to recall elections; and to repeal the original section.

LEGISLATIVE BILL 850. Introduced by Bostar, 29.

A BILL FOR AN ACT relating to property taxes; to amend sections 77-1739 and 77-1862, Reissue Revised Statutes of Nebraska; to change provisions relating to the cancellation and extinguishment of certain

delinquent taxes; and to repeal the original sections.

LEGISLATIVE BILL 851. Introduced by Wishart, 27; DeBoer, 10; Morfeld, 46.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-1008 and 28-1012, Reissue Revised Statutes of Nebraska; to redefine a term; to change enforcement procedures related to certain crimes involving animals; to harmonize provisions; and to repeal the original sections.

SPEAKER HILGERS PRESIDING

LEGISLATIVE BILL 852. Introduced by Day, 49; Hilkemann, 4; Linehan, 39; Pansing Brooks, 28; Wishart, 27.

A BILL FOR AN ACT relating to schools; to provide for behavioral health points of contact; and to provide duties for the State Department of Education, the Division of Behavioral Health of the Department of Health and Human Services, and school districts.

LEGISLATIVE BILL 853. Introduced by Day, 49; Pansing Brooks, 28; Wishart, 27.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-3508, Revised Statutes Cumulative Supplement, 2020; to provide a homestead exemption for certain disabled veterans as prescribed; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 854. Introduced by Day, 49; Lindstrom, 18.

A BILL FOR AN ACT relating to reports of child abuse or neglect; to amend section 28-713, Revised Statutes Cumulative Supplement, 2020; to require notice as prescribed; and to repeal the original section.

LEGISLATIVE BILL 855. Introduced by Day, 49.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend section 68-911, Reissue Revised Statutes of Nebraska; to harmonize coverage provisions with federal law; and to repeal the original section.

LEGISLATIVE BILL 856. Introduced by Day, 49.

A BILL FOR AN ACT relating to the Aging and Disability Resource Center Act; to amend sections 68-1114, 68-1117, and 68-1119, Reissue Revised Statutes of Nebraska; to define a term; to change provisions relating to reimbursement for services; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 857. Introduced by Day, 49.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend section 68-901, Revised Statutes Supplement, 2021; to require the Department of Health and Human Services to implement express lane eligibility; to state intent regarding appropriations; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 858. Introduced by Clements, 2; Arch, 14; Bostelman, 23; Brewer, 43; Briese, 41; Erdman, 47; Flood, 19; Geist, 25; Groene, 42; Halloran, 33; Hansen, B., 16; Linehan, 39; Lowe, 37; Murman, 38; Sanders, 45; Slama, 1.

A BILL FOR AN ACT relating to the Election Act; to amend section 32-101, Revised Statutes Cumulative Supplement, 2020; to restrict funding for elections; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 859. Introduced by Clements, 2; Albrecht, 17; Erdman, 47; Geist, 25; Groene, 42; Halloran, 33; Hansen, B., 16; Lowe, 37; Murman, 38; Slama, 1.

A BILL FOR AN ACT relating to local public health departments; to amend sections 71-1612 and 71-1630, Reissue Revised Statutes of Nebraska; to require city-county health departments to obtain the approval of the Department of Health and Human Services in issuing directed health measures; to harmonize provisions; and to repeal the original sections.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 268CA. Introduced by Briese, 41.

THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION, RESOLVE THAT:

Section 1. At the general election in November 2022 the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To add a new section 12 to Article XVII:

XVII-12 The Governor or any member of the Legislature may be recalled from office through the procedure and in the manner provided for by law. The procedure shall be known as recall and shall be in addition to any other method of removal from office provided by this Constitution.

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

A constitutional amendment to provide for recall of the Governor and members of the Legislature as provided by law.

For

Against.

LEGISLATIVE RESOLUTION 269CA. Introduced by Hunt, 8.

THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION, RESOLVE THAT:

Section 1. At the general election in November 2022, the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To add a new section 31 to Article III:

III-31 In addition to any other requirements of this Constitution, in establishing or revising the boundaries of all election districts for federal and state offices as provided in the Constitution of the United States or this Constitution:

(1) Every ten years beginning in 2031, the Legislature shall establish a screening committee of nine of its members, no more than five of whom may be affiliated with the same political party. Action by the screening committee shall require the affirmative votes of at least six of its members. The screening committee shall appoint a Commission on Redistricting with responsibility to draw and recommend to the Legislature the boundaries of election districts;

(2) The commission shall be comprised of nine registered voters of the State of Nebraska divided into three groups: Three commissioners affiliated with the largest political party in the state, three commissioners affiliated with the second largest political party in the state, and three commissioners not affiliated with either of these political parties. The opportunity to serve on the commission shall be broadly advertised to the public. The screening committee shall identify and make public a pool of candidates from among the registered voters of the state who apply to the screening committee, who have the ability to exercise nonpartisan, independent judgment in drawing election districts, and who in the judgment of the screening committee are likely to do so. The screening committee may interview applicants prior to finalizing the pool of candidates. The screening committee shall select two candidates in each of the three groups in the pool at random and appoint them to the commission and shall directly choose one candidate from each group and appoint them to the commission;

(3)(a) In order to be eligible to be a commissioner, a registered voter shall not have changed political affiliation in the three years prior to submission of the application.

(b) No commissioner, and no member of a commissioner's immediate family, shall be a member of Congress, a member of the Legislature, a constitutional officer of the State of Nebraska (other than a commissioner), an elected county or city official, an elected or appointed official or employee of a political party, a candidate for federal, state, county, or city elective office, a registered lobbyist, or a consultant for a political party or a candidate for federal, state, county, or city elective office.

(c) No commissioner or member of a commissioner's immediate family shall have held any of the positions listed in subdivision (c) of this subsection for at least five years prior to the commissioner's application.

(d) For purposes of this section, immediate family includes any person related to a commissioner by blood or marriage, including foster and adopted children;

(4) The screening committee shall appoint the commissioners on or before March 1, 2031, and on or before March 1 every ten years thereafter. Each commissioner's term shall expire ten years after the date of the commissioner's appointment or when the next commission is established, whichever is earlier. The screening committee shall fill vacancies on the commission from the same pool and group of candidates as the commissioner whose position is vacant. No commissioner shall be eligible for state office for a period of five years following the conclusion of service as a commissioner;

(5) The commission shall begin its work on or before April 1 of each year in which the commission is established and shall recommend maps setting forth the boundaries of all election districts by August 1 of that same year;

(6) The commission may retain employees, consultants, and legal counsel and contract for goods and services, but shall not retain or contract with an individual who would be ineligible to serve on the commission under subdivision (3) of this section or an entity owned or controlled by such an individual. On each day on which the commission meets to conduct its duties relating to redistricting, a commissioner shall be entitled to the same per diem and reimbursement of expenses as a member of the Legislature while the Legislature is in session;

(7) The Legislature shall provide meeting space and staff for the commission and shall appropriate the funds necessary for the commission to carry out its duties;

(8) The commission shall hold at least one public meeting in each congressional district prior to recommending maps to the Legislature. The commission shall make the maps proposed for recommendation and other data being considered readily available to the public across the state in a reasonably usable format at least seven days prior to the first such meeting and shall consider comments and maps provided by the public. Maps proposed by the commission shall be accompanied by a written explanation of the decisions made by the commission in drawing the maps;

(9) A quorum of the commission shall be seven commissioners. In order to be effective, any action taken by the commission, including the election of its chairperson and vice-chairperson and the recommendation of maps, shall have the votes of at least two commissioners from each of the three groups of commissioners;

(10) Subject to other provisions of this Constitution, election districts shall be drawn in accordance with the following criteria, in order of priority: (a) Complying with federal law, (b) creating contiguous districts, (c) making districts as nearly equal in population as possible, (d) ensuring that districts do not deny or abridge the right to vote on the basis of race or language, (e) minimizing the division of county, municipal, and neighborhood boundaries, and (f) not intentionally favoring or disfavoring any incumbent or political party;

(11) Except as may be otherwise required by federal law or to evaluate maps for compliance with subdivision (10) of this section, election districts

shall be drawn without considering the political affiliation of voters or previous voting data;

(12) The commission shall recommend to the Legislature maps setting forth the boundaries of election districts. Such maps shall be subject to final approval by the Legislature;

(13) The Legislature shall not redraw any districts. If any districts are rejected by the Legislature, the commission shall redraw the maps containing such districts in compliance with subdivisions (10) and (11) of this section, taking into account any feedback from the Legislature, and resubmit such maps to the Legislature for approval;

(14) All proceedings of the Legislature and its committees regarding redistricting and all meetings of the commission shall be conducted in public or with a remote viewing option which is readily accessible by the public; and

(15) Any registered voter of the State of Nebraska may maintain an action to compel compliance with this section. The district court for Lancaster County shall have original jurisdiction over any such action.

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

A constitutional amendment to require appointment of a Commission on Redistricting to draw and recommend to the Legislature the boundaries of election districts.

For

Against.

LEGISLATIVE RESOLUTION 270. Introduced by Gragert, 40; Aguilar, 35; Albrecht, 17; Arch, 14; Blood, 3; Bostar, 29; Bostelman, 23; Brandt, 32; Brewer, 43; Briese, 41; Cavanaugh, J., 9; Cavanaugh, M., 6; Clements, 2; Day, 49; DeBoer, 10; Dorn, 30; Erdman, 47; Flood, 19; Friesen, 34; Geist, 25; Groene, 42; Halloran, 33; Hansen, B., 16; Hansen, M., 26; Hilgers, 21; Hilkemann, 4; Hughes, 44; Hunt, 8; Kolterman, 24; Lathrop, 12; Lindstrom, 18; Linehan, 39; Lowe, 37; McCollister, 20; McDonnell, 5; McKinney, 11; Morfeld, 46; Moser, 22; Murman, 38; Pahls, 31; Pansing Brooks, 28; Sanders, 45; Slama, 1; Stinner, 48; Vargas, 7; Walz, 15; Williams, 36; Wishart, 27.

WHEREAS, Merton L. "Cap" Dierks of Ewing, Nebraska, was elected to the Legislature to represent legislative district 40 for a total of twenty years, ranging from 1987 to 2003 and 2007 to 2011; and

WHEREAS, Senator Dierks was born in O'Neill, Nebraska, on July 2, 1932; and

WHEREAS, Senator Dierks graduated from the University of Nebraska-Lincoln with a bachelor's degree in animal science and went on to earn his Doctorate in Veterinary Medicine from Kansas State University; and

WHEREAS, Senator Dierks served in the United States Air Force from 1954 to 1956; and

WHEREAS, Senator Dierks operated a family ranch near Ewing and co-owned the O'Neill Veterinary Clinic; and

WHEREAS, during his time in the Legislature, Senator Dierks served as chair for both the Agriculture Committee and the State-Tribal Relations Committee; and

WHEREAS, Senator Dierks' record as a public servant is filled with many accomplishments and achievements in agriculture, animal welfare, natural resources, economic development, education, and the protection of the unborn which have resulted in a better life for Nebraskans; and

WHEREAS, Senator Dierks married the love of his life, Gloria Zoeller, on December 27, 1958, and had four children, Jon, Tom, Chris, and Stephanie, eleven grandchildren, and four great-grandchildren; and

WHEREAS, Senator Dierks passed away on Friday, October 22, 2021, at the age of eighty-nine and was joined by his wife Gloria on Saturday, December 18, 2021; and

WHEREAS, Senator Dierks will be remembered for his integrity, sincerity, and impact on the state.

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

1. That the Legislature offers its condolences to the family of Merton L. "Cap" Dierks and recognizes the dedicated years of service Senator Dierks provided to his community and the state.

2. That a copy of this resolution be sent to the family of Merton L. "Cap" Dierks.

Laid over.

MOTION(S) - Print in Journal

Senator Hunt filed the following motion to LB781:

MO115

Indefinitely postpone.

ANNOUNCEMENT(S)

Priority designation(s) received:

Cavanaugh, M. - LB376

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Slama name added to LB643.

Senator Brewer name added to LB783.

Senator Walz name added to LB792.

Senator Flood name added to LR14.

VISITOR(S)

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

ADJOURNMENT

At 12:10 p.m., on a motion by Senator Hughes, the Legislature adjourned until 11:00 a.m., Friday, January 7, 2022.

Patrick J. O'Donnell
Clerk of the Legislature

THIRD DAY - JANUARY 7, 2022

LEGISLATIVE JOURNAL

**ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION**

THIRD DAY

Legislative Chamber, Lincoln, Nebraska
Friday, January 7, 2022

PRAYER

The prayer was offered by Senator Lowe.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Albrecht.

ROLL CALL

Pursuant to adjournment, the Legislature met at 11:00 a.m., Speaker Hilgers presiding.

The roll was called and all members were present except Senators Lindstrom, Vargas, and Wayne who were excused; and Senators Hunt and McDonnell who were excused until they arrive.

SENATOR WILLIAMS PRESIDING

CORRECTIONS FOR THE JOURNAL

The Journal for the second day was approved.

MESSAGE(S) FROM THE GOVERNOR

January 7, 2022

Mr. President, Speaker Hilgers
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Hilgers and Members of the Legislature:

Contingent upon your approval, the following individuals are being

appointed to the Commission for the Blind and Visually Impaired:

Cheryl Livingston, 1026 S. 35 Street, Lincoln, NE 68510
Linda Mentink, 3313 30th Street, Columbus, NE 68601

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

January 7, 2022

Mr. President, Speaker Hilgers
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Hilgers and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed to the Rural Health Advisory Commission:

Jeffery D. Harrison, M.D., 120 S. 31st Avenue, #5706, Omaha, NE 68131

Also, contingent upon your approval, the following individuals are being reappointed to the Rural Health Advisory Commission:

Michael A. Greene, M.D., 1015 N. 14th Street, Apt 301, Omaha, NE 68102
Cherlyn Hunt, LNHA, MHA, QCP, cna, 431 East Calkins Avenue, Elm
Creek, NE 68836
Rebecca A. Schroeder, Ph.D., 212 W. 9th Street, P.O. Box 4, Curtis, NE
69025
Roger D. Wells, PA-C, 2405 Patriot Drive, Lexington, NE 68850

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

January 7, 2022

Mr. President, Speaker Hilgers
and Members of the Legislature

State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Hilgers and Members of the Legislature:

Contingent upon your approval, the following individuals are being reappointed to the Nebraska Game and Parks Commission:

Patrick L. Berggren, 1109 S. 5th Avenue, Broken Bow, NE 68822
Scott L. Cassels, 1317 N. 141 Avenue, Omaha, NE 68154
Douglas A. Zingula, 2791 Fort Sidney Road, Sidney NE 69162

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

January 7, 2022

Mr. President, Speaker Hilgers
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Hilgers and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed to the Coordinating Commission for Postsecondary Education:

Dennis A. Headrick, Ph.D., 5808 Box Canyon Circle, Lincoln, NE 68516

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

January 7, 2022

Mr. President, Speaker Hilgers

and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Hilgers and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed to the Nebraska Oil and Gas Conservation Commission:

Paul E. Strommen, 2105 15th Avenue, Sidney, NE 69162

Also, contingent upon your approval, the following individual is being reappointed to the Nebraska Oil and Gas Conservation Commission:

Dallen R. Juelfs, 1301 S. 50th Street, Lincoln, NE 68510

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

REPORTS

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

BILLS ON FIRST READING

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

LEGISLATIVE BILL 860. Introduced by Pahls, 31.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 23-3616, 23-3621, and 77-1391, Reissue Revised Statutes of Nebraska, section 79-1016, Revised Statutes Cumulative Supplement, 2020, and sections 77-201 and 77-5023, Revised Statutes Supplement, 2021; to change provisions relating to sewer tax levies; to change the valuation of certain real property; to change provisions relating to historically significant real property, acceptable ranges for valuation, and state aid value; and to repeal the original sections.

LEGISLATIVE BILL 861. Introduced by McCollister, 20.

A BILL FOR AN ACT relating to elections; to amend section 32-607, Revised Statutes Cumulative Supplement, 2020; to require an email address

on all candidate filing forms; and to repeal the original section.

LEGISLATIVE BILL 862. Introduced by McCollister, 20.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend section 68-911, Reissue Revised Statutes of Nebraska; to require coverage of dialysis and kidney transplants as prescribed; and to repeal the original section.

LEGISLATIVE BILL 863. Introduced by Williams, 36.

A BILL FOR AN ACT relating to the Insurance Holding Company System Act; to amend sections 44-2121, 44-2132, 44-2138, and 44-9004, Reissue Revised Statutes of Nebraska; to define terms; to require the filing of annual group capital calculations and liquidity stress tests as prescribed; to provide for confidentiality and recognize trade secrets as prescribed; to provide powers and duties; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 864. Introduced by Gragert, 40.

A BILL FOR AN ACT relating to the Nebraska educational savings plan trust; to amend section 85-1812, Reissue Revised Statutes of Nebraska, sections 85-1804 and 85-1809, Revised Statutes Cumulative Supplement, 2020, and section 85-1802, Revised Statutes Supplement, 2021; to define and redefine terms; to authorize qualified education loan payments as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 865. Introduced by DeBoer, 10.

A BILL FOR AN ACT relating to child care; to amend section 43-536, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to a market survey; to state intent regarding appropriations; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 866. Introduced by Brandt, 32.

A BILL FOR AN ACT relating to the State Electrical Act; to amend section 81-2126, Reissue Revised Statutes of Nebraska; to change a fee; and to repeal the original section.

LEGISLATIVE BILL 867. Introduced by Morfeld, 46; Hansen, M., 26; Pansing Brooks, 28.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds for Human Immunodeficiency Virus (HIV) Surveillance and Prevention Programs; and to declare an emergency.

LEGISLATIVE BILL 868. Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to the State Department of Education; to amend section 71-1962, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to a classification system used for the granting of income tax credits; and to repeal the original section.

LEGISLATIVE BILL 869. Introduced by Hansen, M., 26.

A BILL FOR AN ACT relating to labor; to amend section 48-234, Reissue Revised Statutes of Nebraska; to change a provision relating to the rights of an adoptive parent to a leave of absence; and to repeal the original section.

LEGISLATIVE BILL 870. Introduced by Hansen, M., 26.

A BILL FOR AN ACT relating to the Risk Management Program; to amend sections 81-8,239.05 and 81-8,239.11, Reissue Revised Statutes of Nebraska, and section 81-8,239.02, Revised Statutes Cumulative Supplement, 2020; to provide for payment of attorney's fees from the State Self-Insured Indemnification Fund and the State Self-Insured Liability Fund; to change provisions relating to notifying the Risk Manager of insufficient funds; and to repeal the original sections.

LEGISLATIVE BILL 871. Introduced by Hansen, M., 26.

A BILL FOR AN ACT relating to labor; to amend sections 48-144.01, 48-2207, 48-2208, 48-2209, 48-2210, 48-2211, 48-2212, 48-2213, and 48-2214, Reissue Revised Statutes of Nebraska; to change provisions relating to reports under the Nebraska Workers' Compensation Act; to define and redefine terms; to change provisions under the Non-English-Speaking Workers Protection Act relating to duties of employers and meatpacking operations and powers and duties of the meatpacking industry worker rights coordinator and the commissioner of labor, enforcement, and civil actions; to provide for confidentiality and civil penalties; to harmonize provisions; to provide severability; and to repeal the original sections.

LEGISLATIVE BILL 872. Introduced by Brewer, 43; Pansing Brooks, 28.

A BILL FOR AN ACT relating to schools; to amend section 85-1601, Reissue Revised Statutes of Nebraska; to authorize the wearing of tribal regalia by students as prescribed; to define a term; to change provisions of the Private Postsecondary Career School Act; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 873. Introduced by Friesen, 34.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 85-1402, 85-1516, 85-1517, 85-1520, 85-1521, and 85-1535, Reissue Revised Statutes of Nebraska, and section 77-3442, Revised Statutes

Supplement, 2021; to change provisions relating to the levy authority for community college areas; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 874. Introduced by Friesen, 34.

A BILL FOR AN ACT relating to the State Aeronautics Act; to amend sections 3-101 and 3-154, Revised Statutes Cumulative Supplement, 2020; to define a term; to require approval by the Director-State Engineer of a fee imposed by certain airport authorities as prescribed; to provide duties; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 875. Introduced by Friesen, 34.

A BILL FOR AN ACT relating to government; to amend sections 23-314, 23-320, 39-818, 39-819, 39-821, 39-1309.01, 39-1315, 39-1326, 39-1334, 39-1361, 39-2803, 49-617, 60-6,103, 60-6,167, 60-6,188, 60-6,190, 60-6,288, 60-6,292, 60-6,294, 60-6,295, 66-4,100, 66-4,144, 71-3526, and 84-203, Reissue Revised Statutes of Nebraska, sections 3-103, 3-104, 13-1203, 39-221, 39-822, 39-891, 39-1101, 39-1110, 39-1301, 39-1311, 39-1314, 39-1323.01, 39-1349, 39-1390, 39-2109, 39-2120, 81-102, 81-701.01, 81-701.02, 81-701.04, 81-15,210, and 86-570, Revised Statutes Cumulative Supplement, 2020, and section 39-2106, Revised Statutes Supplement, 2021; to rename the Director-State Engineer for the Department of Transportation as the Director of Transportation for the Department of Transportation; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 876. Introduced by Briese, 41.

A BILL FOR AN ACT relating to gaming; to amend section 2-1205, Reissue Revised Statutes of Nebraska, and sections 9-1101, 9-1104, 9-1106, 9-1107, 9-1110, 9-1111, 9-1112, 9-1113, 9-1114, 9-1115, 9-1116, 9-1205, 9-1206, 9-1207, and 84-712.05, Revised Statutes Supplement, 2021; to change provisions relating to licenses issued by the State Racing and Gaming Commission; to change provisions relating to the Nebraska Racetrack Gaming Act; to rename a fund; to change penalties; to change provisions relating to a gaming tax; to change provisions relating to documents which may be withheld from the public; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 877. Introduced by Briese, 41.

A BILL FOR AN ACT relating to horseracing; to amend sections 2-1205, 2-1218, and 2-1220, Reissue Revised Statutes of Nebraska, and sections 2-1201, 2-1202, 2-1203, 2-1203.02, 2-1207, 2-1208, 2-1211, 2-1213, 2-1215, 2-1219, 2-1221, and 2-1222, Revised Statutes Supplement, 2021; to change provisions relating to the State Racing and Gaming Commission; to

change licensing requirements; to change fines and penalties; to rename a fund; to eliminate a provision relating to conducting horseracing on Sunday; to harmonize provisions; to repeal the original sections; and to outright repeal section 2-1213.01, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 878. Introduced by Cavanaugh, J., 9; McKinney, 11.

A BILL FOR AN ACT relating to criminal procedure; to amend section 29-901.03, Reissue Revised Statutes of Nebraska; to provide for automatic review of bail and conditions of release cases involving a misdemeanor or violation of a city or village ordinance; and to repeal the original section.

LEGISLATIVE BILL 879. Introduced by Cavanaugh, J., 9.

A BILL FOR AN ACT relating to the Nebraska Juvenile Code; to amend sections 43-279 and 43-280, Reissue Revised Statutes of Nebraska; to provide for answers of no contest in adjudication hearings; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 880. Introduced by McKinney, 11; Cavanaugh, J., 9.

A BILL FOR AN ACT relating to incarceration; to amend sections 47-108, 47-109, 47-116, and 47-206, Reissue Revised Statutes of Nebraska, and section 83-1,135, Revised Statutes Cumulative Supplement, 2020; to provide a limitation on the mark-up of commissary goods in county and city jails and in the Department of Correctional Services adult correctional facilities; and to repeal the original sections.

LEGISLATIVE BILL 881. Introduced by McKinney, 11.

A BILL FOR AN ACT relating to feminine hygiene products; to amend sections 77-2701, 77-2701.04, 77-2701.41, 77-2711, 77-2713, and 77-27,223, Revised Statutes Supplement, 2021; to provide a sales and use tax exemption for feminine hygiene products; to define terms; to require detention facilities to provide feminine hygiene products to female prisoners free of charge; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 882. Introduced by McKinney, 11; Cavanaugh, J., 9.

A BILL FOR AN ACT relating to criminal justice; to amend section 81-1414.15, Revised Statutes Supplement, 2021; to change a records retention requirement; to require city and county attorneys and the Attorney General to maintain public Brady and Giglio lists; to provide a duty for the Nebraska Commission on Law Enforcement and Criminal Justice; and to repeal the original section.

LEGISLATIVE BILL 883. Introduced by McKinney, 11; Cavanaugh, J., 9.

A BILL FOR AN ACT relating to juveniles; to amend sections 29-401, 43-248.01, and 43-249, Reissue Revised Statutes of Nebraska, and sections 43-250 and 43-253, Revised Statutes Cumulative Supplement, 2020; to require confidentiality for criminal prosecutions of minors tried as adults; to require notification of a juvenile's parent, guardian, or custodian when a juvenile is taken into custody as prescribed; to define terms; to require that a juvenile's parent, guardian, or custodian be present when requested; to prohibit the use of certain statements in court proceedings as prescribed; to eliminate obsolete provisions; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 884. Introduced by Cavanaugh, M., 6.

A BILL FOR AN ACT relating to the One-Call Notification System Act; to amend sections 76-2302, 76-2313, 76-2317, 76-2321, 76-2324, and 76-2326, Reissue Revised Statutes of Nebraska, and sections 76-2301 and 76-2303, Revised Statutes Cumulative Supplement, 2020; to restate legislative intent; to define and redefine terms; to provide for notice to private residential owners as prescribed; to provide duties; to harmonize provisions; and to repeal the original sections.

SPEAKER HILGERS PRESIDING

LEGISLATIVE BILL 885. Introduced by Cavanaugh, M., 6.

A BILL FOR AN ACT relating to the Uniform Credentialing Act; to amend section 38-129, Revised Statutes Cumulative Supplement, 2020, and section 38-101, Revised Statutes Supplement, 2021; to require implicit bias training for certain applicants and credential holders under the Uniform Credentialing Act; to define a term; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 886. Introduced by Cavanaugh, M., 6.

A BILL FOR AN ACT relating to incarceration; to amend section 47-1004, Reissue Revised Statutes of Nebraska; to prohibit certain restraints for pregnant prisoners or detainees; to provide for support persons during labor and recovery; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 887. Introduced by Slama, 1.

A BILL FOR AN ACT relating to state colleges; to amend sections 85-302, 85-304, 85-304.03, 85-305, 85-306, 85-307, 85-308.01, 85-951, 85-957, and 85-958, Reissue Revised Statutes of Nebraska, and sections 85-301 and 85-308, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to expenses and officers for the Board of Trustees of the Nebraska State Colleges; to update terminology; to eliminate references to sections not applicable to state colleges; to change provisions relating to meetings; to eliminate a fee; to change provisions relating to conference of

degrees; to change provisions relating to the authorization for master's programs; to eliminate duties; to eliminate provisions relating to morals and prohibiting religious tests; to harmonize provisions; to repeal the original sections; and to outright repeal sections 85-303, 85-311, 85-312, and 85-954, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 888. Introduced by Day, 49.

A BILL FOR AN ACT relating to education; to amend section 79-719, Reissue Revised Statutes of Nebraska; to redefine a term; and to repeal the original section.

LEGISLATIVE BILL 889. Introduced by Halloran, 33.

A BILL FOR AN ACT relating to the Nebraska Hemp Farming Act; to amend sections 2-503, 2-504, 2-505, 2-506, 2-508, 2-509, 2-510, 2-511, 2-514, 2-515, and 2-517, Revised Statutes Cumulative Supplement, 2020, and section 28-401, Revised Statutes Supplement, 2021; to change and update federal references; to define a term; to eliminate obsolete provisions; to change provisions relating to the state plan for regulation of hemp and rules and regulations, fees, duties, violations, and testing and transporting of hemp; to provide for remediation of certain hemp; to change a meeting requirement for the Nebraska Hemp Commission; to harmonize provisions; to repeal the original sections; to outright repeal section 2-5701, Revised Statutes Cumulative Supplement, 2021; and to declare an emergency.

LEGISLATIVE BILL 890. Introduced by Walz, 15; Kolterman, 24; Lindstrom, 18.

A BILL FOR AN ACT relating to education; to amend sections 79-1002, 79-1009.01, and 79-1031, Reissue Revised Statutes of Nebraska, sections 79-703, 79-1001, 79-1005, 79-1005.01, 79-1007.13, 79-1008.01, 79-1009, 79-1015.01, 79-1017.01, 79-1018.01, 79-1022, 79-1022.02, 79-1027, 79-1031.01, 79-11,155, 79-2104, 79-2104.01, 79-2104.03, and 79-2104.04, Revised Statutes Cumulative Supplement, 2020, and sections 79-1003, 79-1007.11, 79-1023, 79-1065.02, and 79-2104.02, Revised Statutes Supplement, 2021; to change the Tax Equity and Educational Opportunities Support Act as prescribed; to create a fund; to eliminate provisions relating to community achievement plans; to eliminate obsolete provisions; to harmonize provisions; to repeal the original sections; to outright repeal section 79-2122, Revised Statutes Cumulative Supplement, 2020; and to declare an emergency.

LEGISLATIVE BILL 891. Introduced by Lindstrom, 18; Kolterman, 24; Walz, 15.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 70-651.04, 79-1081, 79-1082, and 79-2404, Reissue Revised Statutes of Nebraska, sections 79-525, 79-528, 79-1001, 79-1024, 79-1041, 79-10,110,

79-10,110.02, 79-10,120, 79-10,126, 79-2104, and 81-12,193, Revised Statutes Cumulative Supplement, 2020, and sections 77-1736.06, 77-27,132, 77-3442, 77-4212, 77-4602, 77-6703, and 79-1003, Revised Statutes Supplement, 2021; to change the distribution of sales and use tax revenue as prescribed; to change levy limitations for school districts; to change provisions relating to the amount of relief granted under the Property Tax Credit Act; to discontinue the granting of credits under the Nebraska Property Tax Incentive Act; to redefine a term; to create a fund; to state intent; to change provisions relating to special building funds and qualified capital purpose undertaking funds; to eliminate obsolete provisions; to harmonize provisions; to repeal the original sections; to outright repeal sections 79-1073 and 79-10,126.01, Revised Statutes Cumulative Supplement, 2020; and to declare an emergency.

LEGISLATIVE BILL 892. Introduced by Walz, 15.

A BILL FOR AN ACT relating to the Nebraska Real Estate License Act; to amend section 81-885.02, Reissue Revised Statutes of Nebraska, and sections 81-885.04 and 81-885.13, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to restrictions on unlicensed persons, applicability of the act, and broker's license applications; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 893. Introduced by Stinner, 48; Arch, 14.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Department of Health and Human Services; and to declare an emergency.

LEGISLATIVE BILL 894. Introduced by Stinner, 48.

A BILL FOR AN ACT relating to the Public Accountancy Act; to amend section 1-162.01, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to firm ownership; and to repeal the original section.

LEGISLATIVE BILL 895. Introduced by Walz, 15.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend section 68-901, Revised Statutes Supplement, 2021; to provide requirements and limits on the use of prior authorizations by managed care organizations; to harmonize provisions; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 896. Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to the Nebraska Treatment and Corrections Act; to amend sections 83-182.01 and 83-1,135, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to structured programming; to define terms; to require program evaluations; to harmonize

provisions; and to repeal the original sections.

LEGISLATIVE BILL 897. Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to the Legislature; to amend sections 28-711, 43-4302, 43-4303, 43-4317, 43-4320, 43-4321, 43-4322, 43-4324, 43-4326, 43-4329, 43-4330, 47-901, 47-902, 47-903, 47-904, 47-905, 47-907, 47-908, 47-909, 47-910, 47-911, 47-912, 47-913, 47-914, 47-915, 47-918, 47-919, and 47-920, Reissue Revised Statutes of Nebraska, and sections 28-712.01, 43-2.108, 43-4301, 43-4318, 43-4323, 43-4325, 43-4327, 43-4328, 43-4331, 43-4332, and 81-8,244, Revised Statutes Cumulative Supplement, 2020; to provide, move, change, and eliminate definitions; to provide, move, change, and eliminate duties of the office of Inspector General of Nebraska Child Welfare and the office of Inspector General of the Nebraska Correctional System as prescribed; to harmonize provisions; to repeal the original sections; and to outright repeal sections 43-4304, 43-4304.01, 43-4304.02, 43-4305, 43-4306, 43-4306.01, 43-4307, 43-4307.01, 43-4308, 43-4309, 43-4310, 43-4311, 43-4312, 43-4313, 43-4314, 43-4315, 43-4316, 43-4319, and 47-906, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 898. Introduced by Lowe, 37.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-103.49, Reissue Revised Statutes of Nebraska; to redefine a term; and to repeal the original section.

LEGISLATIVE BILL 899. Introduced by Lowe, 37.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-124.11, Reissue Revised Statutes of Nebraska; to change provisions regarding special designated licenses; and to repeal the original section.

LEGISLATIVE BILL 900. Introduced by Lowe, 37.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend sections 53-123.16 and 53-129, Reissue Revised Statutes of Nebraska; to change provisions relating to microdistilleries; to allow up to five physical locations; and to repeal the original sections.

LEGISLATIVE BILL 901. Introduced by Pansing Brooks, 28; Hansen, B., 16.

A BILL FOR AN ACT relating to public health and welfare; to provide for cytomegalovirus public education and prevention.

LEGISLATIVE BILL 902. Introduced by Aguilar, 35; Flood, 19; Groene, 42; Halloran, 33; Linehan, 39; Sanders, 45; Slama, 1; Wishart, 27.

A BILL FOR AN ACT relating to postsecondary education; to adopt the Nebraska Career Scholarship Act; and to provide an operative date.

LEGISLATIVE BILL 903. Introduced by Bostar, 29.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-101 and 28-311.08, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to criminal privacy violations; to prohibit spying by unmanned aircraft; to define terms; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 904. Introduced by Dorn, 30.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the University of Nebraska; and to declare an emergency.

LEGISLATIVE BILL 905. Introduced by Walz, 15; Blood, 3; Cavanaugh, M., 6; DeBoer, 10; Linehan, 39; Pansing Brooks, 28; Sanders, 45; Wishart, 27.

A BILL FOR AN ACT relating to the Medicine and Surgery Practice Act; to amend section 38-2001, Revised Statutes Cumulative Supplement, 2020; to define terms; to provide for perinatal mental health screenings; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 906. Introduced by Hansen, B., 16; Aguilar, 35; Albrecht, 17; Flood, 19; Friesen, 34; Gragert, 40; Groene, 42; Lowe, 37; Murman, 38; Sanders, 45; Slama, 1.

A BILL FOR AN ACT relating to public health; to provide duties for the Department of Health and Human Services; to require employers to provide for a vaccine exemption; to define terms; and to declare an emergency.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 271. Introduced by Brewer, 43; Pansing Brooks, 28.

WHEREAS, Nebraskans value the history of this state and the men and women who have shaped our history; and

WHEREAS, Nebraskans appreciate and respect the sacrifices of our military servicemen and servicewomen, as well as the families that support them; and

WHEREAS, Nebraska is working to become the most military and veteran-friendly state in the nation; and

WHEREAS, Nebraska has a proud military history predating the Civil War; and

WHEREAS, The First Regiment Nebraska Volunteer Infantry proudly fought on behalf of the Union during the Civil War; and

WHEREAS, The state should do all it can to honor past and present military members; and

WHEREAS, from his birth on the banks of the Niobrara River in Nebraska until his death in 1908, Chief Standing Bear spent his life striving to gain equality and justice for Native American people; and

WHEREAS, following the Treaty of 1868, Chief Standing Bear and the Ponca Tribe were forced by the federal government to leave their homeland in Nebraska for Indian Territory in present-day Oklahoma; and

WHEREAS, the hardships of travel, illness, and the conditions of Indian Territory caused many members of the Ponca Tribe to perish, including Chief Standing Bear's son; and

WHEREAS, determined to bury his son in his homeland, Chief Standing Bear led thirty members of his tribe back to their home in Nebraska; and

WHEREAS, The United States Army detained Chief Standing Bear upon his return to Nebraska and supporters in Omaha then filed a writ of habeas corpus on behalf of Chief Standing Bear and the Ponca Tribe; and

WHEREAS, Chief Standing Bear became the first Native American to be recognized as a person in a federal court decision issued at trial in Omaha; and

WHEREAS, it is appropriate to honor Chief Standing Bear as one of the most important persons in Nebraska history, as a leader of the original Native American inhabitants of Nebraska, and for his influence in fighting for justice and equality under the law.

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

1. That the Legislature hereby names the building owned by this state and located at 1526 K Street, Lincoln, Nebraska, as the First Nebraska Administrative Building.

2. That the Legislature hereby names the building owned by this state and located at 521 South 14th Street, Lincoln, Nebraska, as Chief Standing Bear Justice Administration Building.

Laid over.

SPEAKER'S ANNOUNCEMENT

Pursuant to Rule 4, Section 8, LR271 was referred to the Reference Committee.

MESSAGE FROM THE SECRETARY OF STATE

January 6, 2022

Mr. President, Mr. Speaker and
Members of the Legislature
State Capitol

Lincoln, NE 68509

Dear Mr. President and Senators:

The purpose of this letter is to inform the honorable members of the Legislature that I have made the following appointment requiring Legislative confirmation:

Ann Ashford, Nebraska Accountability and Disclosure Commission

This appointment was made by me pursuant to the provisions of Sections 49-14,105 and 49-14,110 and is respectfully submitted for your consideration.

Attached is additional background information on the qualifications of the appointment.

Sincerely,
(Signed) Robert B. Evnen
Secretary of State

cc: Frank Daley

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Kolterman name added to LB721.
Senator Linehan name added to LB773.
Senator Sanders name added to LB773.
Senator Kolterman name added to LB777.
Senator Linehan name added to LB781.
Senator Gragert name added to LB841.
Senator Wayne name added to LR270.

VISITOR(S)

The Doctor of the Day was Dr. Dave Hoelting of Pender.

ADJOURNMENT

At 11:52 a.m., on a motion by Senator Gragert, the Legislature adjourned until 11:00 a.m., Monday, January 10, 2022.

Patrick J. O'Donnell
Clerk of the Legislature

FOURTH DAY - JANUARY 10, 2022**LEGISLATIVE JOURNAL****ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION****FOURTH DAY**

Legislative Chamber, Lincoln, Nebraska
Monday, January 10, 2022

PRAYER

The prayer was offered by Senator Aguilar.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Halloran.

ROLL CALL

Pursuant to adjournment, the Legislature met at 11:00 a.m., President Foley presiding.

The roll was called and all members were present except Senators Flood, McCollister, Stinner, Vargas, and Wayne who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the third day was approved.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

LB/LR	Committee
LB685	General File
LB686	Executive Board
LB687	Revenue
LB688	Revenue
LB689	Banking, Commerce and Insurance
LB690	Education
LB691	Government, Military and Veterans Affairs
LB692	Judiciary
LB693	Revenue

LB694	Judiciary
LB695	Urban Affairs
LB696	Appropriations
LB697	Health and Human Services
LB698	Health and Human Services
LB699	Appropriations
LB700	Nebraska Retirement Systems
LB701	Revenue
LB702	Revenue
LB703	Appropriations
LB704	Health and Human Services
LB705	Health and Human Services
LB706	Banking, Commerce and Insurance
LB707	Banking, Commerce and Insurance
LB708	Executive Board
LB709	Government, Military and Veterans Affairs
LB710	Health and Human Services
LB711	Education
LB712	Agriculture
LB713	Urban Affairs
LB714	Transportation and Telecommunications
LB715	Banking, Commerce and Insurance
LB716	Health and Human Services
LB717	Business and Labor
LB718	Banking, Commerce and Insurance
LB719	Business and Labor
LB720	Transportation and Telecommunications
LB721	Appropriations
LB722	Appropriations
LB723	Revenue
LB724	Urban Affairs
LB725	Urban Affairs
LB726	Urban Affairs
LB727	Urban Affairs
LB728	Banking, Commerce and Insurance
LB729	Revenue
LB730	Revenue
LB731	Transportation and Telecommunications
LB732	Judiciary
LB733	Government, Military and Veterans Affairs
LB734	Government, Military and Veterans Affairs
LB735	Revenue
LB736	Natural Resources
LB737	Banking, Commerce and Insurance
LB738	Banking, Commerce and Insurance
LB739	Banking, Commerce and Insurance
LB740	Revenue
LB741	Health and Human Services
LB742	Government, Military and Veterans Affairs

LB743 Government, Military and Veterans Affairs
LB744 Agriculture
LB745 Judiciary
LB746 Natural Resources
LB747 Transportation and Telecommunications
LB748 Judiciary
LB749 Transportation and Telecommunications
LB750 Transportation and Telecommunications
LB751 Appropriations
LB752 Health and Human Services
LB753 Health and Human Services
LB754 Education
LB755 Appropriations
LB756 Health and Human Services
LB757 Transportation and Telecommunications
LB758 Education
LB759 Appropriations
LB760 Appropriations
LB761 Transportation and Telecommunications
LB762 Appropriations
LB763 Judiciary
LB764 General Affairs
LB765 Government, Military and Veterans Affairs
LB766 Appropriations
LB767 Banking, Commerce and Insurance
LB768 Education
LB769 Government, Military and Veterans Affairs
LB770 Health and Human Services
LB771 Transportation and Telecommunications
LB772 Judiciary
LB773 Judiciary
LB774 Government, Military and Veterans Affairs
LB775 Natural Resources
LB776 Revenue
LB777 Executive Board
LB778 Government, Military and Veterans Affairs
LB779 Government, Military and Veterans Affairs
LB780 Business and Labor
LB781 Judiciary
LB782 Appropriations
LB783 Appropriations
LB784 Revenue
LB785 Government, Military and Veterans Affairs
LB786 Government, Military and Veterans Affairs
LB787 Government, Military and Veterans Affairs
LB788 Appropriations
LB789 Urban Affairs
LB790 Urban Affairs
LB791 Government, Military and Veterans Affairs

LB792	Appropriations
LB793	Government, Military and Veterans Affairs
LB794	Government, Military and Veterans Affairs
LB795	Banking, Commerce and Insurance
LB796	Urban Affairs
LB797	Urban Affairs
LB798	Urban Affairs
LB799	Urban Affairs
LB800	Urban Affairs
LB801	Revenue
LB802	Agriculture
LB803	Natural Resources
LB804	Natural Resources
LB805	Agriculture
LB806	Natural Resources
LB807	Government, Military and Veterans Affairs
LB808	Judiciary
LB809	Natural Resources
LB810	Judiciary
LB811	Banking, Commerce and Insurance
LB812	Health and Human Services
LB813	Appropriations
LB814	Executive Board
LB815	Business and Labor
LB816	Judiciary
LB817	Revenue
LB818	Revenue
LB819	Revenue
LB820	Urban Affairs
LB821	Urban Affairs
LB822	Transportation and Telecommunications
LB823	Government, Military and Veterans Affairs
LB824	Health and Human Services
LB825	Revenue
LB826	Banking, Commerce and Insurance
LB827	Revenue
LB829	Judiciary
LB830	Health and Human Services
LB831	Judiciary
LB832	Revenue
LB833	Judiciary
LB834	Business and Labor
LB835	Revenue
LB836	Urban Affairs
LB837	Urban Affairs
LB838	Education
LB839	Government, Military and Veterans Affairs
LB840	General Affairs
LB841	Government, Military and Veterans Affairs

LB842 Urban Affairs
 LB843 Government, Military and Veterans Affairs
 LB844 Executive Board
 LB845 Government, Military and Veterans Affairs
 LB846 Banking, Commerce and Insurance
 LB847 Government, Military and Veterans Affairs
 LB848 Agriculture
 LB849 Government, Military and Veterans Affairs
 LB850 Revenue
 LB851 Judiciary
 LB852 Education
 LB853 Revenue
 LB854 Health and Human Services
 LB855 Health and Human Services
 LB856 Health and Human Services
 LB857 Health and Human Services
 LB858 Government, Military and Veterans Affairs
 LB859 Health and Human Services
 LR262 Agriculture
 LR263CA Government, Military and Veterans Affairs
 LR264CA Revenue
 LR268CA Government, Military and Veterans Affairs
 LR269CA Executive Board

(Signed) Dan Hughes, Chairperson
Executive Board

ANNOUNCEMENT(S)

Priority designation(s) received:

Hansen, B. - LB906

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of January 9, 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

Abboud, Chris - Public Affairs Group
 MasterCard
 Abraham, Christine K.
 League of Nebraska Municipalities
 Adler, Joseph
 Holland Children's Movement
 Albrecht, Tim

Apple Inc.
Alston, Garth R.
Altria Client Services LLC and its Affiliates
Amack, Angela K.
Center for People in Need
Everytown for Gun Safety Action Fund
Grand Island Public Schools
International Brotherhood of Electrical Workers (IBEW)
Jensen Rogert Associates, Inc.
American Communications Group, Inc.
AARP Nebraska
Advanced Power Alliance
American Cancer Society Cancer Action Network
Autism Speaks
Center for Rural Affairs
EHPV Lottery Services LLC aka Big Red Keno
Empyrean Brewing Company
Food Bank of Lincoln
Food Bank of the Heartland
Friends of Public Health in Nebraska
Health Center Association of Nebraska
Legal Aid of Nebraska
NC2-Nebraska Cancer Coalition
Nebraska Appleseed
Nebraska Association of Behavioral Health Organizations
Nebraska Association of Public Employees NAPE/AFSCME Local 61
Nebraska Chapter of the American Physical Therapy Association
Nebraska Child Health and Education Alliance
Nebraska Commission on Public Advocacy, The
Nebraska Dental Assistants Association
Nebraska Investment Finance Authority
Nebraska Occupational Therapy Association
Nebraska Society for Respiratory Care
Nebraska Speech-Language-Hearing Association (NSLHA)
Nebraska State AFL-CIO
Nonprofit Association of the Midlands
North Central States Regional Council of Carpenters
OneMain Holdings, Inc.
Regions II and V
Research Nebraska!
The Nebraska Coalition for Lifesaving Cures
UNO Chapter of the AAUP
Vigilnet America LLC
Windstream Communications
YMCA's of Nebraska
Ames, Ann
Windstream Communications
Anderson, Josh
Christensen Farms & Feedlots, Inc.

Arch, Cameron
Blue Cross and Blue Shield of Nebraska

Ashour, Madeleine
Excellence in Education National, Inc., d/b/a Excellence in Education in Action

Baier, Richard J.
Nebraska Bankers Association

Baird Holm LLP
Avail
BHE Renewables, LLC
Brickway Brewery & Distillery
Kinkaider Brewing Co, LLC
National Grid Renewables Development, LLC
Nebraska Craft Brewers Guild

Baker, A. J.
Caesars Enterprise Services, LLC

Baker, Cassi
Jazz Pharmaceuticals, Inc. and its subsidiaries, including Greenwich Biosciences, Inc.

Barrett, John R.
Great Plains Communications, Inc.

Bass, Katherine
First Five Nebraska

Beasley, Daniel
Home School Legal Defense Association

Beck, Craig
OpenSky Policy Institute

Becker, Jill
Black Hills Energy

Bell, Robert
Nebraska Insurance Federation

Benjamin, Melody
Nebraska Cattlemen, Inc.

Benson, Jenni
Nebraska State Education Association

Beyer, Nolan
Millard Public Schools

Biddison, Morgan
Tri-State Generation and Transmission Association

Blake, Jeremiah
Blue Cross and Blue Shield of Nebraska

Bodeen, Carol
Nebraska Housing Developers Association

Boganowski, Bryan
Nebraska Families 4 Medical Cannabis

Bohrer, Bruce J.
Lincoln Chamber of Commerce

Borgeson, Robert A.
SMART-TD

Boudreau, Brenden
National Association for Gun Rights

Bowling, Karen
Nebraska Family Alliance

Bracht, David L.
Catalyst Public Affairs

Brady, Justin J.
Radcliffe, Walter H. of Radcliffe Gilbertson & Brady

Brandt, Horan, Hallstrom and Stilmock
National Federation of Independent Business (NFIB)
National Guard Association of Nebraska
Nebraska Bankers Association
Nebraska Bankers Insurance and Services Company (NBISCO)
Nebraska Fire Chiefs' Association
Nebraska Pharmacists Association
Nebraska State Volunteer Firefighters' Association
Nebraskans for Workers' Compensation Equity and Fairness

Bromm & Associates
Aflac
Douglas County West Community Schools
Education Service Unit #3
Educational Service Unit Coordinating Council
Nebraska Council of School Administrators
Springfield Platteview Community Schools
Verizon Communications, Inc.

Bromm, Curt
Bromm & Associates

Bromm, Jason
Bromm & Associates

Brown, Paige
Nebraska Catholic Conference

Brown, Scott
Vertex Pharmaceuticals Incorporated

Brunkhorst, Kelly
Nebraska Corn Growers Association

Buettner, Jeffrey J.
Central Nebraska Public Power and Irrigation

Caldwell, Dawn
Renewable Fuels Nebraska

Cannon, Jonathan
Nebraska Association of County Officials

Carpenter, Jalene
Nebraska Health Care Association, Inc.

Catalyst Public Affairs
Bellino Enterprises
Binti
Charter Communications, Inc.
Columbus Exposition and Racing
CRH Americas, Inc.

History Nebraska Foundation
Home Instead, Inc.
Invenergy LLC
Jobs for America's Graduates Nebraska
Koch Companies Public Sector, LLC and Affiliates
KVC Health Systems, Inc.
Lutheran Family Services of Nebraska
MAXIMUS, Inc.
Nebraska Board of Engineers and Architects
Nebraska Health Information Initiative, Inc.
Nebraska Intergovernmental Risk Management Association
NextEra Energy Resources, LLC
Papillion - La Vista School District
Papio-Missouri River Natural Resources District
Sarpy County Board of Commissioners
Chaffin, Lash
League of Nebraska Municipalities
Chandler, Thomas
Aircraft Owners and Pilots Association (AOPA)
Cheloha, John A.
City of Omaha
Christensen, Graham
GC ReVOLT, LLC
Coash, Colby
Nebraska Association of School Boards
Conrad, Danielle
ACLU Nebraska
Couture-Lovelady, Travis
National Rifle Association
CP Strategies LLC
Centene Corporation on behalf of its affiliates and subsidiaries
KAAPA Ethanol, LLC
Nebraska Petroleum Producers Association
Nomi Health, Inc.
Scientific Games Corporation
T-Mobile
Creager, Jennifer
Greater Omaha Chamber
Danek, Sandy
Nebraska Right to Life
Davis, Al
Nebraska Chapter of the Sierra Club
Davis, Hillary
Student Press Law Center
Davis, Jeremy
The Nebraska Geological Society
DeBow, Chris
Public Trust Advisors, LLC
Decamp, Suzan

AARP Nebraska
DeLong, Danny
AARP Nebraska
Dentlinger, Courtney
Nebraska Public Power District
Devitt, Michelle
Immigrant Legal Center
Dibbern, Chris
Nebraska Municipal Power Pool
Dobler, James B.
Professional Insurance Agents of Nebraska
Dubas, Annette
Nebraska Association of Behavioral Health Organizations
Dukesherer, James
Nebraska Rural Electric Association
Dulaney, Michael S.
Nebraska Council of School Administrators
Duncan, Drue
Pfizer Inc.
Dunkley, Andrew
Nebraska Farm Bureau Federation
Duren, Todd J.
Loup River Public Power District
Edson, Dean E.
Nebraska Association of Resources Districts
Edwards, Jon
Nowka & Edwards
Eickholt, Christopher/Spike
ACLU Nebraska
Nebraska Criminal Defense Attorneys Association
Ekeler, Jeremy
Nebraska Catholic Conference
Erickson, Julie S.
American Communications, Inc.
Ernst, Dan E.
Nebraska Council of School Administrators
Everett, Elizabeth
First Five Nebraska
Fairbairn, Kyle
Greater Nebraska Schools Association
Falk, W. Jarad
Charter Communications, Inc.
Faustman, Nicholas
Alzheimer's Association
Feagler, Mike
Nebraska Hospital Association
Feichtinger, Erin
Together Inc. of Metropolitan Omaha
Fellers, Ansley

Nebraska Grocery Industry Association
SHAZAM

Ferrell, Beth Bazyn
Nebraska Association of County Officials

Ferris, Jay
Nebraska Farm Bureau Federation

Feser, Adam
First Five Nebraska

Feuerborn, Jordan
Merck Sharp and Dohme Corp.

Ficke, Melissa
Catalyst Public Affairs

Forbes, Meagan
Institute for Justice

Forrest, Sarah
Nebraska Alliance of Child Advocacy Centers

Fox, Nicole
Platte Institute for Economic Research

Fraizer, Theodore D. (Tad)/Fraizer & Fraizer
Mutual of Omaha

Fry, Renee
OpenSky Policy Institute

Garcia, Lauren
American Federation for Children

Gay, Tim
Catalyst Public Affairs

Geis, Gavin Lawrence
Common Cause National

George, Dee D
Novartis Services, Inc.

Gerrard, Eric
American Communications, Inc.
City of Lincoln

Gibson, Rachel
League of Women Voters of Nebraska

Gilbertson, Korby M.
Radcliffe, Walter H. of Radcliffe Gilbertson & Brady

Giles, Jo
Women's Fund of Greater Omaha, Inc.

Givens-Dunn, Taylor
Voices for Children in Nebraska

Godinez, Rosangela
ACLU Nebraska

Gokie, Mark T.
Farmers Mutual of Nebraska

Gould, John 'Jack'
Common Cause Nebraska

Grasz, Nate
Nebraska Family Alliance

Grisham, Kent
Nebraska Trucking Association

Guinan, Trish
Nebraska State Education Association

Hale, Andy
Nebraska Hospital Association

Hallgren, Kathleen
Everytown for Gun Safety Action Fund

Hallman, J. Eric
Nebraska Independent Community Bankers

Hallstrom, Robert
Brandt, Horan, Hallstrom and Stilmock

Hansen, John K.
Nebraska Farmers Union

Hapgood, Wade
United Healthcare Services, Inc.

Harbeke, Dan
Google LLC and its Affiliates

Harner, Shannon R.
Nebraska Investment Finance Authority

Harris, Jasmine
RISE

Harris, Julie
Bike Walk Nebraska

Harvey, William F.
EHPV Lottery Services LLC aka Big Red Keno
Vigilnet America LLC

Hassebrook, Kristen
Nebraska Chamber of Commerce & Industry

Hauge, Jacy
Nebraska Cattlemen, Inc.

Hayes, Jason W.
Nebraska State Education Association

Head, Craig J.
Nebraska Farm Bureau Federation

Heartland Strategy Group, LLC
Omaha Federation of Labor, AFL-CIO
Omaha Professional Firefighters Association
Sports Betting Alliance
TransCanada

Hendrickson, Ashlee
Nebraska Health Care Association, Inc.

Higgins, Kersten
Mutual of Omaha

Higgins, Shirley
Nebraska Public Power District

Hilton, Felicia
North Central States Regional Council of Carpenters

Hilton, Mary

Nebraska Christian Home Educators Association
Hind, Wendy
Anthem, Inc. and Its Affiliates
Hladik, Johnathan
Center for Rural Affairs
Holmquist, David
AARP Nebraska
Honan, Scott
NioCorp
Howard, Sara
First Five Nebraska
Hrdlicka, Joseph
Genentech, Inc.
Hruza, Timothy
Mueller Robak, LLC
Hubly, Justin
Nebraska Association of Public Employees NAPE/AFSCME Local 61
Hunt, Robert
Molson Coors Beverage Company USA LLC
Hunter-Pirtle, Ann
Stand for Schools
Hunzeker, Jonathan C.
Nebraska State Education Association
Husch Blackwell LLP
Nebraska Chiropractic Physicians Association
Husch Blackwell Strategies
AHIP - America's Health Insurance Plans
Blue Cross and Blue Shield of Nebraska
Cameco Resources
Capitol Bridge, LLC
Cargill
City of Ralston
Fonner Park
Grand Island Chamber of Commerce
Great Plains Communications, Inc.
Hawkins Construction
JUUL Labs Inc.
Lindsay Corporation
Meta Platforms, Inc.
Monolith Materials
National Association of Insurance and Financial Advisors (NAIFA)
Nebraska Agri-Business Association
Nebraska Corn Growers Association
Nebraska Insurance Information Service
Nebraska State Athletic Trainers Association
Nucor Corporation
Paige Wireless
Papio Valley Preservation Association, Inc.
Prime Therapeutics, LLC

Renewable Fuels Nebraska
Schneider Electric
State Farm Insurance Companies
Syngenta
Turo
United States Travel Insurance Association (UStIA)
Waste Management, Inc.
yes. every. kid.
Idoux, John
Lumen
Jacobson, Mary
Nebraska Strategies
Jensen Rogert Associates, Inc.
AgMed, LLC
Altria Client Services LLC and its Affiliates
American Massage Therapy Association, Nebraska Chapter
Associated Builders and Contractors, Inc.
AT&T, Inc.
Eli Lilly and Company
LeadingAge Nebraska
Learning Community of Douglas and Sarpy Counties
Molina Healthcare, Inc.
Mosaic
Nebraska Association of Nurse Anesthetists
Nebraska Dental Hygienists' Association
Nebraska Intellectual Disabilities Services Providers
Nebraska Optometric Association
Nebraska Podiatric Medical Association
Ponca Tribe of Nebraska
Radcliffe, Walter H. of Radcliffe Gilbertson & Brady
Statewide Property Owners' Association
Wine Institute
Jones, Christine
Nebraska Children's Home Society
Juhnke, Alan R.
Nebraska Pork Producers Association
Kay, Sara
American Institute of Architects, Nebraska Chapter
Nebraska County Attorneys Association
Keigher & Associates, LLC
Central Nebraska Public Power and Irrigation
Credit Management Services
Iowa-Nebraska Equipment Dealers Association
Molson Coors Beverage Company USA LLC
Nebraska AirBoat Association
Nebraska Auctioneers Association
Nebraska Aviation Trade Association
Nebraska Community College Association
Nebraska Independent Auto Dealers Association

Nebraska Land Improvement Contractors Association
Professional Towers Association of Nebraska
Radcliffe, Walter H. of Radcliffe Gilbertson & Brady
Keigher, Timothy P.
Keigher & Associates, LLC
Nebraska Petroleum Marketers & Convenience Store Association
Kelley Governmental Relations, LLC
Metro Area Transit (O-Metro)
Kelley Plucker, LLC
Advantage Capital
American Society of Interior Designers
Anthem, Inc. and Its Affiliates
Bennington Public Schools
Buildertrend Solutions, Inc.
Cigar Association of America, Inc.
Community Alliance, Inc.
Community Lottery System, Inc. (Withdrawn 01/06/2022)
Creighton University
CVS Health
Douglas County, Nebraska
Eastern Nebraska Human Services Agency
EHPV Lottery Services LLC aka Big Red Keno
Elevator Industry Work Preservation Fund
Guardian Tax Partners
Johnson Brothers of Nebraska
Nebraska Cable Communications Association
Nebraska Coalition of Agricultural Manufacturers
Nebraska Collectors Association
Nebraska Cooperative Council
Nebraska Credit Union League
Nebraska School Activities Association
Nebraska State Lodge of the Fraternal Order of Police
Omaha Airport Authority
Omaha Police Officers Association
Sustainable Beef, LLC
Westside Community Schools
Kelley, Michael A.
Kelley Governmental Relations, LLC
Kelley Plucker, LLC
Kelley, Sean
Kelley Governmental Relations, LLC
Kelley Plucker, LLC
Kellman, Robert
Uber Technologies, Inc.
Kilgarin, Karen
Nebraska State Education Association
Kingery, Shannon L.
RAI Services Co. (Reynolds American Inc.)
Kissel Kohout ES Associates, LLC

Accel Entertainment, Inc.
Aksarben Equine, Inc.
Alliance Baseball Omaha LLC d/b/a Omaha Storm Chasers
Alliance Soccer Omaha LLC d/b/a Union Omaha
AmeriHealth Caritas
Associated Beverage Distributors of Nebraska
Autism Center of Nebraska
Burlington Northern Sante Fe (BNSF) Railway Company
Enbridge (U.S.) Inc. (Formerly Spectra Energy)
Exodus Movement, Inc.
Hands of Heartland
Lancaster County Board of Commissioners
Lumen
Mentor Nebraska
Metropolitan Area Planning Agency
Nebraska Association of Regional Administrators
Nebraska CASA Association
Nebraska Golf Alliance
Nebraska Hearing Society
Nebraska Medicine
Nebraska Municipal Power Pool
Nebraska Psychological Association
Nebraska Regional Officials Council
Ollie Webb Center, Inc.
Park'N Go of Nebraska, LLC
Professional Engineers Coalition
Railway Supply Institute
Ralston Public School District
United Cities of Sarpy County

Klingler, Timoree
Nebraska Health Information Initiative, Inc.

Klute, Anne M. N.
Associated Builders and Contractors, Inc.

Knoche, Connie
OpenSky Policy Institute

Kohls, Ashley
Nebraska Cattlemen, Inc.

Kohout, Joseph D.
Kissel Kohout ES Associates, LLC

Kolterman, Jessica A.
Lincoln Premium Poultry

Krannawitter, Brian
American Heart Association

Kruse Company
Nebraska Alliance for Family and Child Service Providers
Neilan Strategy Group
People United for Privacy
Philanthropy Roundtable
RAI Services Co. (Reynolds American Inc.)

Kubat, Rick
Metropolitan Utilities District

Kuehn, John
Sand Creek Strategy Group LLC
Smart Approaches to Marijuana Nebraska

Lassen, Robert
AARP Nebraska

Lautenbaugh, Scott
Nebraska Vape Vendors Association
Stride, Inc.

Levy, David C.
Baird Holm LLP

Likes, Steven C.
Nebraska Investment Finance Authority

Lindsay, John C.
O'Hara Lindsay & Associates, Inc.

Loeffler, Michael T.
Northern Natural Gas

Lofquist, Kraig
Educational Service Unit Coordinating Council

Lombardi, Richard A.
American Communications, Inc.

Loontjer, Pat
Gambling with the Good Life

Lostroh, David L.
Nebraska Christian Home Educators Association

Luebbe, Lori
Nebraska Soybean Association

Luedtke, Joselyn
Zulkoski Weber LLC

Luetkenhaus, Brandon
Nebraska Credit Union League

Lyons, Courtney
Coalition for a Strong Nebraska

Lyons, Liz
Children's Hospital & Medical Center

MacDonald, Blair E.
O'Hara Lindsay & Associates, Inc.

Mallett, Rochelle
Husch Blackwell Strategies LLC

Mammoser, Matthew
National Association for Gun Rights

Mancuso, Aubrey
Voices for Children in Nebraska

Martin, George E.
Baird Holm LLP

Martin, Stephen
We Support Agriculture

Martin, Susan L.

Nebraska State AFL-CIO
McBride, David S.
Nebraska Optometric Association
McClure, Jeanne
American Council of Engineering Companies/Nebraska
McClure, John C.
Nebraska Public Power District
McClymont, Pete
Nebraska Cattlemen, Inc.
McDonald, Edison
Arc of Nebraska, The
GC ReVOLT, LLC
McDonald, Vickie
Nebraska Association of Former State Legislators
McGowan, Kyle
Nebraska Council of School Administrators
McHargue, Mark
Nebraska Farm Bureau Federation
McIntosh, Ryan
Brandt, Horan, Hallstrom and Stilmock
McLaren, Jay
Medica
McNally, John
Nebraska Public Power District
McNally, Lynne
Nebraska Horsemen's Benevolent and Protective Association
Nebraska Propane Gas Association
Meckler, Mark
Convention of States Action
Mello, Heath
University of Nebraska
Melotz, Shawn
Papio Valley Preservation Association, Inc.
Mendoza, Mark
Pear Therapeutics (US), Inc.
Menzel, Elaine
Nebraska Association of County Officials
Meredith, Candace
Nebraska Association of County Officials
Meurrens, Bradley
Disability Rights Nebraska
Mikkelsen, Brian
Nebraska State Education Association
Mikolajczyk, Megan
Nebraska Civic Engagement Table
Miller, Brennen
Kissel Kohout ES Associates, LLC
Miner, Marion
Nebraska Catholic Conference

Mines, Mick
Husch Blackwell Strategies LLC

Moles, Jack
Nebraska Rural Community Schools Association

Moore, Travis
Lincoln Electric System

Moulton, MaryLee
League of Women Voters of Nebraska

Mueller Robak
American Express Travel Related Services, Inc.
AMUR Equipment Finance (Withdrawn 01/03/2022)
Associated General Contractors of America, Nebraska Chapter
Chief Industries, Inc.
Children and Family Coalition of Nebraska
COPIC Insurance Company
Duncan Aviation, Inc.
Eastern Nebraska Development Council
Fiserv
Google LLC and its Affiliates
Innocence Project, The
Integrated Life Choices
Iowa-Nebraska Rental Dealers Association
Jazz Pharmaceuticals, Inc. and its subsidiaries, including Greenwich
Biosciences, Inc.
Lincoln Airport Authority
LKQ Corporation
Madonna Rehabilitation Hospital
Millard Public Schools
Millard Roofing and Gutter Company
NaphCare, Inc.
Nature Conservancy, The
Nebraska Academy of Eye Physicians and Surgeons
Nebraska Association of Airport Officials
Nebraska Association of Commercial Property Owners
Nebraska Council of School Administrators
Nebraska Court Reporters Association
Nebraska Dental Association
Nebraska District Court Judges Association
Nebraska Interactive
Nebraska Land Title Association
Nebraska Medical Association
Nebraska Methodist Health Systems
Nebraska Oncology Society
Nebraska Press Association
Nebraska Society of Anesthesiologist
Nebraska Society of Independent Accountants
Nebraska State Bar Association
Nebraska Winery and Grape Growers Association (NWGGA)
Old Republic International Corporation

Olsson
PayPal
Pharmaceutical Research and Manufacturers of America
POET
Smithfield Foods, Inc.
Stand for Schools
State Troopers Association of Nebraska, Inc.
Sugar Creek Capital
Uber Technologies, Inc.
Union Bank & Trust Company
Mueller, William J.
 Mueller Robak, LLC
Muetting, Marcia
 Nebraska Pharmacists Association
Mussack, Timothy
 Center for Rural Affairs
Neal, John P.
 Lincoln Public Schools
Nebraska Strategies
 Amazon.com Services LLC
 Bayer U.S. LLC
 Consumer Data Industry Association
 Keith County Area Development
 Lancaster County Agricultural Society, Inc.
 Mark Anthony Brands
 Nebraska Licensed Beverage Association
 U.S. Cellular
Neilan Strategy Group
 Independent Insurance Agents of Nebraska
 People United for Privacy
 Philanthropy Roundtable
 Tenaska
 Wireless Infrastructure Association c/o MultiState Associates Inc.
Neilan, Jenn
 Neilan Strategy Group
Neilan, Perre S.
 Neilan Strategy Group
Neiles-Brasch, Megan
 Omaha Public Schools
Nelson, Richard
 Nebraska Rural Electric Association
Neville, Brennan S.
 National Indemnity Company
Nielsen, Coleen J.
 Husch Blackwell Strategies LLC
Nolan, James
 Mutual of Omaha
Norby, Scott J.
 Nebraska State Education Association

Nordquist, Jeremy
Nebraska Hospital Association
Nowka & Edwards
Adams Central Public Schools
Anheuser-Busch Companies
Bryan Health
Deloitte Consulting LLP
Elkhorn Public Schools
Metropolitan Utilities District
National Utility Contractors Association of Nebraska, Inc. (NUCA)
Nebraska Academy of Family Physicians
Nebraska Assn for Home Healthcare and Hospice
Nebraska Association of Area Agencies on Aging
Nebraska Association of County Officials
Nebraska Cattlemen, Inc.
Nebraska Funeral Directors Association
Nebraska Pork Producers Association
Nebraska Poultry Industries, Inc.
Nebraska Public Media Foundation
Nebraska Public Power District
Nebraska Rural Community Schools Association
Nebraska Sheriffs' Association
Nebraska Society of Radiologic Technologists
Nebraska State College System
Nebraska State Dairy Association
Nebraska Water Coalition
Rural Telecommunications Coalition of Nebraska
Southern Public Power District
The Repair Association
Union Pacific Railroad
US Assets, LLC
Winners Marketing, Inc.
O'Brien, Kelli Erin
Union Pacific Railroad
O'Hara Lindsay & Associates, Inc.
All American Games LLC
Alliance for Automotive Innovation
Alter Trading Corporation
Black Hills Energy
Center Pivot Manufacturers Association
City of Hastings
City of Lexington
Council of Independent Nebraska Colleges
First National of Nebraska, Inc.
Francis Energy
Greater Nebraska Cities
Institute of Scrap Recycling Industries, Upper Mid-West Chapter
Motorola Solutions, Inc.

National Association of Housing and Redevelopment Officials, Nebraska Chapter
Nebraska Association of Independent Ambulatory Centers
Nebraska Association of Trial Attorneys
Nebraska Beverage Association
Nebraska County Judges Association
Nebraska Nurses Association
Nebraska Rural Broadband Coalition
Nebraska State Electrical Division
Nebraskans for Rate Equity
Northern Natural Gas
Omaha Public Power District
Omaha Public Schools
Tallgrass Energy
Winnebago Tribe of Nebraska
Omey, Samantha
Exxon Mobil Corporation
Orton, Leroy W.
Nebraska Onsite Waste Water Association
Nebraska State Irrigation Association
Nebraska Well Drillers Association
Othmer, Mark F.
Iowa-Nebraska Equipment Dealers Association
Otto, James A.
Nebraska Hospitality Association
Nebraska Retail Federation
Otto, Richard J.
Nebraska Grocery Industry Association
Nebraska Hospitality Association
Nebraska Retail Federation
Owen, Rob
Bio Nebraska
Pack, Mary M.
Radcliffe, Walter H. of Radcliffe Gilbertson & Brady
Parr, Ann L.
Farmers Mutual of Nebraska
Peetz & Company
Advocates for Behavioral Health
CHI Health
Children's Hospital & Medical Center
College Parent, L.P. dba Yahoo
Community Lottery System, Inc.
Cox Communications
Durham Museum
First Five Nebraska
Friends of Knox County
Friends of Nebraska Tech Collaborative
Kiewit Corporation
Metropolitan Entertainment & Convention Authority

Microsoft Corporation
Nebraska Nurse Practitioners
Nebraska Trucking Association
Omaha Zoological Society
Quality Living, Inc.
Tenaska
University of Nebraska
Peetz, Jack
Peetz & Company
Peetz, Natalie
Peetz & Company
Pellett, Stacey
Deere & Company
Peterson, Chris
CP Strategies LLC
Peterson, Patricia Schuett
Nebraska Investment Finance Authority
Petsch, Jean
Associated General Contractors - Nebraska Building Chapter
Pfeifer, Pat
Nebraska State Legislative Board - Brotherhood of Locomotive
Engineers and Trainmen
Pitts, Kathleen
Nebraska Appleseed
Plucker, Julia
Kelley Plucker, LLC
Plumadore, Genevieve
Bristol Myers Squibb Co.
Pollock, Andy
Rembolt Ludtke, LLP
Ponce, Laurie
Coalition for a Strong Nebraska
Potter, Cara E.
Medica
Potter, Tim
AARP Nebraska
Prem, Sara
American Lung Association
Prokop, Matthew
American Cancer Society Cancer Action Network
Radcliffe, Walter H. of Radcliffe Gilbertson & Brady
Altria Client Services LLC and its Affiliates
American Institute of Architects, Nebraska Chapter
American Property Casualty Insurance Association (APCIA)
Apple Inc.
Bellevue Public Schools
Community Resources for Justice, Inc.
Enterprise Rent-A-Car
Farm Credit Services of America

Father Flanagan's Boys' Home
Friends of Nebraska Parks
HBAL/MOBA Coalition
Ho-Chunk, Inc.
Housing Policy Network
League of Nebraska Municipalities
Lincoln Public Schools
Live On Nebraska
Media of Nebraska, Inc.
Medica
Metropolitan Community College
Motion Picture Association, Inc.
Nebraska Association of Health Underwriters (NAHU)
Nebraska Broadcasters Association
Nebraska Cable Communications Association
Nebraska Cultural Endowment
Nebraska Health Care Association, Inc.
Nebraska Horsemen's Benevolent and Protective Association
Nebraska Liquor Wholesalers
Nebraska New Car & Truck Dealers Association
Nebraska Optometric Association
Nebraska Psychiatric Society
Nebraska Realtors Association
Nebraska Society of Certified Public Accountants
Nebraska State Cemetery Association
Nebraska State Fair Board
Nebraska Telecommunications Association
Orsted
Pinnacle Bank
Speedway Motors, Inc.
Tyson Foods, Inc.
War Horse Gaming, LLC
Woodmen of the World Life Insurance Society and Subordinate Entities

Ragland, Jina
AARP Nebraska

Reece, Kaitlin
Catalyst Public Affairs

Rembolt Ludtke, LLP
American Society of Composers, Authors & Publishers
Nebraska Defense Counsel Association
Nebraska Library Association
Nebraska Rural Broadband Alliance
Nebraska Transportation Association
Nebraska Travel Association (NETA)
NorthWestern Energy
United Healthcare Services, Inc.
Waste Connections of Nebraska, Inc.

Rempe, Jay E.
Nebraska Farm Bureau Federation

Rex, L. Lynn
League of Nebraska Municipalities

Reynolds, Margaret
Cigna Corporate Services LLC

Reynoldson, Amy
Nebraska Medical Association

Richters, Rebecca S.
ACLU Nebraska

Rieker, Bruce R.
Nebraska Farm Bureau Federation

Riley, Christopher T.
Archer Daniels Midland Company

Rippe, David
NetChoice

Rips, Sara
ACLU Nebraska

Robak, Kim M.
Mueller Robak, LLC

Roberts, Laurie
Innocence Project, The

Robertson, Rob J.
Nebraska Farm Bureau Federation

Rockenbach, Tina
Community Action of Nebraska

Rogert, Kent
Jensen Rogert Associates, Inc.

Roth, Anne
Hy-Vee

Rubin, Barry R.
Heartland Strategy Group, LLC

Russell, Jack
Lincoln Independent Business Association (LIBA)

Sahling-Zart, Shelley R.
Lincoln Electric System

Sand Creek Strategy Group LLC
Caesars Enterprise Services, LLC

Schaefer, Matthew T.
Mueller Robak, LLC

Schilz, Kenneth
Nebraska Strategies

Schmeling, Richard
ProRail Nebraska, Inc.

Schneider, David
Convention of States Action

Schneider, Stephen
American Property Casualty Insurance Association (APCIA)

Schrader, Cora
Petz & Company

Schrodt, Dexter

Nebraska Medical Association
Scott, Randi K.
O'Hara Lindsay & Associates, Inc.
Seaward, Ashley
PeopleForBikes Coalition
Sedlacek, Ronald J.
Husch Blackwell LLP
Husch Blackwell Strategies LLC
Nebraska Chamber of Commerce & Industry
Seelhoff, Janet
National Utility Contractors Association of Nebraska, Inc. (NUCA)
Nebraska Assn for Home Healthcare and Hospice
Nebraska Optometric Association
Seu, Jane
ACLU Nebraska
Shelburn, Jessica
Americans for Prosperity
Silke, Vanessa
Baird Holm LLP
Slattery, David
Nebraska Hospital Association
Slone, Bryan
Nebraska Chamber of Commerce & Industry
Sommer, Alex
Prime Therapeutics, LLC
Spady, Robin
Nebraska Municipal Power Pool
Spatz, John
Nebraska Association of School Boards
Spivey, Ashlei
I Be Black Girl
Stilmock, Gerald M.
Brandt, Horan, Hallstrom and Stilmock
Storer, Braden
FOP 88
Stubbendieck, Todd
AARP Nebraska
Sullivan, J. Scott
Nebraska Credit Union League
Sundquist, Joni
Nebraska Society of Certified Public Accountants
Swatsworth, Abby
Outline
Synhorst, Bud
Lincoln Independent Business Association (LIBA)
Szabo, Carl
NetChoice
Tang, Cathy
Everytown for Gun Safety Action Fund

Thielen, Nicholas
EHPV Lottery Services LLC aka Big Red Keno
Vigilnet America LLC

Thompson, Brian
Consolidated Companies, Inc.

Todd, A. Loy, Jr.
Nebraska New Car & Truck Dealers Association

Torpy, Katie
Nature Conservancy, The

Trevino Jr., Fernando
Lyft, Inc.

Trocinski, Carol A.
United Healthcare Services, Inc.

Troyer, Adria
Google LLC and its Affiliates

TU, NATALIA
Women's Fund of Greater Omaha, Inc.

Vaughan, Dustin
Husch Blackwell Strategies LLC

Venzor, Tom
Nebraska Catholic Conference

Vinton, Andrew
ALLO Communications

Voyles, Seth
Omaha Public Power District

Wagner, Chris
Project Extra Mile

Wang, Jennifer Rae
Cox Communications

Watson, James S.
Nebraska Association of Medicaid Health Plans

Weber, Michelle
Zulkoski Weber LLC

Weber, Rocky
Nebraska Cooperative Council

Welding, Nicholas J.
Nebraska State Education Association

Wesely, Don
O'Hara Lindsay & Associates, Inc.

Westerhold, Russell
Nowka & Edwards

Wickersham, William R.
Nebraska Association of Former State Legislators

Wickman-Byrd, Barbara J.
Nebraska State Home Builders Association

Wightman, Anna Castner
First National of Nebraska, Inc.

Wiltgen, Jennifer
Centene Corporation on behalf of its affiliates and subsidiaries

Winger, Dwight
ALLO Communications

Winston, Kenneth C.
Bold Alliance, Inc.

Wittstruck, Courtney
Nebraska Community College Association

Woepfel, Ed
Nebraska Cooperative Council

Word, Megan
American Cancer Society Cancer Action Network

Wurster, Donald F.
National Indemnity Company

Yates, Leighton
Alliance for Automotive Innovation

Young, Hannah
Nonprofit Association of the Midlands

Zadina, Nick
Women's Fund of Greater Omaha, Inc.

Zulkoski Weber LLC
Archer Daniels Midland Company
Cedars Youth Services
CNH Industrial America LLC c/o MultiState Associates
Consortia Consulting
Deere & Company
Dexcom, Inc.
Ducks Unlimited, Inc.
Kum & Go
McCain Foods
Merck Sharp and Dohme Corp.
Nebraska Academy of Nutrition and Dietetics
Nebraska Academy of Physician Assistants
Nebraska Association of Resources Districts
Nebraska Broadband Coalition
Nebraska County Attorneys Association
Nebraska Domestic Violence Sexual Assault Coalition
Nebraska Economic Developers Association
Nebraska Emergency Medical Services Association
Nebraska Hospital Association
Nebraska Humane Society
Nebraska Independent Community Bankers
Nebraska Veterinary Medical Association
Novo Nordisk Inc.
Viaero Wireless
Women's Fund of Greater Omaha, Inc.

Zulkoski, Katie W.
Zulkoski Weber LLC

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

Bazata, Claire C. - Nebraska Child Abuse Prevention Fund Board - Health and Human Services
Cone, Terry L. - Nebraska Brand Committee - Agriculture
Hansen, Gerald Randall (Rand) - Crime Victim's Reparations Committee - Judiciary
Jensen, Jerry Lee - State Personnel Board - Government, Military and Veterans Affairs
McPheeters, Scott B. - Nebraska Ethanol Board - Natural Resources
Nelson, Taylor D. - Nebraska Ethanol Board - Natural Resources
Portis, Ervin L. - Climate Assessment Response Committee - Agriculture
Wiener, Richard L. - Foster Care Advisory Committee - Health and Human Services
Williams, Peggy A. - Commission for the Deaf and Hard of Hearing - Health and Human Services

(Signed) Dan Hughes, Chairperson
Executive Board

BILLS ON FIRST READING

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

LEGISLATIVE BILL 907. Introduced by DeBoer, 10.

A BILL FOR AN ACT relating to community property; to amend section 24-517, Revised Statutes Cumulative Supplement, 2020; to adopt the Uniform Community Property Disposition at Death Act; to change provisions relating to court jurisdiction; to provide severability; and to repeal the original section.

LEGISLATIVE BILL 908. Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to the Open Meetings Act; to amend section 84-1411, Revised Statutes Supplement, 2021; to provide additional requirements for virtual conferencing; and to repeal the original section.

LEGISLATIVE BILL 909. Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to mental health; to amend sections 71-901, 71-919, 71-921, 71-922, 71-949, 71-1205, and 71-1206, Reissue Revised Statutes of Nebraska; to authorize mental health professionals and licensed independent mental health practitioners to take persons into emergency protective custody as prescribed; to provide a certification process and duties for the Department of Health and Human Services; to change provisions relating to commencement of mental health board proceedings;

to define a term; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 910. Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to state government; to adopt the Nebraska Volunteer Service Commission Act; to provide an operative date; and to declare an emergency.

LEGISLATIVE BILL 911. Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to the 211 Information and Referral Network; to amend section 75-1101, Revised Statutes Cumulative Supplement, 2020; to change the amount of the grant to be awarded; and to repeal the original section.

LEGISLATIVE BILL 912. Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to education; to amend section 79-1054, Revised Statutes Cumulative Supplement, 2020, and section 9-812, Revised Statutes Supplement, 2021; to provide for mental health first aid training; to change provisions relating to the use of lottery funds; to change provisions relating to innovation grants as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 913. Introduced by Bostelman, 23.

A BILL FOR AN ACT relating to highways; to amend section 39-1337, Reissue Revised Statutes of Nebraska, and sections 39-1302 and 39-1320, Revised Statutes Cumulative Supplement, 2020; to define terms; to change provisions relating to highways and roads; to provide duties; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 914. Introduced by Bostelman, 23.

A BILL FOR AN ACT relating to the Public Service Commission; to define terms; to require the commission to create and maintain a location fabric broadband access map and broadband data repository as prescribed; to require compliance by certain entities; to provide for annual reporting; and to declare an emergency.

LEGISLATIVE BILL 915. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to the Middle Income Workforce Housing Investment Act; to amend section 81-1238, Revised Statutes Cumulative Supplement, 2020; to provide a requirement for grant eligibility; and to repeal the original section.

GENERAL FILE**LEGISLATIVE RESOLUTION 14.** Read. Considered.

Senator Morfeld offered the following amendment:

AM1545

- 1 1. Insert the following new RESOLVED clause:
- 2 2. The Legislature reaffirms its commitment to protecting the gun
- 3 rights of Nebraskans. The convention of the states shall not propose
- 4 amendments that could in any way result in the restriction,
- 5 disenpowerment, or elimination of the Second Amendment.
- 6 2. Renumber the remaining RESOLVED clauses accordingly.

Pending.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 916. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to municipalities; to amend section 86-594, Revised Statutes Supplement, 2021; to adopt the Rural Municipal Broadband Access Act; to harmonize provisions; to provide a duty for the Revisor of Statutes; and to repeal the original section.

LEGISLATIVE BILL 917. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716, Revised Statutes Supplement, 2021; to provide an income tax deduction for certain wages paid to individuals convicted of a felony; and to repeal the original section.

LEGISLATIVE BILL 918. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-504, 28-514, 28-518, 28-519, 28-603, 28-604, 28-611.01, 28-620, 28-631, 28-638, 28-639, 28-1102, 28-1344, 28-1345, 45-191.03, 66-727, 68-1017, 68-1017.01, 71-2228, and 71-2229, Reissue Revised Statutes of Nebraska, and sections 9-262, 9-352, 9-434, 9-652, 23-135.01, 28-611, 28-1354, 29-110, and 29-119, Revised Statutes Cumulative Supplement, 2020; to change dollar amount thresholds for criminal penalties for certain offenses; to redefine terms; to provide for applicability of changes; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 919. Introduced by Lindstrom, 18.

A BILL FOR AN ACT relating to the Sports Arena Facility Financing Assistance Act; to amend section 13-3102, Revised Statutes Supplement, 2021; to redefine terms; and to repeal the original section.

LEGISLATIVE BILL 920. Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to criminal justice; to amend sections 24-1302, 28-116, 28-507, 28-518, 29-2204.02, 29-2221, 29-2263, 29-2269, 29-2281, 29-3603, 47-706, 50-434, 71-5661, 71-5662, 71-5663, 71-5665, 71-5666, 71-5668, 71-5669.01, and 83-1,110, Reissue Revised Statutes of Nebraska, and sections 28-101, 28-105, 28-416, 28-1351, 28-1354, 29-2204, 83-1,100.02, 83-1,111, 83-1,114, 83-1,135, and 83-1,135.02, Revised Statutes Cumulative Supplement, 2020; to change provisions regarding problem solving courts, mandatory minimums, penalties and provisions relating to controlled substances, theft, and burglary, sentencing, set asides, restitution, pretrial diversion, and parole; to provide for applicability; to state legislative intent regarding appropriations; to create pilot programs relating to courts, probation, and parole; to create the Justice Reinvestment Oversight Task Force; to terminate the Committee on Justice Reinvestment Oversight; to provide for parole for geriatric offenders; to define terms; to provide duties for courts, the probation administrator, the Board of Parole, the Division of Parole Supervision, the State Court Administrator, the Department of Health and Human Services, and the Department of Correctional Services; to provide for additional benefits under the Rural Health Systems and Professional Incentive Act; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 921. Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-106, Reissue Revised Statutes of Nebraska, and section 28-105, Revised Statutes Cumulative Supplement, 2020; to change where certain sentences of imprisonment are served; and to repeal the original sections.

LEGISLATIVE BILL 922. Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to courts; to amend section 24-301.02, Revised Statutes Cumulative Supplement, 2020; to increase the number of district judges in the fourth judicial district; and to repeal the original section.

LEGISLATIVE BILL 923. Introduced by Cavanaugh, J., 9; Blood, 3; Lathrop, 12.

A BILL FOR AN ACT relating to the Nebraska County and City Lottery Act; to amend sections 9-607, 9-646.01, and 9-651, Reissue Revised Statutes of Nebraska, and sections 9-601 and 9-603, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to the game of keno; to provide for the sale of digital-on-premises tickets; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 924. Introduced by Brewer, 43.

A BILL FOR AN ACT relating to the Waste Reduction and Recycling Incentive Act; to amend section 81-15,160, Revised Statutes Cumulative Supplement, 2020; to include cities of the first class as grant recipients for certain reimbursement costs; and to repeal the original section.

LEGISLATIVE BILL 925. Introduced by Gragert, 40; Brandt, 32; Cavanaugh, J., 9; Dorn, 30; Pansing Brooks, 28.

A BILL FOR AN ACT relating to the Department of Natural Resources; to adopt the Resilient Soils and Water Quality Act; and to state legislative intent for appropriations.

LEGISLATIVE BILL 926. Introduced by Pahls, 31.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2715.07, Revised Statutes Supplement, 2021; to provide an income tax credit for rent paid on dwellings; and to repeal the original section.

LEGISLATIVE BILL 927. Introduced by Pahls, 31.

A BILL FOR AN ACT relating to the Convention Center Facility Financing Assistance Act; to amend sections 13-2603 and 13-2604, Revised Statutes Cumulative Supplement, 2020, and section 13-2610, Revised Statutes Supplement, 2021; to define and redefine terms; to change provisions relating to the use of state assistance; to change a limitation on the total amount of state assistance allowed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 928. Introduced by Sanders, 45.

A BILL FOR AN ACT relating to the Nebraska Political Accountability and Disclosure Act; to amend section 49-1401, Reissue Revised Statutes of Nebraska; to provide for closed captioning or transcripts of certain campaign advertisements as prescribed; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 929. Introduced by Wishart, 27; Aguilar, 35; Blood, 3; Bostar, 29; Cavanaugh, J., 9; Cavanaugh, M., 6; Day, 49; DeBoer, 10; Dorn, 30; Gragert, 40; Hansen, M., 26; Hilkemann, 4; Hunt, 8; Kolterman, 24; Linehan, 39; McCollister, 20; McDonnell, 5; McKinney, 11; Pahls, 31; Pansing Brooks, 28; Stinner, 48; Walz, 15; Wayne, 13.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend section 68-911, Reissue Revised Statutes of Nebraska; to require the submission of a state plan amendment to extend postpartum coverage; and to repeal the original section.

LEGISLATIVE BILL 930. Introduced by Hunt, 8.

A BILL FOR AN ACT relating to the Nebraska Political Accountability and Disclosure Act; to amend section 49-1446.03, Reissue Revised Statutes of Nebraska; to authorize certain committee expenditures; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 931. Introduced by Hunt, 8.

A BILL FOR AN ACT relating to the Employment Security Law; to amend sections 48-602 and 48-628.02, Reissue Revised Statutes of Nebraska; to redefine a term; to change provisions relating to disqualification for benefits; and to repeal the original sections.

LEGISLATIVE BILL 932. Introduced by Hunt, 8.

A BILL FOR AN ACT relating to state wards; to amend section 43-907, Reissue Revised Statutes of Nebraska; to authorize the Department of Health and Human Services to screen children for social security benefit eligibility; and to repeal the original section.

LEGISLATIVE BILL 933. Introduced by Albrecht, 17; Flood, 19.

A BILL FOR AN ACT relating to abortion; to amend sections 28-101 and 38-2021, Revised Statutes Cumulative Supplement, 2020; to adopt the Nebraska Human Life Protection Act; to provide a penalty; to provide for severability of provisions as prescribed; to redefine unprofessional conduct; to harmonize provisions; and to repeal the original sections.

AMENDMENT(S) - Print in Journal

Senator Hunt filed the following amendment to [LB781](#):

[AM1534](#)

1 1. Strike original section 6 and insert the following new section:

2 Sec. 6. It shall not be a violation of the Heartbeat Act if the

3 abortion is sought to terminate a pregnancy which resulted from sexual

4 assault or perpetration of incest on the person seeking abortion care.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 272CA. Introduced by Pahls, 31.

THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION, RESOLVE THAT:

Section 1. At the general election in November 2022, the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article VIII, section 1:

VIII-1 The necessary revenue of the state and its governmental subdivisions shall be raised by taxation in such manner as the Legislature may direct. Notwithstanding Article I, section 16, Article III, section 18, or Article VIII, section 4, of this Constitution or any other provision of this

Constitution to the contrary: (1) Taxes shall be levied by valuation uniformly and proportionately upon all real property and franchises as defined by the Legislature except as otherwise provided in or permitted by this Constitution; (2) tangible personal property, as defined by the Legislature, not exempted by this Constitution or by legislation, shall all be taxed at depreciated cost using the same depreciation method with reasonable class lives, as determined by the Legislature, or shall all be taxed by valuation uniformly and proportionately; (3) the Legislature may provide for a different method of taxing motor vehicles and may also establish a separate class of motor vehicles consisting of those owned and held for resale by motor vehicle dealers which shall be taxed in the manner and to the extent provided by the Legislature and may also establish a separate class for trucks, trailers, semitrailers, truck-tractors, or combinations thereof, consisting of those owned by residents and nonresidents of this state, and operating in interstate commerce, and may provide reciprocal and proportionate taxation of such vehicles. The tax proceeds from motor vehicles taxed in each county shall be allocated to the county and the cities, villages, and school districts of such county; (4) the Legislature may provide that agricultural land and horticultural land, as defined by the Legislature, shall constitute a separate and distinct class of property for purposes of taxation and may provide for a different method of taxing agricultural land and horticultural land which results in values that are not uniform and proportionate with all other real property and franchises but which results in values that are uniform and proportionate upon all property within the class of agricultural land and horticultural land; (5) the Legislature may enact laws to provide that the value of land actively devoted to agricultural or horticultural use shall for property tax purposes be that value which such land has for agricultural or horticultural use without regard to any value which such land might have for other purposes or uses; (6) the Legislature may prescribe standards and methods for the determination of the value of real property at uniform and proportionate values; (7) in furtherance of the purposes for which such a law of the United States has been adopted, whenever there exists a law of the United States which is intended to protect a specifically designated type, use, user, or owner of property or franchise from discriminatory state or local taxation, such property or franchise shall constitute a separate class of property or franchise under the laws of the State of Nebraska, and such property or franchise may not be taken into consideration in determining whether taxes are levied by valuation uniformly or proportionately upon any property or franchise, and the Legislature may enact laws which statutorily recognize such class and which tax or exempt from taxation such class of property or franchise in such manner as it determines; ~~and~~ (8) the Legislature may provide that livestock shall constitute a separate and distinct class of property for purposes of taxation and may further provide for reciprocal and proportionate taxation of livestock located in this state for only part of a year; and (9) the Legislature may provide that residential real property, as defined by the Legislature, shall constitute a separate and distinct class of property for purposes of taxation and may provide for a different method of taxing residential real property which results in values that are not uniform

and proportionate with all other real property and franchises but which results in values that are uniform and proportionate upon all property within the class of residential real property. Each actual property tax rate levied for a governmental subdivision shall be the same for all classes of taxed property and franchises. Taxes uniform as to class of property or the ownership or use thereof may be levied by valuation or otherwise upon classes of intangible property as the Legislature may determine, and such intangible property held in trust or otherwise for the purpose of funding pension, profit-sharing, or other employee benefit plans as defined by the Legislature may be declared exempt from taxation. Taxes other than property taxes may be authorized by law. Existing revenue laws shall continue in effect until changed by the Legislature.

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

A constitutional amendment authorizing the Legislature to treat residential real property as a separate and distinct class for purposes of taxation and to provide for a different method of taxing residential real property which results in values that are not uniform and proportionate with all other real property.

For

Against.

LEGISLATIVE RESOLUTION 273. Introduced by Day, 49.

WHEREAS, the Gretna High School football team defeated Omaha Westside 7-3 to win the Class A state championship game on November 23, 2021, at Memorial Stadium; and

WHEREAS, the game marked the first appearance of Gretna High School in a state championship football game; and

WHEREAS, the Gretna High School football team had 352 total yards in the game and limited their opponent to 273 total yards; and

WHEREAS, the Gretna High School football team ended the season with twelve wins total and only one loss; 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 Gretna High School for winning the 2021 Class A State Football Championship.

2. That a copy of this resolution be sent to Mike Kayl, the head coach of the Gretna High School football team.

Laid over.

VISITOR(S)

Visitors to the Chamber were members of the Convention of States Nebraska from across the state.

RECESS

At 11:59 a.m., on a motion by Senator DeBoer, 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 Blood who was excused; and Senators Bostar, Bostelman, Flood, Groene, B. Hansen, Hilkemann, McCollister, Vargas, and Williams who were excused until they arrive.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

LB/LR	Committee
LB860	Revenue
LB861	Government, Military and Veterans Affairs
LB862	Health and Human Services
LB863	Banking, Commerce and Insurance
LB864	Revenue
LB865	Health and Human Services
LB866	General Affairs
LB867	Appropriations
LB868	Education
LB869	Business and Labor
LB870	Judiciary
LB871	Business and Labor
LB872	Education
LB874	Transportation and Telecommunications
LB875	Transportation and Telecommunications
LB876	General Affairs
LB877	General Affairs
LB878	Judiciary
LB879	Judiciary
LB880	Judiciary
LB881	Revenue
LB882	Judiciary
LB883	Judiciary

LB884 Transportation and Telecommunications
LB885 Health and Human Services
LB886 Judiciary
LB887 Education
LB888 Education
LB889 Agriculture
LB890 Education
LB891 Revenue
LB892 Banking, Commerce and Insurance
LB893 Appropriations
LB894 Banking, Commerce and Insurance
LB895 Health and Human Services
LB896 Judiciary
LB897 Executive Board
LB898 General Affairs
LB899 General Affairs
LB900 General Affairs
LB901 Health and Human Services
LB902 Education
LB903 Judiciary
LB904 Appropriations
LB905 Health and Human Services
LB906 Health and Human Services
LR271 Government, Military and Veterans Affairs

Berggren, Patrick L. - Nebraska Game and Parks Commission - Natural Resources
Cassels, Scott L. - Nebraska Game and Parks Commission - Natural Resources
Greene, Michael A. - Nebraska Rural Health Advisory Commission - Health and Human Services
Harrison, Jeffrey D. - Nebraska Rural Health Advisory Commission - Health and Human Services
Headrick, Dennis A. - Coordinating Commission for Postsecondary Education - Education
Hunt, Cherlyn - Nebraska Rural Health Advisory Commission - Health and Human Services
Juelfs, Dallen R. - Nebraska Oil and Gas Conservation Commission - Natural Resources
Livingston, Cheryl - Commission for the Blind and Visually Impaired - Health and Human Services
Mentink, Linda - Commission for the Blind and Visually Impaired - Health and Human Services
Schroeder, Rebecca A. - Nebraska Rural Health Advisory Commission - Health and Human Services
Strommen, Paul E. - Nebraska Oil and Gas Conservation Commission - Natural Resources

Wells, Roger D. - Nebraska Rural Health Advisory Commission - Health and Human Services
Zingula, Douglas A. - Nebraska Game and Parks Commission - Natural Resources

(Signed) Dan Hughes, Chairperson
Executive Board

BILLS ON FIRST READING

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

LEGISLATIVE BILL 934. Introduced by Cavanaugh, J., 9.

A BILL FOR AN ACT relating to the Motor Vehicle Registration Act; to amend sections 60-399 and 60-3,164, Reissue Revised Statutes of Nebraska; to make certain license plate and validation decal provisions secondary violations; to change penalties; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 935. Introduced by Bostar, 29.

A BILL FOR AN ACT relating to counties; to amend section 23-192, Reissue Revised Statutes of Nebraska, and section 23-187, Revised Statutes Cumulative Supplement, 2020; to adopt the County Minimum Wage Option Act; to change provisions relating to county ordinances; and to repeal the original sections.

LEGISLATIVE BILL 936. Introduced by Bostar, 29.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2733, Reissue Revised Statutes of Nebraska; to change provisions relating to the taxation of nonresident income; and to repeal the original section.

MOTION(S) - Print in Journal

Senator Hunt filed the following motion to LB933:

[MO116](#)

Indefinitely postpone.

NOTICE OF COMMITTEE HEARING(S)

Urban Affairs
Room 1510 1:30 PM

Tuesday, January 18, 2022

LB820

LB724

LB799
LB800

(Signed) Justin Wayne, Chairperson

GENERAL FILE

LEGISLATIVE RESOLUTION 14. The Morfeld amendment, [AM1545](#), found in this day's Journal, was renewed.

Senator Morfeld moved for a call of the house. The motion prevailed with 16 ayes, 5 nays, and 28 not voting.

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

Voting in the affirmative, 12:

Bostar	Hansen, M.	McCollister	Pansing Brooks
Cavanaugh, M.	Hunt	McKinney	Walz
Day	Lathrop	Morfeld	Wayne

Voting in the negative, 22:

Arch	Erdman	Halloran	Linehan	Stinner
Bostelman	Friesen	Hansen, B.	McDonnell	Williams
Brewer	Geist	Hilkemann	Murman	
Clements	Gragert	Hughes	Sanders	
Dorn	Groene	Kolterman	Slama	

Present and not voting, 11:

Aguilar	Cavanaugh, J.	Lindstrom	Pahls
Albrecht	DeBoer	Lowe	Wishart
Brandt	Hilgers	Moser	

Excused and not voting, 4:

Blood	Briese	Flood	Vargas
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The Morfeld amendment lost with 12 ayes, 22 nays, 11 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

Pending.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 937. Introduced by Geist, 25.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Legislative Council for economic modeling software; and to declare an emergency.

LEGISLATIVE BILL 938. Introduced by Linehan, 39.

A BILL FOR AN ACT relating to income taxes; to amend section 77-2734.02, Revised Statutes Supplement, 2021; to change corporate income tax rates as prescribed; to eliminate provisions relating to legislative intent; and to repeal the original section.

LEGISLATIVE BILL 939. Introduced by Linehan, 39.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2715.03, Reissue Revised Statutes of Nebraska; to change individual income tax rates as prescribed; and to repeal the original section.

LEGISLATIVE BILL 940. Introduced by Hansen, M., 26.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds for housing; and to declare an emergency.

LEGISLATIVE BILL 941. Introduced by Slama, 1.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2704.36, Revised Statutes Supplement, 2021; to provide a sales and use tax exemption for net wrap as prescribed; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 942. Introduced by Slama, 1.

A BILL FOR AN ACT relating to law enforcement; to amend sections 29-2264, 81-1401, 81-1403, 81-1414, 81-1414.13, 81-1438, 81-1439, 81-1440, and 81-1443, Revised Statutes Supplement, 2021, and section 81-1412, Reissue Revised Statutes of Nebraska; to define terms; to provide for notice of expiration of certification as a qualified firearm instructor; to change powers, duties, and training requirements of noncertified conditional officers and reserve officers; to eliminate provisions relating to a reciprocity program; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 943. Introduced by Bostar, 29.

A BILL FOR AN ACT relating to insurance; to prohibit certain provisions

in a health plan in relation to clinician-administered drugs; and to define a term.

LEGISLATIVE BILL 944. Introduced by McCollister, 20.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2701.02, Reissue Revised Statutes of Nebraska; to change the sales tax rate imposed on the furnishing of electricity service; and to repeal the original section.

LEGISLATIVE BILL 945. Introduced by Linehan, 39.

A BILL FOR AN ACT relating to teachers; to amend section 77-2716, Revised Statutes Supplement, 2021; to adopt the Teach in Nebraska Today Act; to provide for student loan repayment assistance; to provide an income tax deduction as prescribed; to appropriate funds to aid in carrying out the provisions of this legislative bill; and to repeal the original section.

GENERAL FILE

LEGISLATIVE RESOLUTION 14. Senator M. Hansen offered the following amendment:

[AM1538](#)

- 1 1. Insert the following new RESOLVED clause:
- 2 2. The Legislature reaffirms its commitment to protecting the voting
- 3 rights of Nebraska voters. The convention of states shall not propose
- 4 amendments that could in any way result in the restriction,
- 5 disenfranchisement, or elimination of the United States Department of
- 6 Justice.
- 7 2. Renumber the remaining RESOLVED clauses accordingly.

Senator M. Hansen withdrew his amendment.

Senator Hunt offered the following amendment:

[AM1550](#)

- 1 1. In the first RESOLVED clause, after the last instance of
- 2 "Congress" insert ", except that any federal fiscal constraints shall not
- 3 reduce Social Security benefits".

Senator Hunt withdrew her amendment.

SPEAKER HILGERS PRESIDING

PRESIDENT FOLEY PRESIDING

Senator Halloran moved for a call of the house. The motion prevailed with 32 ayes, 1 nay, and 16 not voting.

Senator Halloran requested a roll call vote on the advancement of the resolution.

Voting in the affirmative, 32:

Arch	Dorn	Halloran	Lowe	Stinner
Bostar	Erdman	Hansen, B.	McDonnell	Wayne
Bostelman	Flood	Hilgers	Moser	Williams
Brandt	Friesen	Hilkemann	Murman	Wishart
Brewer	Geist	Kolterman	Pahls	
Briese	Gragert	Lindstrom	Sanders	
Clements	Groene	Linehan	Slama	

Voting in the negative, 10:

Albrecht	Hansen, M.	Lathrop	McKinney	Pansing Brooks
Day	Hunt	McCollister	Morfeld	Walz

Present and not voting, 4:

Aguilar	Cavanaugh, J.	Cavanaugh, M.	Hughes
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Excused and not voting, 3:

Blood	DeBoer	Vargas
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Advanced to Enrollment and Review Initial with 32 ayes, 10 nays, 4 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 946. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to juveniles; to prohibit the prescription of off-label medications.

LEGISLATIVE BILL 947. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to child support; to amend sections 30-3420, 42-347, 42-348, 42-349, 42-350, 42-351, 42-352, 42-353, 42-357, 42-360, 42-362, 42-370, 42-371, 42-371.01, 42-373, 42-702, 42-734, 42-740, 42-821, 43-512.03, and 43-513.01, Reissue Revised Statutes of Nebraska, and sections 25-2740, 42-377, and 43-2,113, Revised Statutes Cumulative Supplement, 2020; to end child support payments upon the death of a custodial parent; to define a term; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 948. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to insurance; to require insurers in this state to provide certain liability coverage limits to injured parties; to provide a penalty; and to provide a duty for the Revisor of Statutes.

LEGISLATIVE BILL 949. Introduced by Friesen, 34.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-1701, Reissue Revised Statutes of Nebraska; to change provisions relating to tax statements; and to repeal the original section.

LEGISLATIVE BILL 950. Introduced by DeBoer, 10; Sanders, 45; Wishart, 27.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the University of Nebraska; and to declare an emergency.

LEGISLATIVE BILL 951. Introduced by Cavanaugh, J., 9.

A BILL FOR AN ACT relating to income taxes; to amend section 77-2715.07, Revised Statutes Supplement, 2021; to increase the earned income tax credit as prescribed; and to repeal the original section.

LEGISLATIVE BILL 952. Introduced by Cavanaugh, J., 9.

A BILL FOR AN ACT relating to the medical assistance program; to amend section 47-706, Reissue Revised Statutes of Nebraska; to provide enrollment for the medical assistance program to inmates prior to release from incarceration; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 953. Introduced by Cavanaugh, J., 9; Gragert, 40; Hughes, 44.

A BILL FOR AN ACT relating to the State Fire Marshal; to amend sections 81-520.01 and 81-520.03, Reissue Revised Statutes of Nebraska; to change open burning permit provisions; to redefine a term; to provide limitations on liability and nuisance relating to land-management burning; and to repeal the original sections.

LEGISLATIVE BILL 954. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to the Nebraska Clean Indoor Air Act; to amend section 71-5716, Revised Statutes Cumulative Supplement, 2020; to preempt certain county and municipality resolutions or ordinances relating to electronic smoking devices; and to repeal the original section.

GENERAL FILE

LEGISLATIVE BILL 310. Title read. Considered.

Committee [AM635](#), found on page 640, First Session, 2021, was offered.

Senator Albrecht offered her amendment, [AM1511](#), found on page 179, to the committee amendment.

Pending.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 955. Introduced by Murman, 38; Aguilar, 35; Bostar, 29; Briese, 41; Cavanaugh, M., 6; Clements, 2; DeBoer, 10; Flood, 19; Gragert, 40; Halloran, 33; Hansen, M., 26; Hunt, 8; Pahls, 31; Sanders, 45; Wishart, 27.

A BILL FOR AN ACT relating to insurance; to prohibit certain insurance practices relating to a person's status as a living organ donor.

LEGISLATIVE BILL 956. Introduced by Murman, 38; Aguilar, 35; Briese, 41; Flood, 19.

A BILL FOR AN ACT relating to public health information; to amend section 71-503.01, Reissue Revised Statutes of Nebraska; to define terms; to provide for confidentiality of certain health information; to provide for use or disclosure of such information; to change provisions relating to confidential health information, reports, use, disclosure, and immunity; and to repeal the original section.

NOTICE OF COMMITTEE HEARING(S)

Government, Military and Veterans Affairs
Room 1507 1:30 PM

Wednesday, January 19, 2022

LB845
LB774

Thursday, January 20, 2022

LB734
LB733
LB786

Friday, January 21, 2022

Jerry Lee Jensen - State Personnel Board
LB769

(Signed) Tom Brewer, Chairperson

Agriculture
Room 1524 1:30 PM

Tuesday, January 18, 2022

Ervin L. Portis - Climate Assessment Response Committee

LB712

LB805

LB802

(Signed) Steve Halloran, Chairperson

AMENDMENT(S) - Print in Journal

Senator Stinner filed the following amendment to LB376A:

AM1463

1 I. Insert the following new sections:

- 2 Section 1. There is hereby appropriated (1) \$840,108 from the
 3 General Fund and \$44,216 from federal funds for FY2021-22 and (2)
 4 \$1,697,019 from the General Fund and \$89,317 from federal funds for
 5 FY2022-23 to the Department of Health and Human Services, for Program
 6 347, to aid in carrying out the provisions of Legislative Bill 376, One
 7 Hundred Seventh Legislature, First Session, 2021.
 8 No expenditures for permanent and temporary salaries and per diems
 9 for state employees shall be made from funds appropriated in this
 10 section.
 11 Sec. 2. Since an emergency exists, this act takes effect when passed
 12 and approved according to law.
 13 2. Renumber the remaining sections accordingly.

Senator M. Cavanaugh filed the following amendment to LB376A:

AM1456

- 1 1. Strike the original section and insert the following new
 2 sections:
 3 Section 1. There is hereby appropriated (1) \$1,785,000 from the
 4 General Fund for FY2021-22 and (2) \$3,570,000 from the General Fund for
 5 FY2022-23 to the Department of Health and Human Services, for Program
 6 424, to aid in carrying out the provisions of Legislative Bill 376, One
 7 Hundred Seventh Legislature, First Session, 2021.
 8 No expenditures for permanent and temporary salaries and per diems
 9 for state employees shall be made from funds appropriated in this
 10 section.
 11 There is included in the appropriation to this program for FY2021-22
 12 \$1,785,000 General Funds for state aid, which shall only be used for such
 13 purpose. There is included in the appropriation to this program for
 14 FY2022-23 \$3,570,000 General Funds for state aid, which shall only be
 15 used for such purpose.
 16 Sec. 2. There is hereby appropriated (1) \$588,175 from the General
 17 Fund and \$799,022 from federal funds for FY2021-22 and (2) \$1,176,439
 18 from the General Fund and \$1,598,134 from federal funds for FY2022-23 to
 19 the Department of Health and Human Services, for Program 33, to aid in
 20 carrying out the provisions of Legislative Bill 376, One Hundred Seventh
 21 Legislature, First Session, 2021.
 22 Total expenditures for permanent and temporary salaries and per
 23 diems from funds appropriated in this section shall not exceed \$1,351,587
 24 for FY2021-22 or \$2,703,173 for FY2022-23.

25 Sec. 3. There is hereby appropriated (1) \$1,498,224 from the
 26 General Fund and \$4,533,976 from federal funds for FY2021-22 and (2)
 27 \$2,996,448 from the General Fund and \$9,067,952 from federal funds for
 1 FY2022-23 to the Department of Health and Human Services, for Program
 2 348, to aid in carrying out the provisions of Legislative Bill 376, One
 3 Hundred Seventh Legislature, First Session, 2021.
 4 No expenditures for permanent and temporary salaries and per diems
 5 for state employees shall be made from funds appropriated in this
 6 section.
 7 There is included in the appropriation to this program for FY2021-22
 8 \$1,498,224 General Funds for state aid, which shall only be used for such
 9 purpose. There is included in the appropriation to this program for
 10 FY2022-23 \$2,996,448 General Funds for state aid, which shall only be
 11 used for such purpose.

Senator Hunt filed the following amendment to [LB781](#):
[AM1535](#)

1 1. Strike original section 6 and insert the following new section:
 2 Sec. 6. It shall not be a violation of the Heartbeat Act if the
 3 abortion is sought to terminate a pregnancy in which a physician
 4 determines there exists a likelihood of fetal anomaly.

Senator Dorn filed the following amendment to [LB310](#):
[AM1551](#)

(Amendments to Standing Committee amendments, AM635)

1 1. Strike the original sections and all amendments thereto and
 2 insert the following new sections:
 3 Section 1. Section 77-2004, Reissue Revised Statutes of Nebraska, is
 4 amended to read:
 5 77-2004 (1) In the case of a father, mother, grandfather,
 6 grandmother, brother, sister, son, daughter, child or children legally
 7 adopted as such in conformity with the laws of the state where adopted,
 8 any lineal descendant, any lineal descendant legally adopted as such in
 9 conformity with the laws of the state where adopted, any person to whom
 10 the deceased for not less than ten years prior to death stood in the
 11 acknowledged relation of a parent, or the spouse or surviving spouse of
 12 any such persons, the rate of tax shall be one percent of the clear
 13 market value of the property in excess of ~~eighty~~ forty thousand dollars
 14 received by each person.
 15 (2) Any interest in property, including any interest acquired in the
 16 manner set forth in section 77-2002, which may be valued at a sum of
 17 ~~eighty less than forty~~ thousand dollars or less shall not be subject to
 18 tax. In addition the homestead allowance, exempt property, and family
 19 maintenance allowance shall not be subject to tax. Interests passing to
 20 the surviving spouse by will, in the manner set forth in section 77-2002,
 21 or in any other manner shall not be subject to tax. Any interest passing
 22 to a person described in subsection (1) of this section who is under
 23 twenty-two years of age shall not be subject to tax.
 24 Sec. 2. Section 77-2005, Reissue Revised Statutes of Nebraska, is
 25 amended to read:
 26 77-2005 (1) In the case of an uncle, aunt, niece, or nephew related
 1 to the deceased by blood or legal adoption, or other lineal descendant of
 2 the same, or the spouse or surviving spouse of any of such persons, the
 3 rate of tax shall be thirteen percent of the clear market value of the
 4 property received by each person in excess of ~~thirty~~ fifteen thousand
 5 dollars.
 6 (2) If the clear market value of the beneficial interest is ~~thirty~~
 7 ~~fifteen~~ thousand dollars or less, it shall not be subject to tax.
 8 Sec. 3. Section 77-2006, Reissue Revised Statutes of Nebraska, is

9 amended to read:

10 77-2006 (1) In all other cases the rate of tax shall be eighteen
11 percent on the clear market value of the beneficial interests in excess
12 of ~~twenty ten~~ thousand dollars. Such rates of tax shall be applied to the
13 clear market value of the beneficial interests in excess of ~~twenty ten~~
14 thousand dollars received by each person.

15 (2) If the clear market value of the beneficial interest is ~~twenty~~
16 ~~ten~~ thousand dollars or less, it shall not be subject to any tax.

17 Sec. 4. Section 77-2040, Reissue Revised Statutes of Nebraska, is
18 amended to read:

19 77-2040 Sections 77-2002 to 77-2004 and 77-2102 shall become
20 operative on December 31, 1982, and shall apply to all property which
21 passes from a decedent dying after such date. Sections 77-2001, 77-2032,
22 and 77-2106 shall become operative on July 17, 1982. The changes made in
23 sections 77-2004 to 77-2006 by Laws 2007, LB 502, apply to all property
24 which passes from a decedent dying on or after January 1, 2008. The
25 changes made to section 77-2010 by Laws 2007, LB 502, apply to decedents
26 dying on or after January 1, 2008. The changes made in sections 77-2004,
27 77-2005, and 77-2006 by this legislative bill apply to all property which
28 passes from a decedent dying on or after January 1, 2023.

29 Sec. 5. Each personal representative of an estate shall, upon the
30 distribution of any proceeds from an estate, submit a report regarding
31 inheritance taxes to the county treasurer of the county in which the
1 estate was administered. The report shall be submitted on a form
2 prescribed by the Department of Revenue and shall include the following
3 information:

4 (1) The amount of inheritance tax revenue generated under section
5 77-2004 and the number of persons receiving property that was subject to
6 tax under section 77-2004;

7 (2) The amount of inheritance tax revenue generated under section
8 77-2005 and the number of persons receiving property that was subject to
9 tax under section 77-2005;

10 (3) The amount of inheritance tax revenue generated under section
11 77-2006 and the number of persons receiving property that was subject to
12 tax under section 77-2006; and

13 (4) The number of persons who do not reside in this state and who
14 received any property that was subject to tax under section 77-2004,
15 77-2005, or 77-2006.

16 Sec. 6. The Revisor of Statutes shall assign section 5 of this act
17 to Chapter 77, article 20.

18 Sec. 7. Original sections 77-2004, 77-2005, 77-2006, and 77-2040,
19 Reissue Revised Statutes of Nebraska, are repealed.

Senator McCollister filed the following amendment to LR14:
AM1555

1 1. In the third RESOLVED clause, before "continuing" insert
2 "conditional"; and after the period insert "If at least two-thirds of the
3 several states have made application on the same subject, the Legislature
4 shall vote at such time to reaffirm this application. This application
5 shall expire after four years from the date of adoption of this
6 resolution by the Legislature unless reaffirmed as herein provided.".

AMENDMENT(S) - Refile in Journal

Senator M. Hansen refiled his amendment, AM1538, found and withdrawn
in this day's Journal, to LR14.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Friesen name added to LB596.
Senator Brandt name added to LB773.
Senator Gragert name added to LB853.

VISITOR(S)

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

ADJOURNMENT

At 4:58 p.m., on a motion by Senator McKinney, the Legislature adjourned until 10:00 a.m., Tuesday, January 11, 2022.

Patrick J. O'Donnell
Clerk of the Legislature

FIFTH DAY - JANUARY 11, 2022**LEGISLATIVE JOURNAL****ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION****FIFTH DAY**

Legislative Chamber, Lincoln, Nebraska
Tuesday, January 11, 2022

PRAYER

The prayer was offered by Pastor Noah Tyler, Westmark Evangelical Free Church, Loomis.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Gragert.

ROLL CALL

Pursuant to adjournment, the Legislature met at 10:00 a.m., President Foley presiding.

The roll was called and all members were present except Senators Blood and Brewer who were excused; and Senators Briese, DeBoer, M. Hansen, McCollister, and Walz who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the fourth day was approved.

GENERAL FILE

LEGISLATIVE BILL 310. Committee [AM635](#), found on page 640, First Session, 2021, and considered on page 273, was renewed.

Senator Albrecht renewed her amendment, [AM1511](#), found on page 179 and considered on page 273, to the committee amendment.

Pending.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 957. Introduced by Flood, 19.

A BILL FOR AN ACT relating to the Insurers Investment Act; to amend sections 44-5103, 44-5105, 44-5120, 44-5120.01, 44-5132, 44-5137, 44-5139, 44-5141, 44-5143, 44-5144, 44-5149, and 44-5153, Reissue Revised Statutes of Nebraska; to provide, change, and eliminate definitions; to change provisions relating to investments; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 958. Introduced by Groene, 42; Hansen, B., 16.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 60-483 and 60-1509, Reissue Revised Statutes of Nebraska; to change the distribution of fee revenue; to require a report; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 959. Introduced by McCollister, 20.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Health and Human Services; and to declare an emergency.

LEGISLATIVE BILL 960. Introduced by Vargas, 7; McKinney, 11.

A BILL FOR AN ACT relating to teachers and administrators; to amend section 79-809, Reissue Revised Statutes of Nebraska, sections 79-807 and 79-808, Revised Statutes Cumulative Supplement, 2020, and section 79-8,145, Revised Statutes Supplement, 2021; to remove basic skill and content test requirements; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 961. Introduced by Vargas, 7; McDonnell, 5.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the University of Nebraska; and to declare an emergency.

LEGISLATIVE BILL 962. Introduced by Vargas, 7; McDonnell, 5.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the University of Nebraska; and to declare an emergency.

LEGISLATIVE BILL 963. Introduced by Murman, 38; Aguilar, 35; Flood, 19; Geist, 25; Gragert, 40; Halloran, 33; Sanders, 45; Slama, 1.

A BILL FOR AN ACT relating to health care; to adopt the Medical Ethics

and Diversity Act; and to provide severability.

LEGISLATIVE BILL 964. Introduced by Bostar, 29; Brewer, 43.

A BILL FOR AN ACT relating to the Nebraska State Patrol; to amend section 81-1174, Revised Statutes Cumulative Supplement, 2020; to provide for reimbursement for per diem expenses and for actual meal expenses as prescribed; and to repeal the original section.

LEGISLATIVE BILL 965. Introduced by Bostar, 29.

A BILL FOR AN ACT relating to holidays; to amend sections 25-2221 and 62-301, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to holidays; and to repeal the original sections.

LEGISLATIVE BILL 966. Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to insurance; to adopt the Discretionary Clause Prohibition Act; and to provide severability.

LEGISLATIVE BILL 967. Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation Act; to amend sections 48-163, 48-174, and 48-177, Reissue Revised Statutes of Nebraska; to change provisions relating to rules and regulations and service; to allow hearings and trials under the act to be conducted telephonically or by videoconferencing; and to repeal the original sections.

LEGISLATIVE BILL 968. Introduced by Dorn, 30.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Economic Development; and to declare an emergency.

LEGISLATIVE BILL 969. Introduced by Dorn, 30.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Environment and Energy.

NOTICE OF COMMITTEE HEARING(S)

Natural Resources
Room 1525 1:30 PM

Wednesday, January 19, 2022

LB804

LB809

LB746

LB775

(Signed) Bruce Bostelman, Chairperson

Education
Room 1525 1:30 PM

Tuesday, January 18, 2022
LB890

(Signed) Lynne Walz, Chairperson

RECESS

At 11:57 a.m., on a motion by Senator Pahls, 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 Blood and Brewer who were excused; and Senators Groene, Hilkemann, Morfeld, Pansing Brooks, Slama, Stinner, Wayne, and Wishart who were excused until they arrive.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

LB/LR	Committee
LB828	Judiciary
LB873	Revenue
LB907	Judiciary
LB908	Government, Military and Veterans Affairs
LB909	Judiciary
LB910	Government, Military and Veterans Affairs
LB911	Transportation and Telecommunications
LB912	Education
LB913	Transportation and Telecommunications
LB914	Transportation and Telecommunications
LB915	Urban Affairs
LB916	Transportation and Telecommunications
LB917	Revenue
LB918	Judiciary
LB919	Revenue
LB920	Judiciary
LB921	Judiciary
LB922	Judiciary

LB923 General Affairs
LB924 Natural Resources
LB925 Natural Resources
LB926 Revenue
LB927 Revenue
LB928 Government, Military and Veterans Affairs
LB929 Health and Human Services
LB930 Government, Military and Veterans Affairs
LB931 Business and Labor
LB932 Health and Human Services
LB933 Judiciary
LB934 Transportation and Telecommunications
LB935 Business and Labor
LB936 Revenue
LB937 Appropriations
LB938 Revenue
LB939 Revenue
LB940 Appropriations
LB941 Revenue
LB942 Judiciary
LB943 Banking, Commerce and Insurance
LB944 Revenue
LB945 Education
LB946 Judiciary
LB947 Judiciary
LB948 Banking, Commerce and Insurance
LB949 Revenue
LB950 Appropriations
LB951 Revenue
LB952 Judiciary
LB953 Judiciary
LB954 Health and Human Services
LB955 Banking, Commerce and Insurance
LB956 Health and Human Services
LR272CA Revenue

(Signed) Dan Hughes, Chairperson
Executive Board

NOTICE OF COMMITTEE HEARING(S)

Banking, Commerce and Insurance
Room 1507 1:30 PM

Tuesday, January 18, 2022

LB707
LB863
LB728

(Signed) Matt Williams, Chairperson

BILL ON FIRST READING

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

LEGISLATIVE BILL 970. Introduced by Halloran, 33.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Agriculture; and to declare an emergency.

GENERAL FILE

LEGISLATIVE BILL 310. The Albrecht amendment, [AM1511](#), found on page 179 and considered on page 273 and in this day's Journal, to the committee amendment, was renewed.

Senator Albrecht withdrew her amendment.

Senator Dorn withdrew his amendment, [AM1551](#), found on page 275.

Committee [AM635](#), found on page 640, First Session, 2021, and considered on page 273 and in this day's Journal, was renewed.

Senator Linehan moved for a call of the house. The motion prevailed with 25 ayes, 2 nays, and 22 not voting.

Senator Linehan requested a roll call vote on the committee amendment.

Voting in the affirmative, 40:

Aguilar	Clements	Hansen, B.	Lowe	Sanders
Albrecht	Day	Hilgers	McCollister	Slama
Arch	DeBoer	Hilkemann	McDonnell	Stinner
Bostar	Flood	Hughes	Morfeld	Vargas
Bostelman	Friesen	Kolterman	Moser	Walz
Brandt	Geist	Lathrop	Murman	Wayne
Briese	Gragert	Lindstrom	Pahls	Williams
Cavanaugh, J.	Groene	Linehan	Pansing Brooks	Wishart

Voting in the negative, 4:

Dorn	Erdman	Hunt	McKinney
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Present and not voting, 2:

Cavanaugh, M. Halloran

Excused and not voting, 3:

Blood Brewer Hansen, M.

The committee amendment was adopted with 40 ayes, 4 nays, 2 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

Senator Clements requested a roll call vote on the advancement of the bill.

Advanced to Enrollment and Review Initial with 41 ayes, 4 nays, 1 present and not voting, and 3 excused and not voting.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 971. Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to public health and welfare; to amend sections 71-3701, 71-3702, 71-3704, 71-3705, and 71-3706, Revised Statutes Cumulative Supplement, 2020; to change the name of the Brain Injury Trust Fund Act to the Brain Injury Assistance Act; to change provisions relating to the Brain Injury Trust Fund and to change the name of the Brain Injury Trust Fund to the Brain Injury Assistance Program; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 972. Introduced by Hansen, M., 26.

A BILL FOR AN ACT relating to property taxes; to amend section 77-1344, Revised Statutes Supplement, 2021; to change provisions relating to agricultural or horticultural land receiving special valuation; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 973. Introduced by Hansen, M., 26.

A BILL FOR AN ACT relating to the Nebraska Investment Finance Authority Act; to amend sections 58-210.02, 58-219, 58-220, 58-221, 58-222, 58-239, and 58-251, Reissue Revised Statutes of Nebraska; to redefine terms; to change provisions relating to the powers of the Nebraska Investment Finance Authority; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 974. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to transit authorities; to amend section 14-1810, Reissue Revised Statutes of Nebraska, and section 18-819, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to an assessment and taxation exception under the Transit Authority Law and Regional Metropolitan Transit Authority Act; and to repeal the

original sections.

MOTION(S) - Print in Journal

Senator Hunt filed the following motion to LB835:

MO117

Withdraw LB835.

GENERAL FILE

LEGISLATIVE BILL 364. Title read. Considered.

Committee AM762, found on page 766 and considered on page 1175, First Session, 2021, was renewed.

Senator Hunt renewed her amendment, AM1051, found on page 1080 and considered on page 1175, First Session, 2021, to the committee amendment.

Senator M. Cavanaugh renewed her motion, MO52, found on page 1175 and considered on pages 1177 and 1179, First Session, 2021, to recommit to the Revenue Committee.

SPEAKER HILGERS PRESIDING

Senator M. Cavanaugh withdrew her motion to recommit to committee.

Pending.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 975. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to state agencies; to provide a requirement for state officials or state employees who testify at a public hearing before the Legislature.

LEGISLATIVE BILL 976. Introduced by Wishart, 27.

A BILL FOR AN ACT relating to the Nebraska Behavioral Health Services Act; to amend section 71-801, Revised Statutes Cumulative Supplement, 2020; to adopt the Certified Community Behavioral Health Clinic Act; to harmonize provisions; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 977. Introduced by Slama, 1.

A BILL FOR AN ACT relating to appropriations; to appropriate federal

funds to the Department of Economic Development; and to declare an emergency.

LEGISLATIVE BILL 978. Introduced by Hughes, 44.

A BILL FOR AN ACT relating to the Environmental Protection Act; to amend sections 81-1508.01 and 81-1511, Reissue Revised Statutes of Nebraska, and sections 81-1502, 81-1504, 81-1505, and 81-1532, Revised Statutes Cumulative Supplement, 2020; to define a term; to provide for powers and duties relating to the treatment of dredged and fill material; to establish a fund; to provide a penalty; to harmonize provisions; and to repeal the original sections.

NOTICE OF COMMITTEE HEARING(S)
Transportation and Telecommunications
Room 1113 1:30 PM

Tuesday, January 18, 2022

LB714
LB720
LB749
LB750
LB757

(Signed) Curt Friesen, Chairperson

Education
Room 1525 1:30 PM

Tuesday, January 18, 2022
LB890 (cancel)

Tuesday, January 18, 2022
LB758
LB754
LB838

Tuesday, January 25, 2022
LB890

(Signed) Lynne Walz, Chairperson

AMENDMENT(S) - Print in Journal

Senator Wayne filed the following amendment to LB364:
[AM1557](#)

(Amendments to Standing Committee amendments, AM762)

- 1 1. Strike section 24.
- 2 2. On page 2, lines 12 and 28, strike "2021" and insert "2022".
- 3 3. On page 8, insert the following new subsection after line 29:

4 "(5) The credits allowed under the act may be earned for taxable
5 years beginning or deemed to begin on or after January 1, 2023, and
6 before January 1, 2033."

7 4. On page 11, line 5, strike "2022" and insert "2023" and strike
8 "2027" and insert "2028".

9 5. On page 13, line 10, strike "2022" and insert "2023"; and in line
10 11 strike "2027" and insert "2028".

11 6. Renumber the remaining sections accordingly.

Senator Hunt filed the following amendment to LB781:

AM1528

1 1. On page 2, after line 13, insert the following new subdivision:

2 "(4) Qualified practitioner means a physician, including an
3 osteopathic physician, an advanced practice registered nurse, a certified
4 nurse midwife, or a physician assistant licensed to practice in this
5 state as provided in the Uniform Credentialing Act;" in line 15 strike
6 "(4)" and insert "(5)"; and in lines 16 and 19 strike "physician" and
7 insert "qualified practitioner".

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Briese name added to LB508.

Senator Brandt name added to LB508.

Senator Moser name added to LB933.

Senator Dorn name added to LB942.

VISITOR(S)

The Doctor of the Day was Dr. Dave Hoelting of Pender.

ADJOURNMENT

At 4:54 p.m., on a motion by Senator Walz, the Legislature adjourned until 9:00 a.m., Wednesday, January 12, 2022.

Patrick J. O'Donnell
Clerk of the Legislature

SIXTH DAY - JANUARY 12, 2022**LEGISLATIVE JOURNAL****ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION****SIXTH DAY**

Legislative Chamber, Lincoln, Nebraska
Wednesday, January 12, 2022

PRAYER

The prayer was offered by Pastor Joe Laughlin, Victory Church, Omaha.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Brewer.

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 Arch, Bostar, Bostelman, Day, DeBoer, Friesen, B. Hansen, M. Hansen, Lathrop, Morfeld, Pansing Brooks, Walz, and Wishart who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the fifth day was approved.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 274. Introduced by Flood, 19.

WHEREAS, on February 3, 1968, Darin Koepke was born to Larry and Diane Koepke in Norfolk; and

WHEREAS, on February 25, 1968, Darin Koepke was baptized and on May 30, 1982, he was confirmed at Zion East Lutheran Church in Hoskins; and

WHEREAS, he graduated from Pierce High School in 1986 and Northeast Community College in 1988, where he was inducted into the Northeast Community College Hall of Success for his devotion to agriculture; and

WHEREAS, Darin actively served at St. John's Lutheran Church in Pierce, shepherding young men and women in their faith; and

WHEREAS, he was a loving father and husband dutifully committed to his family; and

WHEREAS, he proudly made agriculture his livelihood, eventually landing his dream job at Agrex Inc., where he spent the last twenty-two years of his life; and

WHEREAS, on October 21, 2021, a disgruntled former employee, who had been let go earlier that day, returned to the Agrex grain elevator in Superior and opened fire on employees; and

WHEREAS, Darin took quick action and barricaded a door to prevent the attacker from killing additional people; and

WHEREAS, on that day a former employee at Agrex killed two people and wounded one other; and

WHEREAS, Darin Koepke from Hadar was one of those tragically killed that day; and

WHEREAS, several lives were likely saved through Darin's actions; and

WHEREAS, Darin Koepke was a man utterly committed to faith, family, and his community.

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

1. That the Legislature recognizes the heroic actions of Darin Koepke to help save the lives of others.
2. That a copy of this resolution be sent to the family of Darin Koepke.

Laid over.

MOTION(S) - Withdraw LB835

Senator Hunt offered her motion, [MO117](#), found on page 286, to withdraw LB835.

The Hunt motion to withdraw the bill prevailed with 26 ayes, 0 nays, 10 present and not voting, and 13 excused and not voting.

GENERAL FILE

LEGISLATIVE BILL 364. Senator Hunt offered the following motion:

[MO118](#)

Bracket until April 20, 2022.

Senator Hunt withdrew her motion to bracket.

Pending.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 979. Introduced by McCollister, 20.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 81-1565, 81-15,161, 81-15,162, and 81-15,163, Reissue Revised Statutes of Nebraska, sections 77-2717, 77-2734.03, 81-1558, 81-1561, and 81-1566, Revised Statutes Cumulative Supplement, 2020, and section 77-2715.07, Revised Statutes Supplement, 2021; to adopt the Remanufacturing Pilot Project Act; to provide tax credits as prescribed; to provide a termination date; to change the Nebraska Litter Reduction and Recycling Act and the Waste Reduction and Recycling Incentive Act as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 980. Introduced by McKinney, 11.

A BILL FOR AN ACT relating to criminal justice; to amend section 83-175, Reissue Revised Statutes of Nebraska, and sections 83-184, 83-1,110.02, 83-1,111, 83-1,135, and 83-1,135.02, Revised Statutes Cumulative Supplement, 2020; to provide for release for medical treatment; to change provisions relating to medical parole; to provide for parole eligibility for persons serving sentences of life; to provide duties for the Board of Parole; to provide for applicability; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 981. Introduced by Hilkemann, 4.

A BILL FOR AN ACT relating to the Trail Development Assistance Act; to amend sections 37-1001 and 37-1003, Reissue Revised Statutes of Nebraska; to revive the act; to state intent relating to fund transfers for trails; to provide for the use of the Trail Development Assistance Fund; and to repeal the original sections.

LEGISLATIVE BILL 982. Introduced by Hilkemann, 4.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716, Revised Statutes Supplement, 2021; to adopt the Education Savings Account Act; to provide income tax adjustments; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 983. Introduced by Moser, 22.

A BILL FOR AN ACT relating to political subdivisions; to amend sections 13-1111 and 13-1121, Reissue Revised Statutes of Nebraska; to redefine a term and change review, notice, hearing, and designation provisions relating to industrial areas; and to repeal the original sections.

LEGISLATIVE BILL 984. Introduced by Moser, 22.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2703 and 77-2708, Revised Statutes Cumulative Supplement, 2020; to change sales and use tax collection fees; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 985. Introduced by Kolterman, 24; Walz, 15.

A BILL FOR AN ACT relating to the ImagiNE Nebraska Act; to amend section 77-6805, Revised Statutes Cumulative Supplement, 2020; to redefine base year as prescribed; and to repeal the original section.

LEGISLATIVE BILL 986. Introduced by Briese, 41.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-1632 and 77-1633, Revised Statutes Supplement, 2021; to adopt the School District Property Tax Limitation Act; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 987. Introduced by Briese, 41.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 13-506, 77-1632, and 77-1633, Revised Statutes Supplement, 2021; to adopt the School District Property Tax Limitation Act; to change provisions relating to hearings on proposed budget statements; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 988. Introduced by Stinner, 48.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Department of Health and Human Services; to require a rate study; and to declare an emergency.

LEGISLATIVE BILL 989. Introduced by Stinner, 48.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Department of Health and Human Services; to state intent regarding medicaid nursing facility rates; and to declare an emergency.

MOTION(S) - Print in Journal

Senator Brandt filed the following motion to LB757:

MO119

Suspend Rule 3, Section 14, to permit the cancellation of the public hearing on LB757.

Senator Brandt filed the following motion to LB757:

MO120

Withdraw LB757.

Senator Blood filed the following motion to LR262:

MO121

Withdraw LR262.

AMENDMENT(S) - Print in Journal

Senator Wayne filed the following amendment to LB364:

AM1565

(Amendments to Standing Committee amendments, AM762)

- 1 1. Strike section 24.
- 2 2. On page 2, lines 12 and 28, strike "2021" and insert "2022".
- 3 3. On page 8, insert the following new subsection after line 29:
4 "(5) The credits allowed under the act may be earned for taxable
5 years beginning or deemed to begin on or after January 1, 2023, and
6 before January 1, 2033.".
- 7 4. On page 11, line 5, strike "2022" and insert "2023" and strike
8 "2027" and insert "2028".
- 9 5. On page 13, line 10, strike "2022" and insert "2023"; and in line
10 11 strike "2027" and insert "2028".
- 11 6. Renumber the remaining sections accordingly.

MOTION(S) - Print in Journal

Senator Kolterman filed the following motion:

Suspend the rules, Rule 5, Section 15(a), to permit introduction of Req. 3750 by the Nebraska Retirement Systems Committee.

NOTICE OF COMMITTEE HEARING(S)

Judiciary

Room 1113 1:30 PM

Wednesday, January 19, 2022

LB732

LB810

LB879

LB883

LB946

Thursday, January 20, 2022

LB773

Friday, January 21, 2022

LB694

LB763

LB833

LB870

LB953

(Signed) Steve Lathrop, Chairperson

GENERAL FILE

LEGISLATIVE BILL 364. Senator Hunt renewed her amendment, [AM1051](#), found on page 1080 and considered on page 1175, First Session, 2021, and considered on page 283, to the committee amendment..

SPEAKER HILGERS PRESIDING

PRESIDENT FOLEY PRESIDING

Senator Hunt moved for a call of the house. The motion prevailed with 19 ayes, 4 nays, and 26 not voting.

Senator Hunt requested a roll call vote on her amendment.

Voting in the affirmative, 17:

Blood	Hansen, M.	McDonnell	Pansing Brooks	Wishart
Cavanaugh, J.	Hunt	McKinney	Vargas	
Cavanaugh, M.	Lathrop	Morfeld	Walz	
DeBoer	McCollister	Pahls	Wayne	

Voting in the negative, 26:

Aguilar	Dorn	Hansen, B.	Linehan	Stinner
Albrecht	Erdman	Hilgers	Lowe	Williams
Arch	Geist	Hilkemann	Moser	
Brewer	Gragert	Hughes	Murman	
Briese	Groene	Kolterman	Sanders	
Clements	Halloran	Lindstrom	Slama	

Present and not voting, 2:

Brandt	Friesen
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Excused and not voting, 4:

Bostar	Bostelman	Day	Flood
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The Hunt amendment lost with 17 ayes, 26 nays, 2 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

Pending.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 990. Introduced by Hansen, B., 16; Aguilar, 35; Albrecht, 17; Arch, 14; Bostar, 29; Bostelman, 23; Brandt, 32; Brewer, 43; Briese, 41; Clements, 2; Day, 49; Dorn, 30; Erdman, 47; Flood, 19; Friesen, 34; Geist, 25; Gragert, 40; Groene, 42; Halloran, 33; Hilkemann, 4; Kolterman, 24; Lindstrom, 18; Linehan, 39; McCollister, 20; McDonnell, 5; Murman, 38; Pahls, 31; Pansing Brooks, 28; Slama, 1; Vargas, 7; Williams, 36; Wishart, 27.

A BILL FOR AN ACT relating to the Nebraska Criminal Code; to amend section 28-101, Revised Statutes Cumulative Supplement, 2020; to create the offense of stolen valor; to provide a penalty; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 991. Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Department of Transportation; and to declare an emergency.

LEGISLATIVE BILL 992. Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Public Employees Retirement Board.

GENERAL FILE

LEGISLATIVE BILL 364. Senator Morfeld offered his amendment, [AM1145](#), found on page 1186, First Session, 2021, to the committee amendment.

SPEAKER HILGERS PRESIDING

Pending.

RECESS

At 11:54 a.m., on a motion by Senator Aguilar, 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 Bostelman, Briese, Groene, Lindstrom, McCollister, Slama, Stinner, and Vargas who were excused until they arrive.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

LB/LR	Committee
LB830	Judiciary (rereferred)
LB957	Banking, Commerce and Insurance
LB958	Transportation and Telecommunications
LB959	Appropriations
LB960	Education
LB961	Appropriations
LB962	Appropriations
LB963	Health and Human Services
LB964	Government, Military and Veterans Affairs
LB965	Government, Military and Veterans Affairs
LB966	Banking, Commerce and Insurance
LB967	Business and Labor
LB968	Appropriations
LB969	Appropriations
LB970	Appropriations
LB971	Appropriations
LB972	Revenue
LB973	Banking, Commerce and Insurance
LB974	Urban Affairs
LB975	Executive Board
LB976	Health and Human Services
LB977	Appropriations
LB978	Natural Resources

Ashford, Ann - Nebraska Accountability and Disclosure Commission -
Government, Military and Veterans Affairs

(Signed) Dan Hughes, Chairperson
Executive Board

NOTICE OF COMMITTEE HEARING(S)

Revenue
Room 1524 1:30 PM

Wednesday, January 19, 2022

LB825

LB723

LB688

(Signed) Lou Ann Linehan, Chairperson

GENERAL FILE

LEGISLATIVE BILL 364. The Morfeld amendment, [AM1145](#), found on page 1186, First Session, 2021, and considered in this day's Journal, to the committee amendment, was renewed.

Senator Hunt offered the following motion:

[MO123](#)

Recommit to Revenue Committee.

Senator Linehan offered the following motion:

[MO124](#)

Bracket until April 11, 2022.

Senator Linehan withdrew her motion to bracket.

Pending.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 993. Introduced by Bostar, 29; Flood, 19.

A BILL FOR AN ACT relating to the Nebraska Financial Innovation Act; to amend section 8-3024, Revised Statutes Supplement, 2021; to provide for a limitation on digital asset and cryptocurrency custody services; and to repeal the original section.

LEGISLATIVE BILL 994. Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to scrap metal recycling; to amend sections 69-401, 69-402, 69-404, 69-405, and 69-408, Reissue Revised Statutes of Nebraska; to define a term; to change provisions relating to the purchase of and payment for certain regulated metals property; to provide for restrictions on the sale of catalytic converters; to change a penalty; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 995. Introduced by Linehan, 39.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-3523, Revised Statutes Supplement, 2021; to limit the total amount reimbursed by the state for homestead exemptions; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 996. Introduced by Dorn, 30.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Health and Human Services; and to declare an emergency.

LEGISLATIVE BILL 997. Introduced by Day, 49.

A BILL FOR AN ACT relating to schools; to amend sections 79-214 and 79-220, Reissue Revised Statutes of Nebraska; to change provisions relating to entrance requirements; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 998. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to the Municipal Inland Port Authority Act; to amend sections 13-3301, 13-3303, 13-3304, 13-3305, 13-3306, 13-3307, and 81-12,150, Revised Statutes Supplement, 2021; to define a term; to change certification provisions; to provide for prioritization of inland port authority proposals by the Department of Economic Development; to provide for creation of an inland port authority upon application by a nonprofit economic development corporation; to provide powers; to change provisions relating to inland port districts and rules and regulations relating to inland port authority proposals; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 999. Introduced by Wayne, 13; Cavanaugh, J., 9; McKinney, 11.

A BILL FOR AN ACT relating to transportation; to require the Department of Transportation to apply for federal funds; and to require construction of a bridge.

LEGISLATIVE BILL 1000. Introduced by Hansen, B., 16; McKinney, 11; Wayne, 13.

A BILL FOR AN ACT relating to children and families; to amend sections 43-247 and 43-292, Reissue Revised Statutes of Nebraska, and sections 28-101, 28-707, 28-710, and 43-2,129, Revised Statutes Cumulative Supplement, 2020; to define and redefine terms; to change provisions relating to what constitutes child abuse and neglect under the Child Protection and Family Safety Act and the Nebraska Juvenile Code; to change grounds for juvenile court jurisdiction and termination of parental

rights; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1001. Introduced by Erdman, 47; Brewer, 43; Clements, 2; Halloran, 33; Lowe, 37; McDonnell, 5; Pahls, 31.

A BILL FOR AN ACT relating to schools; to amend section 79-211, Reissue Revised Statutes of Nebraska; to limit the school term for school districts and educational service units; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 1002. Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Health and Human Services; and to declare an emergency.

LEGISLATIVE BILL 1003. Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to the State Employees Collective Bargaining Act; to amend section 81-1373, Reissue Revised Statutes of Nebraska; to include parole officers in the protective service bargaining unit; and to repeal the original section.

LEGISLATIVE BILL 1004. Introduced by Health and Human Services Committee: Arch, 14, Chairperson; Cavanaugh, M., 6; Day, 49; Hansen, B., 16; Murman, 38; Walz, 15; Williams, 36.

A BILL FOR AN ACT relating to the Developmental Disabilities Services Act; to amend section 83-1201, Revised Statutes Cumulative Supplement, 2020; to require the Department of Health and Human Services to engage a consultant; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 1005. Introduced by DeBoer, 10.

A BILL FOR AN ACT relating to treasurer's tax deeds; to amend section 77-1835, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to notice; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 1006. Introduced by Murman, 38; Day, 49; Flood, 19; Gragert, 40; Morfeld, 46; Pansing Brooks, 28.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Economic Development; and to declare an emergency.

LEGISLATIVE BILL 1007. Introduced by Murman, 38; Cavanaugh, M., 6; Day, 49; Gragert, 40; Morfeld, 46; Pansing Brooks, 28.

A BILL FOR AN ACT relating to the Rural Health Systems and Professional Incentive Act; to amend section 71-5668, Reissue Revised Statutes of Nebraska; to provide for repayment of qualified educational debts by local entities not receiving a federal match; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 1008. Introduced by Albrecht, 17.

A BILL FOR AN ACT relating to political subdivisions; to prohibit a county, city, or village from restricting energy utility service as prescribed.

COMMITTEE REPORT(S)

Revenue

LEGISLATIVE BILL 434. Placed on General File with amendment.

[AM1578](#)

- 1 1. Strike original sections 3 and 4.
- 2 2. On page 6, reinstate the stricken matter in lines 9 through 12; 3 and in line 10, after the reinstated "each" insert "odd-numbered".
- 4 3. Renumber the remaining sections and correct the repealer
- 5 accordingly.

(Signed) Lou Ann Linehan, Chairperson

MOTION(S) - Print in Journal

Senator Wayne filed the following motion to [LB916](#):

[MO122](#)

Rerefer to the Urban Affairs Committee.

NOTICE OF COMMITTEE HEARING(S)

Banking, Commerce and Insurance

Room 1507 1:30 PM

Monday, January 24, 2022

LB767

LB826

LB706

Room 1507 1:30 PM

Tuesday, January 25, 2022

LB739

LB846

LB894

(Signed) Matt Williams, Chairperson

Health and Human Services
Room 1510 1:30 PM

Wednesday, January 19, 2022

LB741

LB905

LB901

(Signed) John Arch, Chairperson

GENERAL FILE

LEGISLATIVE BILL 364. The Hunt motion, [MO123](#), found in this day's Journal, to recommit to Revenue Committee, was renewed.

Senator Linehan offered the following motion:

[MO125](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Linehan moved for a call of the house. The motion prevailed with 31 ayes, 1 nay, and 17 not voting.

Senator Linehan requested a roll call vote on the motion to invoke cloture.

Voting in the affirmative, 28:

Aguilar	Clements	Groene	Lindstrom	Murman
Albrecht	Dorn	Halloran	Linehan	Sanders
Arch	Erdman	Hansen, B.	Lowe	Slama
Bostelman	Flood	Hilgers	McDonnell	Wayne
Brewer	Geist	Hughes	McKinney	
Briese	Gragert	Kolterman	Moser	

Voting in the negative, 14:

Blood	Cavanaugh, M.	Hansen, M.	Lathrop	Williams
Bostar	Day	Hilkemann	McCollister	Wishart
Cavanaugh, J.	DeBoer	Hunt	Morfeld	

Present and not voting, 7:

Brandt	Pahls	Stinner	Walz
Friesen	Pansing Brooks	Vargas	

The Linehan motion to invoke cloture failed with 28 ayes, 14 nays, and 7 present and not voting.

The Chair declared the call raised.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 1009. Introduced by Brandt, 32.

A BILL FOR AN ACT relating to domestic abuse; to adopt the Domestic Abuse Death Review Act.

LEGISLATIVE BILL 1010. Introduced by Geist, 25.

A BILL FOR AN ACT relating to the Nebraska Juvenile Code; to amend section 29-2263, Reissue Revised Statutes of Nebraska, and sections 43-250, 43-2,108, and 83-1,125.01, Revised Statutes Cumulative Supplement, 2020; to provide for the release of certain probation information and electronic monitoring data to law enforcement; to harmonize provisions; and to repeal the original sections.

AMENDMENT(S) - Print in Journal

Senator J. Cavanaugh filed the following amendment to [LB364](#):
[AM1173](#)

(Amendments to Standing Committee amendments, AM762)

- 1 1. On page 2, line 30, strike "and".
- 2 2. On page 3, line 1, after "79-318" insert ", and (e) participates
- 3 in a statewide assessment and reporting system as described in section
- 4 79-760.03".

Senator M. Hansen filed the following amendment to [LB364](#):
[AM1585](#)

(Amendments to Standing Committee amendments, AM762)

- 1 1. On page 2, strike beginning with "complies" in line 27 through
- 2 "2021" in line 28 and insert "does not discriminate on the basis of
- 3 disability or special education status".

Senator Hilkemann filed the following amendment to [LB496](#):
[AM1582](#)

(Amendments to E&R amendments, ER90)

- 1 1. On page 9, line 10, strike "2022" and insert "2023".

Senator Hilkemann filed the following amendment to [LB496A](#):
[AM1580](#)

- 1 1. Strike the original sections and insert the following new
- 2 sections:
- 3 Section 1. There is hereby appropriated (1) \$423,846 from the
- 4 General Fund for FY2022-23 and (2) \$829,692 from the General Fund for
- 5 FY2023-24 to the Nebraska State Patrol, for Program 100, to aid in
- 6 carrying out the provisions of Legislative Bill 496, One Hundred Seventh
- 7 Legislature, Second Session, 2022.
- 8 Total expenditures for permanent and temporary salaries and per
- 9 diems from funds appropriated in this section shall not exceed \$16,203
- 10 for FY2022-23 or \$32,407 for FY2023-24.
- 11 Sec. 2. The State Treasurer shall transfer \$423,846 from the State

12 Settlement Cash Fund to the General Fund on or after January 1, 2023, on
13 such dates and in such amounts as directed by the budget administrator of
14 the budget division of the Department of Administrative Services.
15 Sec. 3. It is the intent of the Legislature that the State
16 Treasurer transfer \$829,692 from the State Settlement Cash Fund to the
17 General Fund on or before July 15, 2023, on such dates and in such
18 amounts as directed by the budget administrator of the budget division of
19 the Department of Administrative Services.
20 Sec. 4. This act becomes operative on January 1, 2023.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Williams name added to LB773.
Senator Halloran name added to LB774.

VISITOR(S)

The Doctor of the Day was Dr. John Jacobsen of Kearney.

ADJOURNMENT

At 4:10 p.m., on a motion by Senator Williams, the Legislature adjourned until 9:45 a.m., Thursday, January 13, 2022.

Patrick J. O'Donnell
Clerk of the Legislature

SEVENTH DAY - JANUARY 13, 2022

LEGISLATIVE JOURNAL

**ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION**

SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, January 13, 2022

PRAYER

The prayer was offered by Senator Blood.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Brandt.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:45 a.m., President Foley presiding.

The roll was called and all members were present except Senators Bostelman and Halloran who were excused; and Senators Briese, B. Hansen, M. Hansen, Hunt, Lathrop, and Morfeld who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

Page 259, line 3, strike "CA".
The Journal for the fourth day was approved as corrected.

The Journal for the sixth day was approved.

ANNOUNCEMENT(S)

Priority designation(s) received:

Erdman - LR264CA

NOTICE OF COMMITTEE HEARING(S)

Executive Board
Room 1525 12:00 PM

Monday, January 24, 2022
LB686
LB708

(Signed) Dan Hughes, Chairperson

Education
Room 1525 1:30 PM

Monday, January 24, 2022
LB872
LB868

(Signed) Lynne Walz, Chairperson

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of January 12, 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

Ashford, Brad
Houghton Bradford Whitted PC, LLO
Harr, Burke
Houghton Bradford Whitted PC, LLO
Jensen Rogert Associates, Inc.
Doane University
Joekel, Tiffany
Nebraska Medicine
Lostro, Julia
Nebraska Right to Life
Nebraska Strategies
Lake McConaughy, LLC
Lincoln Premium Poultry
O'Neill, Thomas, Jr.
Nebraska Telecommunications Association
Otto, James A.
American Communications, Inc.
Peetz & Company
Telcoin
Radcliffe, Walter H. of Radcliffe Gilbertson & Brady
RV Industry Association

Roque, Matthew
ProRail Nebraska, Inc.
Zulkoski Weber LLC
Falls City Economic Development & Growth Enterprise, Inc.

REPORTS

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

MOTION - Escort Governor

Senator Wishart moved that a committee of five be appointed to escort the Governor of the State of Nebraska to the Legislative Chamber to deliver his State of the State Address.

Senator Wayne requested a roll call vote on the motion to escort the Governor.

The Wishart motion to escort the Governor prevailed with 37 ayes, 0 nays, 5 present and not voting, and 7 excused and not voting.

The Chair appointed Senators Hilkemann, Hughes, McKinney, Sanders, and McDonnell to serve on said committee.

STATE OF THE STATE ADDRESS

President Foley, Speaker Hilgers, Members of the Legislature, Distinguished Guests, friends, my lovely wife and First Lady Susanne Shore, fellow Nebraskans – good morning!

Congratulations on the commencement of the Second Session of the 107th Nebraska Legislature. Welcome back to Lincoln. I look forward to working together to serve Nebraskans during what is certain to be a fast-paced, short session.

Eight years ago, I announced my run for Governor. I did so out of a love for my state and a desire to see her thrive. Through the years, the guiding light of my administration has remained the same: to Grow Nebraska.

And, despite weathering floods, fires, and a global pandemic, we have done just that.

In the face of unprecedented challenges, the State of the State is strong.

We've been living with COVID-19 for nearly two years. It's changed the way we do business, educate, learn, and go about our daily lives. And in some tragic cases, it's taken lives.

But, true to our collective character, we have kept moving forward. The development of vaccines, boosters, and new treatments has given us the opportunity to return to the pursuit of the Good Life.

Nebraskans don't need to be mandated to do the right thing. They just do it. Without lockdowns or mandates, businesses were able to stay open. Parents were able to return to work, and their children were able to return to school. Where authoritarian states are struggling, we are thriving.

Politico's State Pandemic Response Scorecard confirms this. An in-depth, independent analysis of all 50 states shows Nebraska has weathered this storm better than any other state.

We have the lowest unemployment rate in history – not only in the history of our state, but of our nation – at 1.8 percent.

Last November marked the third month in a row with over one million Nebraskans employed.

And, our manufacturing sector has come roaring back. In fact, today more Nebraskans are working in manufacturing than pre-pandemic.

Our economic successes are a testament to Nebraskans' desire to work hard and earn. From teachers to truck drivers, mechanics to medical professionals, farmers to fast food workers, and every profession in between, our state's women and men invest their time and effort to better their communities and support their families.

Last year, we supported their work and helped them grow Nebraska.

Thanks to the leadership of Chairwoman Linehan and the Revenue Committee, the 2021 session ushered in a historic level of tax relief—relief that will deliver \$2 billion to Nebraskans over the next two years.

Many other great bills were passed into law thanks to your hard work.

Chairman Friesen, Speaker Hilgers, and the Telecommunications and Transportation Committee joined forces to secure passage of the Nebraska Rural Broadband Bridge Act. As a result, an additional thirty thousand Nebraska households will have access to high-speed broadband.

Senators Brewer and Gragert shepherded through legislation that fully exempts military retirement pay from state income tax. Reforms like this are how we will keep talented veterans in our state.

All this—and more—was accomplished while responsibly managing state spending and limiting expenditures to only 2.4 percent growth.

Behind the numbers, we've experienced intangible growth as well.

Throughout Nebraska, our people's grit, drive, and selflessness were on full display in 2021.

From North Omaha to North Platte, folks stepped up to solve problems in their communities.

In North Omaha, business and community leaders have been working to develop and revitalize Omaha's historic North 24th Street. Through physical improvements such as providing high-speed fiber optic upgrades, and a comprehensive streetscape plan, the project's work promises to bring businesses and customers back to the area.

In the home of famed Buffalo Bill Cody, North Platte ranchers felt the squeeze that comes with a lack of options for meat processing. Instead of accepting the status quo, David Briggs and others have launched Sustainable Beef, a beef processing plant that promises to bring nearly 900 jobs to the North Platte community and more than one billion dollars in annual revenue. More importantly, Nebraska's ranchers will have more choice as they run their businesses.

Today, I'm joined by some of the people who are responsible for these incredible efforts: North Omaha's Carmen Tapio, CEO of North End Teleservices; Pastor Ralph Lassiter, a leader with the North 24th Street Business Improvement District; and David Briggs, CEO of Sustainable Beef. Please join me in welcoming them.

Carmen, Pastor Ralph, and David: thank you for all you do to make our state better.

Other Nebraskans also continued to step up for one another. In 2021, over 200 of our men and women accepted the call to join the thin blue line that protects and serves our communities. They've earned that badge. They were trained, challenged, and tested – thanks, in part, to the work of instructors at our Law Enforcement Training Center in Grand Island.

We are joined here today by Law Enforcement Training Center Director Brenda Urbanek and Deputy Director Mark Stephenson. They work to make sure our men and women in blue are ready to respond to the unique needs of their communities. Brenda and Mark, thank you for all you do.

Our students continued to pursue personal development. We enter 2022 with more than 3,900 Nebraskans in registered apprenticeship programs throughout the state—including through our six great community colleges. That's 3,900 more Nebraskans who are pursuing growth and contributing to our diverse, skilled workforce.

And, Nebraska continues to serve as a beacon for life. This includes the amazing aid our crisis pregnancy centers and other organizations provide to new mothers and their babies. It also includes the work our people do for

some of Nebraska's most vulnerable—born and unborn.

I specifically want to recognize all that Attorney General Doug Peterson does to combat human trafficking in our state. During his tenure, the State of Nebraska has prosecuted 76 sex trafficking crimes, holding accountable those who are exploiting the vulnerable and delivering justice for victims of this modern day form of slavery.

Thank you, AG Peterson, for your leadership to ensure that all Nebraskans can expect justice and equality under the law.

We must also recognize all the doctors, nurses, and health care professionals, whose stalwart selflessness and excellent care has helped us weather this pandemic. Please help me thank our healthcare heroes.

We've come a long way in one year. But there is still work to be done. Work that will help everyone in our state thrive.

This legislative session, there are four priorities we must accomplish to keep Nebraska strong for years to come.

It's likely not a surprise to any of you that I am starting with tax relief. It's been a staple of my budget recommendations every year. I was elected on the promise that I would bring tax relief to our state. It's what the hardworking men and women of our state deserve. And, given our current financial situation, we must deliver.

Last year, we successfully passed a two-year budget that set priorities for this year and next.

While there is an opportunity to fine-tune this plan, I expect state agencies and our partners to live within our existing budget and limit any budget growth to under three percent.

By the end of fiscal year 2023, the State of Nebraska is anticipated to have an estimated \$1.5 billion in its Cash Reserve Fund. Let me say that again: 1.5 billion dollars.

Folks, this is the people's money, and we must support tax relief that puts this money back into the pockets of the people.

To start, we can build on last session's reforms by accelerating the phase-in of Social Security tax exemptions to five years, instead of the current ten-year period. This would allow our older neighbors and friends to keep more of their hard-earned money.

We also need to ensure that we are building upon the historic amount of property tax relief provided during last session. This fiscal year – and next – \$548 million in annual property tax relief will go back to our people

through LB1107. And we must make sure it does not drop below this floor.

Finally, over the next five years, we must reduce the top individual tax rate by one percent – from 6.84 percent to 5.84 percent. For those who may try to brand this as a tax cut for the rich, I challenge you to ask Nebraskans earning \$33,180 a year, or families earning \$66,360 a year, if they feel rich. They make up the 418,900 Nebraskans in this tax bracket who deserve relief.

And we can offer that relief while aligning job creator rates to this new individual income tax rate.

It's imperative that we also remember our core responsibility: to protect public safety. After all, people are our greatest resource. There are several opportunities this session to strengthen our commitment to keep Nebraskans safe.

Historic agreements were struck to provide substantial pay increases for our 24/7 public health and safety positions. This will help us attract and retain quality corrections teammates. We've already seen a fivefold increase in Department of Corrections applicants since this announcement was made.

I am also requesting \$16.9 million to enhance our state crime lab, which analyzes forensic and physical criminal evidence to better secure justice for victims of crime.

And \$47.7 million to go toward the expansion of our Law Enforcement Training Center in Grand Island.

Finally, we must fully fund the replacement of the Nebraska State Penitentiary. The existing penitentiary was built over one hundred and fifty years ago. Its walls are crumbling, and its infrastructure is aged beyond simple repair.

For those wishing to pursue criminal justice reform, this should be a no-brainer. A modern facility will give our inmates a better quality of life. Modernizing our State Penitentiary will allow us to offer enhanced services and programming to prepare these men for life after time served.

I am not asking anyone to choose between supporting a modern State Penitentiary and pursuing policies that aim to reduce crime and recidivism. These solutions are not at odds, and there is room for both as we work to strengthen Nebraska.

This year, we can also help secure our water resources for generations to come.

After our people, water is Nebraska's greatest natural resource.

To secure Nebraska's water supply, I am recommending \$500 million to construct a canal and reservoir system from the South Platte River.

Access to this water enables our farmers and ranchers to produce. It protects quality drinking water. It keeps electric generating costs manageable, and it ensures Nebraska remains the best place in the world to live, work, and raise a family.

If we fail to secure our supply from the South Platte River, we could expect to lose 90 percent of the water that currently comes to us from Colorado. We must act to preserve, protect, manage, and steward our water supply for our future Nebraskans.

I am also requesting \$200 million be allocated to the water projects presented by the STAR WARS Special Committee. These projects will also secure our access to water—and they provide the additional promise to grow the Good Life in tourism and recreation.

In addition, I am recommending: \$5 million to support repairs on the Peru Levee; \$60 million to restore and protect drinking water systems in rural areas, such as Cedar and Knox Counties; and \$23 million in repairs to the Fort Laramie Gering canal tunnel.

This year, we also have the rare task of spending the \$1.04 billion that Nebraska has been allocated through the American Rescue Plan Act. These ARPA funds can help our state grow into the future.

Today, I am releasing a second budget recommendation with proposals on how to spend this ARPA funding, and I look forward to the robust debate that will ensue as you work to determine where this money is best spent.

I cannot stress it enough: ARPA funds are one-time funds. They must be spent as such. Each one of us has a responsibility to guard against spending this money in a way that grows government expenses.

My proposal includes 29 qualifying initiatives that will better Nebraska.

It will deliver nearly \$200 million for public health emergency response.

And, for areas that experienced negative economic impacts from COVID-19, I am requesting over \$500 million. This includes assistance for economic development projects in North Omaha and funding for beef processing supply chain issues in North Platte.

It secures funding for parents of low-income children who have experienced learning loss during the pandemic, and it provides Nebraska's community colleges dollars to enhance their workforce development programs.

It also funds behavioral health and nursing incentives to ensure continued

access to excellent care throughout our state.

In addition, my ARPA budget proposal includes over \$284 million to water and sewer projects. This includes partial funding for the Perkins County Canal and Reservoir construction, funding for the STAR WARS Special Committee proposals, and other key water projects I've mentioned today.

Putting money back into the pockets of hardworking Nebraskans. Protecting public safety. Securing access to our natural resources. And investing in one-time projects that will enhance our state. These are the ways we can keep Nebraska strong and growing in 2022.

I know that there will be tough debates. Long nights. And seemingly impossible time constraints.

But I also know that we get the job done when everyone rolls up their sleeves and works together.

Thank you for your service to the people of Nebraska. Our work in the coming days will require a spirit of collaboration and cooperation and for each of us to do our part to keep Nebraska strong.

I look forward to the challenge, opportunity, and honor of working with you.

Remember: Nebraska is what America is supposed to be.

God bless you all, and God bless the great State of Nebraska!

The committee escorted Governor Pete Ricketts from the Chamber.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 1011. Introduced by Speaker Hilgers, 21; at the request of the Governor.

A BILL FOR AN ACT relating to appropriations; to amend Laws 2021, LB380, sections 48, 81, 96, 98, 103, 110, 111, 116, 120, 136, 156, 198, 246, 261, 266, and 267; and Laws 2021, LB383, sections 9, 10, 22, 23, 24, and 37; to define terms; to provide, change, and eliminate appropriations for operation of state government; to repeal the original sections; to outright repeal Laws 2021, LB396A, section 1; and to declare an emergency.

LEGISLATIVE BILL 1012. Introduced by Speaker Hilgers, 21; at the request of the Governor.

A BILL FOR AN ACT relating to appropriations; to amend section 55-801, Reissue Revised Statutes of Nebraska; to provide for transfers of funds; to

create funds; to change provisions relating to use of a fund; to eliminate provisions regarding state agency postage reimbursement; to repeal the original section; to outright repeal section 81-167, Reissue Revised Statutes of Nebraska; and to declare an emergency.

LEGISLATIVE BILL 1013. Introduced by Speaker Hilgers, 21; at the request of the Governor.

A BILL FOR AN ACT relating to the Cash Reserve Fund; to amend section 84-612, Revised Statutes Supplement, 2021; to provide and eliminate fund transfer provisions; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 1014. Introduced by Speaker Hilgers, 21; at the request of the Governor.

A BILL FOR AN ACT relating to appropriations; to state intent; to define terms; to appropriate funds allocated to the State of Nebraska from the federal Coronavirus State Fiscal Recovery Fund pursuant to the federal American Rescue Plan Act of 2021, 42 U.S.C. 802, as amended; and to declare an emergency.

LEGISLATIVE BILL 1015. Introduced by Speaker Hilgers, 21; at the request of the Governor.

A BILL FOR AN ACT relating to natural resources; to adopt the Perkins County Canal Project Act.

LEGISLATIVE BILL 1016. Introduced by Walz, 15.

A BILL FOR AN ACT relating to the Transportation Innovation Act; to amend section 39-2801, Reissue Revised Statutes of Nebraska, and section 39-2802, Revised Statutes Cumulative Supplement, 2020; to define terms; to provide for public-private partnerships; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1017. Introduced by Slama, 1.

A BILL FOR AN ACT relating to the Nebraska Uniform Trust Code; to amend section 30-3850, Reissue Revised Statutes of Nebraska, and section 30-3881, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to creditors' claims against settlors and powers of trustees; and to repeal the original sections.

LEGISLATIVE BILL 1018. Introduced by McKinney, 11.

A BILL FOR AN ACT relating to schools; to set a minimum wage for employees of a Class V school district.

LEGISLATIVE BILL 1019. Introduced by McKinney, 11.

A BILL FOR AN ACT relating to juvenile services; to establish the family resource and juvenile assessment center pilot program.

LEGISLATIVE BILL 1020. Introduced by Brewer, 43.

A BILL FOR AN ACT relating to homestead exemptions; to amend sections 77-3513 and 77-3515, Reissue Revised Statutes of Nebraska, section 77-3506, Revised Statutes Cumulative Supplement, 2020, and section 77-3512, Revised Statutes Supplement, 2021; to change application requirements for certain veterans; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 1021. Introduced by Friesen, 34.

A BILL FOR AN ACT relating to universal service; to amend section 86-324, Revised Statutes Supplement, 2021; to provide authority and power to the Public Service Commission to regulate telecommunications companies that receive support to provide broadband services; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 1022. Introduced by Friesen, 34.

A BILL FOR AN ACT relating to motor vehicles; to amend section 60-4,115, Reissue Revised Statutes of Nebraska; to change provisions relating to fee remittance for the 24/7 sobriety program permit; and to repeal the original section.

LEGISLATIVE BILL 1023. Introduced by Hilgers, 21; Brandt, 32; Flood, 19; Gragert, 40; Hughes, 44; McCollister, 20; McDonnell, 5; Wishart, 27.

A BILL FOR AN ACT relating to water; to adopt the Lake Development Act and the Water Recreation Enhancement Act; and to declare an emergency.

NOTICE OF COMMITTEE HEARING(S)

Transportation and Telecommunications

Room 1113 1:30 PM

Monday, January 24, 2022

LB771

LB934

LB731

LB747

LB874

LB913

Room 1113 1:30 PM

Tuesday, January 25, 2022

LB822

LB884

LB911

(Signed) Curt Friesen, Chairperson

MOTION - Suspend Rules

Senator Brandt offered his motion, [MO119](#), found on page 292, to suspend Rule 3, Section 14, to permit the cancellation of the public hearing on LB757.

The Brandt motion to suspend the rules prevailed with 33 ayes, 0 nays, 9 present and not voting, and 7 excused and not voting.

MOTION(S) - Withdraw LB757

Senator Brandt offered his motion, [MO120](#), found on page 293, to withdraw LB757.

The Brandt motion to withdraw the bill prevailed with 29 ayes, 0 nays, 12 present and not voting, and 8 excused and not voting.

MOTION(S) - Withdraw LR262

Senator Blood offered her motion, [MO121](#), found on page 293, to withdraw LR262.

The Blood motion to withdraw the resolution prevailed with 25 ayes, 0 nays, 16 present and not voting, and 8 excused and not voting.

MOTION(S) - Rerefer LB916

Senator Wayne offered his motion, [MO122](#), found on page 300, to rerefer LB916 to the Urban Affairs Committee.

Senator Wayne moved for a call of the house. The motion prevailed with 25 ayes, 4 nays, and 20 not voting.

Senator Wayne requested a roll call vote, in reverse order, on the motion to rerefer the bill.

Voting in the affirmative, 13:

Blood	Day	Hunt	Pahls	Wishart
Brewer	DeBoer	Kolterman	Walz	
Cavanaugh, J.	Hansen, M.	McKinney	Wayne	

Voting in the negative, 24:

Aguilar	Friesen	Hilkemann	McCollister	Sanders
Albrecht	Geist	Hughes	McDonnell	Slama
Arch	Gragert	Lathrop	Moser	Vargas
Clements	Hansen, B.	Linehan	Murman	Williams
Dorn	Hilgers	Lowe	Pansing Brooks	

Present and not voting, 3:

Brandt	Cavanaugh, M.	Groene
--------	---------------	--------

Excused and not voting, 9:

Bostar	Briese	Flood	Lindstrom	Stinner
Bostelman	Erdman	Halloran	Morfeld	

The Wayne motion to rerefer the bill failed with 13 ayes, 24 nays, 3 present and not voting, and 9 excused and not voting.

The Chair declared the call raised.

GENERAL FILE

LEGISLATIVE BILL 685. Title read. Considered.

Advanced to Enrollment and Review Initial with 33 ayes, 0 nays, 7 present and not voting, and 9 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 496. [ER90](#), found on page 1341, First Session, 2021, was adopted.

Senator Hunt offered her amendment, [AM1283](#), found on page 1293, First Session, 2021.

Pending.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 1024. Introduced by Wayne, 13; McKinney, 11.

A BILL FOR AN ACT relating to municipalities; to adopt the North Omaha Recovery Act; to create a fund; to state legislative intent for appropriations; and to declare an emergency.

LEGISLATIVE BILL 1025. Introduced by Wayne, 13; McKinney, 11.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Economic Development; and to declare an emergency.

LEGISLATIVE BILL 1026. Introduced by Cavanaugh, J., 9; Hunt, 8; McKinney, 11.

A BILL FOR AN ACT relating to real property; to adopt the Unlawful Restrictive Covenant Modification Act.

LEGISLATIVE BILL 1027. Introduced by Hunt, 8.

A BILL FOR AN ACT relating to education; to define terms; to provide for grants to schools that discontinue use of American Indian mascots; and to provide powers and duties to the State Department of Education.

LEGISLATIVE BILL 1028. Introduced by Hunt, 8.

A BILL FOR AN ACT relating to the Wage and Hour Act; to amend sections 48-1202, 48-1203, 48-1203.01, 48-1205, 48-1206, 48-1207, 48-1208, and 48-1209, Reissue Revised Statutes of Nebraska; to define terms; to clarify language regarding compensation for tipped employees; to provide duties for employers; to change powers and duties of the Department of Labor and the Commissioner of Labor; to prohibit acts and provide a penalty; to provide for liquidated damages; to provide for complaints; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1029. Introduced by Hunt, 8.

A BILL FOR AN ACT relating to the Nebraska Fair Employment Practice Act; to amend sections 48-1102, 48-1104, 48-1107, 48-1107.01, 48-1108.01, 48-1114, and 48-1121, Reissue Revised Statutes of Nebraska; to define and redefine terms; to prohibit harassment by certain employers; to provide an unlawful employment practice for a covered entity; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1030. Introduced by Friesen, 34.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-202, Revised Statutes Cumulative Supplement, 2020; to exempt all tangible personal property from property tax; and to repeal the original section.

LEGISLATIVE BILL 1031. Introduced by McCollister, 20.

A BILL FOR AN ACT relating to city and county jails; to amend sections 47-101.01 and 47-201.01, Reissue Revised Statutes of Nebraska; to provide for caps on fees for inmate telephone calls; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1032. Introduced by McDonnell, 5; Arch, 14; Blood, 3; Day, 49; Sanders, 45.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Department of Economic Development.

LEGISLATIVE BILL 1033. Introduced by Arch, 14.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Transportation and to the Department of Economic Development; and to declare an emergency.

LEGISLATIVE BILL 1034. Introduced by Pahls, 31.

A BILL FOR AN ACT relating to schools; to amend section 79-1242, Reissue Revised Statutes of Nebraska, section 79-1204, Revised Statutes Cumulative Supplement, 2020, and sections 79-760.06 and 79-1241.03, Revised Statutes Supplement, 2021; to provide for the designation of needs improvement schools; to provide duties and intent; to change provisions regarding core services, core services and technology infrastructure funds, and educational service unit funds generated from the property tax levy; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 1035. Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to the Nebraska Probation Administration Act; to amend section 29-2262.06, Reissue Revised Statutes of Nebraska; to change provisions relating to non-probation-based programs or services, fees, and problem-solving courts; and to repeal the original section.

LEGISLATIVE BILL 1036. Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to courts; to amend sections 24-1301 and 24-1302, Reissue Revised Statutes of Nebraska; to provide for problem-solving court referees and related court rules; and to repeal the original sections.

LEGISLATIVE BILL 1037. Introduced by Arch, 14; Cavanaugh, M., 6; Clements, 2; Day, 49; Geist, 25; Hansen, B., 16; Hansen, M., 26; Kolterman, 24; McKinney, 11; Murman, 38; Sanders, 45; Walz, 15; Wayne, 13;

Williams, 36.

A BILL FOR AN ACT relating to the Department of Administrative Services; to require an evaluation of the state's procurement practices; and to declare an emergency.

LEGISLATIVE BILL 1038. Introduced by Hansen, M., 26.

A BILL FOR AN ACT relating to the Uniform Residential Landlord and Tenant Act; to amend section 76-1415, Reissue Revised Statutes of Nebraska, and section 76-1410, Revised Statutes Supplement, 2021; to define a term; to prohibit a cleaning and damage provision in a rental agreement; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1039. Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to the Firefighter Cancer Benefits Act; to amend section 35-1002, Revised Statutes Supplement, 2021; to provide for reimbursement from the state as prescribed; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 1040. Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to the In the Line of Duty Compensation Act; to amend section 81-8,316, Revised Statutes Supplement, 2021; to redefine law enforcement officer; and to repeal the original section.

LEGISLATIVE BILL 1041. Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Nebraska Investment Finance Authority; and to declare an emergency.

LEGISLATIVE BILL 1042. Introduced by Bostar, 29; Aguilar, 35; Flood, 19; Lindstrom, 18; Pahls, 31; Slama, 1.

A BILL FOR AN ACT relating to insurance; to amend section 44-361, Reissue Revised Statutes of Nebraska; to change provisions regarding rebates; to add provisions regarding value-added products and services; to provide criteria; to define a term; and to repeal the original section.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

LB/LR	Committee
LB979	Revenue
LB980	Judiciary
LB981	Natural Resources

LB982 Revenue
 LB983 Government, Military and Veterans Affairs
 LB984 Revenue
 LB985 Revenue
 LB986 Revenue
 LB987 Revenue
 LB988 Appropriations
 LB989 Appropriations
 LB990 Judiciary
 LB991 Appropriations
 LB992 Appropriations
 LB993 Banking, Commerce and Insurance
 LB994 Judiciary
 LB995 Revenue
 LB996 Appropriations
 LB997 Education
 LB998 Urban Affairs
 LB999 Transportation and Telecommunications
 LB1000 Judiciary
 LB1001 Education
 LB1002 Appropriations
 LB1003 Judiciary
 LB1004 Health and Human Services
 LB1005 Revenue
 LB1006 Appropriations
 LB1007 Health and Human Services
 LB1008 Government, Military and Veterans Affairs
 LB1009 Judiciary
 LB1010 Judiciary
 LB1011 Appropriations
 LB1012 Appropriations
 LB1013 Appropriations
 LB1014 Appropriations
 LB1015 Natural Resources

(Signed) Dan Hughes, Chairperson
Executive Board

AMENDMENT(S) - Print in Journal

Senator Hunt filed the following amendment to LB933:

[AM1577](#)

1 1. Insert the following new section:

2 Sec. 9. No provision of the Nebraska Human Life Protection Act

3 applies to any health care consultation or procedure, including, but not

4 limited to, abortion, in which such pregnancy resulted from incest or

5 sexual assault, regardless as to whether such sexual assault was

6 reported, investigated, or prosecuted.

7 2. On page 2, line 4, strike "9" and insert "10"; and in line 6

8 strike "9" and insert "10".

9 3. Renumber the remaining sections accordingly.

NOTICE OF COMMITTEE HEARING(S)

General Affairs
Room 1510 1:30 PM

Monday, January 24, 2022

LB876
LB877
LB923
LB764

(Signed) Tom Briese, Chairperson

Health and Human Services
Room 1510 1:30 PM

Thursday, January 20, 2022

LB976
LB697
LB855

Friday, January 21, 2022

LB704
LB705
LB824
LB753

(Signed) John Arch, Chairperson

Revenue
Room 1524 1:30 PM

Friday, January 21, 2022

LB693
LB776
LB853

Wednesday, January 26, 2022

LB891

(Signed) Lou Ann Linehan, Chairperson

Appropriations
Room 1524 1:30 PM

Monday, January 24, 2022
LB1011
LB1012
LB1013

(Signed) John Stinner, Chairperson

Revenue
Room 1524 1:30 PM

Thursday, January 20, 2022
LB986
LB987

(Signed) Lou Ann Linehan, Chairperson

Business and Labor
Room 1524 1:30 PM

Monday, January 24, 2022
LB717
LB780
LB869
LB931

(Signed) Ben Hansen, Chairperson

COMMUNICATION

January 13, 2022

Patrick O'Donnell
Clerk of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. O'Donnell:

Please be advised that pursuant to Neb. Rev. Stat. §81-1505.03, the Executive Board has appointed Mr. Boyd Dingman from Omaha to the Small Business Compliance Advisory Panel.

Sincerely,
(Signed) Senator Dan Hughes
Chair, Executive Board

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Lindstrom name added to LB774.

Senator Williams name added to LB781.

Senator Lindstrom name added to LB906.

VISITOR(S)

Visitors to the Chamber were Leadership Nebraska Class XIII from across the state.

The Doctor of the Day was Dr. Dave Hoelting of Pender.

ADJOURNMENT

At 11:59 a.m., on a motion by Speaker Hilgers, the Legislature adjourned until 10:00 a.m., Tuesday, January 18, 2022.

Patrick J. O'Donnell
Clerk of the Legislature

EIGHTH DAY - JANUARY 18, 2022
LEGISLATIVE JOURNAL
ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

EIGHTH DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, January 18, 2022

PRAYER

The prayer was offered by Senator Clements.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Blood.

ROLL CALL

Pursuant to adjournment, the Legislature met at 10:00 a.m., President Foley presiding.

The roll was called and all members were present except Senators Aguilar, Day, Dorn, Geist, and Slama who were excused; and Senators Albrecht, Bostar, Briese, Halloran, Hunt, Linehan, Pansing Brooks, Vargas, Wayne, and Wishart who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the seventh day was approved.

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE RESOLUTION 14. Placed on Select File.

(Signed) Terrell McKinney, Chairperson

MESSAGE(S) FROM THE GOVERNOR

January 7, 2022

Mr. President, Speaker Hilgers
and Members of the Legislature

State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Hilgers and Members of the Legislature:

Contingent upon your approval, the following individual is being reappointed to the Nebraska Investment Council:

Richard A. DeFusco, 6611 S. 41 Street, Lincoln, NE 68516

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

January 12, 2022

Mr. President, Speaker Hilgers
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Hilgers and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed to the Nebraska Power Review Board:

Bridget Troxel Peck, CPA, CCBIA, 1129 Meadowlark Drive, Scottsbluff, NE 69361

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

January 12, 2022

Mr. President, Speaker Hilgers
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Hilgers and Members of the Legislature:

Contingent upon your approval, the following individuals are being reappointed to the Nebraska Educational Telecommunications Commission:

Darrin Scott Good, Ph.D., 1010 Piedmont Road, Lincoln, NE 68510
Nicholas Baxter, 6501 Prairie Avenue, Omaha, NE 68132

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

January 14, 2022

Mr. President, Speaker Hilgers
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Hilgers and Members of the Legislature:

Contingent upon your approval, the following individual is being reappointed to the Tax Equalization and Review Commission:

Robert W. Hotz, 8117 Imperial Circle, Lincoln, NE 68506

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

UNANIMOUS CONSENT - Room Change

Senator B. Hansen asked unanimous consent that the Business and Labor Committee conduct its hearing on Monday, January 24, 2022, in Room 1003 instead of Room 1524. No objections. So ordered.

NOTICE OF COMMITTEE HEARING(S)

Judiciary
Room 1113 1:30 PM

Wednesday, January 26, 2022

LB918
LB920
LB952
LB980

Thursday, January 27, 2022

LB831
LB886
LB896
LB921

Friday, January 28, 2022

LB748
LB808
LB816
LB878
LB1010

(Signed) Steve Lathrop, Chairperson

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LRs 265, 267, 270, and 273 were adopted.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LRs 265, 267, 270, and 273.

MOTION - Suspend Rules

Senator Kolterman offered his motion, found on page 293, to suspend the rules, Rule 5, Section 15(a), to permit introduction of Req. 3750 by the Nebraska Retirement Systems Committee.

The Kolterman motion to suspend the rules prevailed with 34 ayes, 1 nay, 6 present and not voting, and 8 excused and not voting.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 1043. Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to retirement; to amend section 79-920, Reissue Revised Statutes of Nebraska, section 84-1301, Revised Statutes Cumulative Supplement, 2020, and section 79-902, Revised Statutes Supplement, 2021; to change provisions of the School Employees Retirement Act and the State Employees Retirement Act; to define and redefine terms; to change provisions relating to termination of employment for certain school employees as prescribed; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 1044. Introduced by Hilkemann, 4.

A BILL FOR AN ACT relating to public health and welfare; to adopt the Care Team Innovation Grant Pilot Project Act; and to state intent regarding funding.

LEGISLATIVE BILL 1045. Introduced by Bostelman, 23.

A BILL FOR AN ACT relating to public power and irrigation districts; to amend section 70-619, Reissue Revised Statutes of Nebraska; to change qualifications to be eligible to serve as a member of the board of directors; and to repeal the original section.

LEGISLATIVE BILL 1046. Introduced by Bostelman, 23.

A BILL FOR AN ACT relating to public power districts; to amend sections 32-512, 70-610, 70-612, 70-615, 70-616, 70-619, and 70-620.01, Reissue Revised Statutes of Nebraska; to change provisions relating to qualifications, eligibility, and election of members of the board of directors; to provide for creation of new election subdivisions for certain districts as prescribed; to provide for appointment of certain directors and chief executive officers by the Governor; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1047. Introduced by Bostelman, 23.

A BILL FOR AN ACT relating to the Nebraska Power Review Board; to amend sections 70-1001, 70-1001.01, and 70-1025, Reissue Revised Statutes of Nebraska; to change a declaration of policy; to define a term; to change requirements for an annual report as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1048. Introduced by Blood, 3.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the University of Nebraska; and to declare an emergency.

LEGISLATIVE BILL 1049. Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Supreme Court; to state intent regarding appropriations; and to declare an emergency.

LEGISLATIVE BILL 1050. Introduced by Flood, 19.

A BILL FOR AN ACT relating to education; to prohibit postsecondary education institutions from discriminating against student organizations based on their viewpoints, beliefs, and missions; to provide for a civil action and a defense or counterclaim; and to define terms.

LEGISLATIVE BILL 1051. Introduced by Cavanaugh, J., 9; McKinney, 11.

A BILL FOR AN ACT relating to criminal procedure; to amend section 29-2523, Revised Statutes Cumulative Supplement, 2020; to provide for setting aside and expunging records relating to convictions and adjudications for concealed weapon offenses; to define a term; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 1052. Introduced by Cavanaugh, J., 9.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Health and Human Services; and to declare an emergency.

SELECT FILE

LEGISLATIVE BILL 496. Senator Hunt offered her amendment, [AM1283](#), found on page 1293, First Session, 2021.

Senator Hunt moved for a call of the house. The motion prevailed with 13 ayes, 2 nays, and 34 not voting.

Senator Hunt requested a roll call vote on her amendment.

Voting in the affirmative, 0.

Voting in the negative, 37:

Albrecht	Cavanaugh, M.	Hansen, B.	Linehan	Pansing Brooks
Arch	Clements	Hansen, M.	Lowe	Sanders
Blood	DeBoer	Hilgers	McCollister	Vargas
Bostar	Erdman	Hilkemann	McDonnell	Walz
Bostelman	Flood	Hughes	McKinney	Williams
Brandt	Friesen	Kolterman	Moser	
Brewer	Gragert	Lathrop	Murman	
Cavanaugh, J.	Groene	Lindstrom	Pahls	

Present and not voting, 2:

Hunt Wayne

Absent and not voting, 1:

Stinner

Excused and not voting, 9:

Aguilar	Day	Geist	Morfeld	Wishart
Briese	Dorn	Halloran	Slama	

The Hunt amendment lost with 0 ayes, 37 nays, 2 present and not voting, 1 absent and not voting, and 9 excused and not voting.

The Chair declared the call raised.

Pending.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 1053. Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to courts; to amend section 43-278, Reissue Revised Statutes of Nebraska, and sections 24-303, 24-734, and 25-2704, Revised Statutes Cumulative Supplement, 2020; to change, provide, and eliminate provisions relating to conducting court proceedings by virtual conferencing and telephone or videoconferencing; to define a term; to provide for rules; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1054. Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the University of Nebraska; and to declare an emergency.

LEGISLATIVE BILL 1055. Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Health and Human Services; and to declare an emergency.

LEGISLATIVE BILL 1056. Introduced by Brewer, 43.

A BILL FOR AN ACT relating to counties; to amend sections 23-114 and 23-114.05, Reissue Revised Statutes of Nebraska, and section 23-172, Revised Statutes Supplement, 2021; to change provisions relating to zoning regulations, violations, and codes; to provide for regulation of industrial wind turbines; and to repeal the original sections.

LEGISLATIVE BILL 1057. Introduced by Brewer, 43.

A BILL FOR AN ACT relating to schools; to amend section 79-499, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to Class III school district membership and under what conditions such school may continue to operate; and to repeal the original section.

LEGISLATIVE BILL 1058. Introduced by Brewer, 43.

A BILL FOR AN ACT relating to public power; to provide requirements for public power suppliers relating to retiring or shutting down base load units as prescribed.

LEGISLATIVE BILL 1059. Introduced by Flood, 19.

A BILL FOR AN ACT relating to the Open Meetings Act; to amend sections 84-1409 and 84-1411, Revised Statutes Supplement, 2021; to exempt the Judicial Resources Commission and its subcommittees or subgroups from the act; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1060. Introduced by Briese, 41.

A BILL FOR AN ACT relating to the Community Development Law; to amend sections 18-2116 and 18-2142.01, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to certain findings and the validity and enforceability of certain agreements; and to repeal the original sections.

LEGISLATIVE BILL 1061. Introduced by Albrecht, 17.

A BILL FOR AN ACT relating to insurance; to amend section 44-211, Reissue Revised Statutes of Nebraska; to change provisions relating to the board of directors of an insurance corporation; and to repeal the original section.

LEGISLATIVE BILL 1062. Introduced by Albrecht, 17.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation Act; to amend section 48-121, Reissue Revised Statutes of Nebraska; to change provisions relating to compensation for total disability; and to repeal the original section.

LEGISLATIVE BILL 1063. Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Labor; and to declare an emergency.

LEGISLATIVE BILL 1064. Introduced by Arch, 14.

A BILL FOR AN ACT relating to state government; to amend sections 81-153 and 81-1120, Reissue Revised Statutes of Nebraska; to change powers and duties of the materiel division and provisions relating to the Materiel Division Revolving Fund; and to repeal the original sections.

LEGISLATIVE BILL 1065. Introduced by Groene, 42.

A BILL FOR AN ACT relating to the Community Development Law; to amend section 18-2155, Revised Statutes Cumulative Supplement, 2020, and sections 18-2101.02 and 18-2147, Revised Statutes Supplement, 2021; to change provisions relating to redevelopment plans receiving an expedited review; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1066. Introduced by Stinner, 48.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Health and Human Services and the University of Nebraska; and to declare an emergency.

LEGISLATIVE BILL 1067. Introduced by Stinner, 48.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the University of Nebraska; to state intent relating to appropriations to the University of Nebraska as prescribed; and to declare an emergency.

LEGISLATIVE BILL 1068. Introduced by Stinner, 48.

A BILL FOR AN ACT relating to the Behavioral Health Workforce Act; to amend sections 71-829 and 71-830, Reissue Revised Statutes of Nebraska; to state intent; to provide for additional residencies and training experiences for certain behavioral health providers in rural and underserved areas; to provide funding; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 1069. Introduced by Williams, 36.

A BILL FOR AN ACT relating to the Rural Workforce Housing Investment Act; to amend sections 81-1228, 81-1229, 81-1230, and 81-1231, Revised Statutes Cumulative Supplement, 2020; to redefine terms; to change provisions relating to the workforce housing grant program, annual fund certification, an annual audit, and return of funds; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 1070. Introduced by Williams, 36.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Economic Development; and to declare an emergency.

LEGISLATIVE BILL 1071. Introduced by Williams, 36.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Department of Economic Development; and to declare an emergency.

LEGISLATIVE BILL 1072. Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Economic Development; and to declare an emergency.

LEGISLATIVE BILL 1073. Introduced by Wayne, 13; DeBoer, 10; Hansen, M., 26; McKinney, 11.

A BILL FOR AN ACT relating to state government; to amend sections 58-226, 58-241, 58-703, 58-705, 58-708, 58-709, 58-711, 68-1603, 71-15,141, and 81-1281, Reissue Revised Statutes of Nebraska, and sections 19-5504, 81-101, 81-102, 81-1228, 81-1233, 81-1237, and 81-1242, Revised Statutes Cumulative Supplement, 2020; to state legislative findings; to create the Department of Housing and Urban Development; to provide duties; to provide for a director and staff; to create the Housing Advisory Commission; to provide for an annual report; to transfer duties, functions, responsibilities, and jurisdiction as prescribed; to provide for an updated housing affordability strategy; to harmonize provisions; to provide a duty for the Revisor of Statutes; to provide an operative date; to repeal the original sections; and to outright repeal section 58-704, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 1074. Introduced by Bostelman, 23; Stinner, 48.

A BILL FOR AN ACT relating to irrigation districts; to amend section 84-612, Revised Statutes Supplement, 2021; to create a fund; to create a grant program; to provide powers and duties to the Department of Natural Resources; to provide for a transfer of funds; and to repeal the original

section.

LEGISLATIVE BILL 1075. Introduced by Stinner, 48.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Health and Human Services; and to declare an emergency.

LEGISLATIVE BILL 1076. Introduced by Stinner, 48.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Health and Human Services; and to declare an emergency.

LEGISLATIVE BILL 1077. Introduced by Hansen, B., 16; Albrecht, 17; Brewer, 43; Clements, 2; Erdman, 47; Friesen, 34; Groene, 42; Halloran, 33; Lowe, 37; Murman, 38.

A BILL FOR AN ACT relating to government; to provide restrictions and requirements for governmental entities, public postsecondary institutions, and public schools conducting mandatory staff or student training or education involving certain concepts relating to race and sex; to define terms; to provide for enforcement by the Attorney General; to provide for withholding of funds for violations; and to provide duties for the Board of Regents, Coordinating Commission for Postsecondary Education, State Department of Education, and State Treasurer.

LEGISLATIVE BILL 1078. Introduced by Hansen, B., 16.

A BILL FOR AN ACT relating to schools; to state findings; to define terms; and to prohibit possession of personal electronic devices by students in public schools as prescribed.

LEGISLATIVE BILL 1079. Introduced by Hansen, B., 16.

A BILL FOR AN ACT relating to appropriations; to state intent to appropriate funds to the Department of Revenue for distribution to residents of Nebraska as prescribed; and to declare an emergency.

LEGISLATIVE BILL 1080. Introduced by Sanders, 45.

A BILL FOR AN ACT relating to homestead exemptions; to amend sections 77-3513 and 77-3522, Reissue Revised Statutes of Nebraska, section 77-3506, Revised Statutes Cumulative Supplement, 2020, and section 77-3512, Revised Statutes Supplement, 2021; to change provisions relating to veterans who qualify for exemption, application requirements, and penalties; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 1081. Introduced by Bostar, 29.

A BILL FOR AN ACT relating to water; to state intent to appropriate federal funds; to create a grant program for the design, construction, and implementation of water transport infrastructure as prescribed; and to provide powers and duties for the Department of Natural Resources.

LEGISLATIVE BILL 1082. Introduced by Gragert, 40.

A BILL FOR AN ACT relating to organ and tissue donation; to amend section 71-4822, Reissue Revised Statutes of Nebraska; to provide powers and duties to the Game and Parks Commission; to require the Game and Parks Commission to provide certain information relating to organ and tissue donation on applications for certain hunting and fishing permits; to require the Game and Parks Commission to transfer certain hunting and fishing permit information relating to organ and tissue donation; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 1083. Introduced by Business and Labor Committee: Hansen, B., 16, Chairperson; Blood, 3; Gragert, 40; Halloran, 33; Hansen, M., 26; Hunt, 8; Lathrop, 12.

A BILL FOR AN ACT relating to claims against the state; to appropriate funds for the payment of certain claims; to provide for payment of the claims; to authorize agencies to write off certain claims as prescribed; and to declare an emergency.

LEGISLATIVE BILL 1084. Introduced by Business and Labor Committee: Hansen, B., 16, Chairperson; Blood, 3; Gragert, 40; Halloran, 33; Hansen, M., 26; Hunt, 8; Lathrop, 12.

A BILL FOR AN ACT relating to claims against the state; to disapprove certain claims.

LEGISLATIVE BILL 1085. Introduced by Pansing Brooks, 28; Hilkemann, 4; McDonnell, 5; Wayne, 13.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the State Department of Education; to declare legislative intent to appropriate funds; and to declare an emergency.

NOTICE OF COMMITTEE HEARING(S)
Government, Military and Veterans Affairs
Room 1507 1:30 PM

Wednesday, January 26, 2022

LB843

LB858

LB785
LB849

Thursday, January 27, 2022

LB823
LR271
LB778

Friday, January 28, 2022

LB807
LB765
LB847
LB791
LR263CA

(Signed) Tom Brewer, Chairperson

Appropriations
Room 1524 1:30 PM

Tuesday, January 25, 2022

LB1014

(Signed) John Stinner, Chairperson

Urban Affairs
Room 1510 1:30 PM

Tuesday, January 25, 2022

LB695
LB796
LB797
LB798

(Signed) Justin Wayne, Chairperson

Agriculture
Room 1003 1:30 PM

Tuesday, January 25, 2022

LB848
LB889

(Signed) Steve Halloran, Chairperson

AMENDMENT(S) - Print in Journal

Senator Blood filed the following amendment to LB694:

AM1591

1 1. Strike the original sections and insert the following new

2 sections:

3 Section 1. Section 25-224, Reissue Revised Statutes of Nebraska, is

4 amended to read:

5 25-224 (1) All product liability actions, except one governed by

6 subsection (5) or (6) of this section, shall be commenced within four

7 years next after the date on which the death, injury, or damage

8 complained of occurs.

9 (2)(a) Notwithstanding subsection (1) of this section or any other

10 statutory provision to the contrary, any product liability action, except

11 one governed by section 2-725, Uniform Commercial Code or by subsection

12 (5) or (6) of this section, shall be commenced as follows:

13 (i) For products manufactured in Nebraska, within ten years after

14 the date the product which allegedly caused the personal injury, death,

15 or damage was first sold or leased for use or consumption; or

16 (ii) For products manufactured outside Nebraska, within the time

17 allowed by the applicable statute of repose, if any, of the state or

18 country where the product was manufactured, but in no event less than ten

19 years. If the state or country where the product was manufactured does

20 not have an applicable statute of repose, then the only limitation upon

21 the commencement of an action for product liability shall be as set forth

22 in subsection (1) of this section.

23 (b) If the changes made to this subsection by Laws 2001, LB 489, are

24 declared invalid or unconstitutional, this subsection as it existed prior

25 to September 1, 2001, shall be deemed in full force and effect and shall

26 apply to all claims in which a final order has not been entered.

27 (3) The limitations contained in subsection (1), (2), ~~or (5)~~, or (6)

1 of this section shall not be applicable to indemnity or contribution

2 actions brought by a manufacturer or seller of a product against a person

3 who is or may be liable to such manufacturer or seller for all or any

4 portion of any judgment rendered against a manufacturer or seller.

5 (4) Notwithstanding the provisions of subsections (1) and (2) of

6 this section, any cause of action or claim which any person may have on

7 July 22, 1978, may be brought not later than two years following such

8 date.

9 (5) Any action to recover damages based on injury allegedly

10 resulting from exposure to asbestos composed of chrysotile, amosite,

11 crocidolite, tremolite, anthrophyllite, actinolite, or any combination

12 thereof, shall be commenced within four years after the injured person

13 has been informed of discovery of the injury by competent medical

14 authority and that such injury was caused by exposure to asbestos as

15 described herein, or within four years after the discovery of facts which

16 would reasonably lead to such discovery, whichever is earlier. No action

17 commenced under this subsection based on the doctrine of strict liability

18 in tort shall be commenced or maintained against any seller of a product

19 which is alleged to contain or possess a defective condition unreasonably

20 dangerous to the buyer, user, or consumer unless such seller is also the

21 manufacturer of such product or the manufacturer of the part thereof

22 claimed to be defective. Nothing in this subsection shall be construed to

23 permit an action to be brought based on an injury described in this

24 subsection discovered more than two years prior to August 30, 1981.

25 (6)(a) An action to recover damages based on injury or death that is

26 caused by exposure to a hazardous or toxic chemical shall be commenced

27 within ten years next after the cause of action accrues.

28 (b) Such a cause of action accrues upon the earlier of the date on

29 which the plaintiff
 30 (i) Is informed by competent medical authority that the injury or
 31 death is related to the exposure to such chemical; or
 1 (ii) By the exercise of reasonable diligence, should have known that
 2 the injury or death is related to the exposure to such chemical.
 3 (c) This subsection does not apply to actions described in
 4 subsection (5) of this section.
 5 Sec. 2. Original section 25-224, Reissue Revised Statutes of
 6 Nebraska, is repealed.

Senator Pansing Brooks filed the following amendment to LB568:
AM1510

(Amendments to E&R amendments, ER93)

1 1. Strike section 12.
 2 2. On page 2, line 18, strike "habitually", show as stricken, and
 3 insert "excessively".
 4 3. On page 7, line 10, strike "habitually truant", show as stricken,
 5 and insert "excessively absent", strike the underscored semicolon, and
 6 reinstate the stricken "or school" and after the reinstated "school"
 7 insert an underscored semicolon.
 8 4. On page 8, strike beginning with "This" in line 13 through line
 9 15.
 10 5. On page 21, strike beginning with "make" in line 1 through the
 11 first "to" in line 2, show as stricken, and insert "exhaust all available
 12 and appropriate"; in line 2 strike "available" and show as stricken; in
 13 line 4 after the period insert "The county attorney shall include in any
 14 such petition a description of the efforts required by this subsection.
 15 The efforts required by the county attorney by this subsection shall be
 16 separate and distinct from the efforts required under subsection (2) of
 17 section 79-209."; strike "describe", show as stricken, and insert
 18 "provide"; and strike lines 6 through 11.
 19 6. On page 40, in line 3, reinstate the stricken "and", and after
 20 the reinstated "and" insert "excessive absenteeism"; and reinstate the
 21 stricken matter beginning with "under" in line 3 through "43-247" in line
 22 4.
 23 7. Renumber the remaining sections and correct the repealer
 24 accordingly.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 275. Introduced by Williams, 36.

WHEREAS, Vernon Waldren of Papillion was a lifelong educator dedicated to service, mentoring, and leadership in his communities; and

WHEREAS, Vernon was an invaluable member of the Elkhorn Grange, Carver Grange, and State Grange Executive Board and helped charter the Carver Grange; and

WHEREAS, Vernon received the Nebraska State Grange Distinguished Service Award in 2019; and

WHEREAS, Vernon was the unit leader for the Douglas-Sarpy 4-H Program, the largest such program in Nebraska, from 1976 through 2013; and

WHEREAS, Vernon was a committed member of the National Association of Extension 4-H Agents, attending his first conference in 1977 and eventually serving as Treasurer in 1994 and President in 2000; and

WHEREAS, Vernon was inducted into the National 4-H Hall of Fame in 2018; and

WHEREAS, Vernon provided immense service to his communities as an extension educator for thirty-seven years; and

WHEREAS, Vernon Waldren passed away on January 7, 2022.

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

1. That the Legislature recognizes Vernon Waldren for his service and leadership to the communities of Nebraska.

2. That the Legislature offers its condolences to the family of Vernon Waldren.

3. That a copy of this resolution be sent to the family of Vernon Waldren.

Laid over.

LEGISLATIVE RESOLUTION 276. Introduced by Blood, 3.

PURPOSE: The purpose of this resolution is to study the circumstances in which conditional use permits can be approved or revoked. This study shall include, but not be limited to:

(1) Examining the abilities of Nebraska municipalities regarding the approval of conditional use permits;

(2) Determining whether a property owner or the conditional use permit holder being in arrears to the city, state, or federal government enables revocation of such conditional use permits; and

(3) Deciding if more clarification for the use of conditional use permits in state statute is necessary.

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

1. That the Executive Board of the Legislative Council shall designate a special committee of the Legislature to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 277. Introduced by Blood, 3.

PURPOSE: The purpose of this resolution is to determine what is needed to develop a plan to protect managed and native Nebraskan pollinators from current harmful practices. This study shall include, but not be limited to:

(1) Analyzing the effects of neonicotinoids on pollinators such as bees, butterflies, moths, and bats;

(2) Understanding the population decline of managed and native pollinators in Nebraska;

(3) Outlining better practices for entities engaged in activities that can affect pollinator viability, as well as practices that enhance and create habitats to support and grow Nebraska's population of pollinators;

(4) Determining efficient and cost-effective practices to protect pollinators; and

(5) Providing leadership and guidance relating to the protection of pollinators to localities and the private sector.

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

1. That the Executive Board of the Legislative Council shall designate a special committee of the Legislature 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.

MOTION(S) - Print in Journal

Senator Groene filed the following motion to LB790:

[MO126](#)

Withdraw LB790.

Senator Wayne filed the following motion to LB496:

[MO127](#)

Reconsider the vote taken on AM1283.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 310. Placed on Select File with amendment.

[ER99](#)

1 1. On page 1, strike line 4 and insert "to require a report; to

2 harmonize provisions; to provide a duty for the Revisor of Statutes; and

3 to repeal the original sections."

(Signed) Terrell McKinney, Chairperson

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Lowe name added to LB773.

Senator Hunt name added to LB864.

Senator Wayne name added to LB1026.

VISITOR(S)

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

ADJOURNMENT

At 12:01 p.m., on a motion by Senator Erdman, the Legislature adjourned until 9:00 a.m., Wednesday, January 19, 2022.

Patrick J. O'Donnell
Clerk of the Legislature

NINTH DAY - JANUARY 19, 2022

LEGISLATIVE JOURNAL

**ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION**

NINTH DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, January 19, 2022

PRAYER

The prayer was offered by Senator Hilkemann.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Briese.

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 Senator Geist who was excused; and Senators Blood, Bostar, DeBoer, Dorn, Friesen, B. Hansen, M. Hansen, Hunt, Lathrop, McCollister, Morfeld, and Walz who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the eighth day was approved.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

LB/LR	Committee
LB911	Appropriations (referred)
LB1016	Transportation and Telecommunications
LB1017	Banking, Commerce and Insurance
LB1018	Business and Labor
LB1019	Health and Human Services
LB1020	Revenue
LB1021	Transportation and Telecommunications
LB1022	Transportation and Telecommunications

LB1023 Natural Resources
 LB1024 Urban Affairs
 LB1025 Appropriations
 LB1026 Judiciary
 LB1027 Education
 LB1028 Business and Labor
 LB1029 Business and Labor
 LB1030 Revenue
 LB1031 Judiciary
 LB1032 Appropriations
 LB1033 Appropriations
 LB1034 Education
 LB1035 Judiciary
 LB1036 Judiciary
 LB1037 Government, Military and Veterans Affairs
 LB1038 Judiciary
 LB1039 Revenue
 LB1040 Business and Labor
 LB1041 Appropriations
 LB1042 Banking, Commerce and Insurance

(Signed) Dan Hughes, Chairperson
Executive Board

COMMITTEE REPORT(S)

Transportation and Telecommunications

LEGISLATIVE BILL 720. Placed on General File.

LEGISLATIVE BILL 749. Placed on General File.

LEGISLATIVE BILL 714. Placed on General File with amendment.

AM1592

1 1. Insert the following new section:

2 Sec. 2. Section 60-1515, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 60-1515 (1) The Legislature hereby finds and declares that a
5 statewide system for the collection, storage, and transfer of data on
6 vehicle titles and registration and the cooperation of state and local
7 government in implementing such a system is essential to the efficient
8 operation of state and local government in vehicle titling and
9 registration. The Legislature hereby finds and declares that the
10 electronic issuance of operators' licenses and state identification cards
11 using a digital system as described in section 60-484.01 and the
12 cooperation of state and local government in implementing such a system
13 is essential to the efficient operation of state and local government in
14 issuing operators' licenses and state identification cards.

15 (2) It is therefor the intent of the Legislature that the Department
16 of Motor Vehicles shall use a portion of the fees appropriated by the
17 Legislature to the Department of Motor Vehicles Cash Fund as follows:

18 (a) To pay for the cost of issuing motor vehicle titles and
19 registrations on a system designated by the department. The costs shall
20 include, but not be limited to, software and software maintenance,
21 programming, processing charges, and equipment including such terminals,

22 printers, or other devices as deemed necessary by the department after
 23 consultation with the county to support the issuance of motor vehicle
 24 titles and registrations. The costs shall not include the cost of county
 25 personnel or physical facilities provided by the counties;
 26 (b) To fund the centralization of renewal notices for motor vehicle
 27 registration and to furnish to the counties the certificate of
 1 registration forms specified in section 60-390. The certificate of
 2 registration form shall be prescribed by the department;
 3 (c) To pay for the costs of an operator's license system as
 4 specified in sections 60-484.01 and 60-4,119 and designated by the
 5 department. The costs shall be limited to such terminals, printers,
 6 software, programming, and other equipment or devices as deemed necessary
 7 by the department to support the issuance of such licenses and state
 8 identification cards in the counties and by the department; and
 9 (d) To pay for the motor vehicle insurance database created under
 10 section 60-3,136.
 11 (3) The department shall utilize three dollars of each fee allocated
 12 to the Department of Motor Vehicles Cash Fund from state identification
 13 cards valid for five years and Class O or M operators' licenses valid for
 14 five years to open and operate an additional operators' licensing service
 15 center.
 16 2. Renumber the remaining sections and correct the repealer
 17 accordingly.

(Signed) Curt Friesen, Chairperson

COMMITTEE REPORT(S)
 Agriculture

The Agriculture 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.

Ervin L. Portis - Climate Assessment Response Committee

Aye: 8. Brandt, Brewer, Cavanaugh, J., Gragert, Groene, Halloran, Hansen, B., Lathrop. Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) Steve Halloran, Chairperson

NOTICE OF COMMITTEE HEARING(S)
 Natural Resources
 Room 1525 1:30 PM

Wednesday, January 26, 2022

LB925

LB981

LB978

Patrick L. Berggren - Nebraska Game and Parks Commission

Douglas A. Zingula - Nebraska Game and Parks Commission

(Signed) Bruce Bostelman, Chairperson

Health and Human Services
Room 1510 1:30 PM

Wednesday, January 26, 2022

LB929
LB862
LB1004

(Signed) John Arch, Chairperson

Appropriations
Room 1003 1:30 PM

Wednesday, January 26, 2022

Agency 16 - Revenue, Department of
Agency 97 - Hemp Commission
Agency 81 - Commission for the Blind and Visually Impaired
Agency 28 - Veterans' Affairs, Department of
Agency 76 - Indian Commission, Nebraska
Agency 32 - Educational Lands and Funds, Board of
Agency 47 - Educational Telecommunications Commission, Nebraska
Agency 85 - Public Employees Retirement Board, Nebraska
LB992

Thursday, January 27, 2022

Agency 24 - Motor Vehicles, Department of
Agency 27 - Transportation, Department of
Agency 31 - Military Department
Agency 53 - Real Property Appraiser Board
LB751
LB991

(Signed) John Stinner, Chairperson

MOTION(S) - Withdraw LB790

Senator Groene offered his motion, [MO126](#), found on page 341, to withdraw LB790.

Pending.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 1086. Introduced by Geist, 25.

A BILL FOR AN ACT relating to abortion; to amend sections 28-101 and 38-2021, Revised Statutes Cumulative Supplement, 2020; to adopt the

Chemical Abortion Safety Protocol Act; to redefine unprofessional conduct relating to abortion under the Medicine and Surgery Practice Act; to provide for severability; and to repeal the original sections.

LEGISLATIVE BILL 1087. Introduced by Stinner, 48.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds for aid to community colleges; and to declare an emergency.

LEGISLATIVE BILL 1088. Introduced by Stinner, 48.

A BILL FOR AN ACT relating to the Nebraska Transformational Project Fund; to amend section 81-12,193, Revised Statutes Cumulative Supplement, 2020, and section 84-612, Revised Statutes Supplement, 2021; to change provisions relating to transfers and expenditures of funds; to authorize a transfer of funds; and to repeal the original sections.

LEGISLATIVE BILL 1089. Introduced by Stinner, 48.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Health and Human Services; and to declare an emergency.

LEGISLATIVE BILL 1090. Introduced by Dorn, 30.

A BILL FOR AN ACT relating to the Business Innovation Act; to amend section 81-12,162, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to award limits; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 1091. Introduced by Dorn, 30.

A BILL FOR AN ACT relating to nurses; to adopt the Nebraska Nursing Incentive Act; to provide scholarships as prescribed; and to state intent regarding appropriation of federal funds.

LEGISLATIVE BILL 1092. Introduced by Flood, 19.

A BILL FOR AN ACT relating to Nebraska state colleges; to authorize establishment of risk-loss trusts; to provide requirements for use of risk-loss trusts; to provide for applicability; and to provide a duty for the Attorney General and the State Claims Board.

LEGISLATIVE BILL 1093. Introduced by Flood, 19.

A BILL FOR AN ACT relating to economic development; to amend sections 13-2610, 82-334, and 82-335, Revised Statutes Supplement, 2021; to adopt the Enhancement Project Financing Assistance Act; to provide for use of certain sales tax revenue; to harmonize provisions; and to repeal the

original sections.

LEGISLATIVE BILL 1094. Introduced by Flood, 19.

A BILL FOR AN ACT relating to the ImagiNE Nebraska Act; to amend section 77-6815, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to the number of new employees; and to repeal the original section.

LEGISLATIVE BILL 1095. Introduced by Halloran, 33.

A BILL FOR AN ACT relating to the Animal Health and Disease Control Act; to amend section 54-2949, Reissue Revised Statutes of Nebraska; to change provisions relating to premises registration and animal disease traceability; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 1096. Introduced by Halloran, 33.

A BILL FOR AN ACT relating to governmental entities; to provide for participation in trusts and investment pools; and to provide powers for the State Treasurer.

LEGISLATIVE BILL 1097. Introduced by Halloran, 33.

A BILL FOR AN ACT relating to sales and use taxes; to amend section 77-2701.16, Revised Statutes Supplement, 2021; to change provisions relating to motor vehicle towing; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 1098. Introduced by Halloran, 33.

A BILL FOR AN ACT relating to the State Fire Marshal; to amend sections 81-520.01 and 81-5,159, Reissue Revised Statutes of Nebraska, and sections 81-5,172, 81-5,213, 81-5,216, 81-5,217, 81-5,218, 81-5,219, 81-5,223, 81-5,230, 81-5,237, and 81-5,239, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to obtaining a permit to conduct open burning, contractor certificates, the Boiler Inspection Act, and the Conveyance Safety Act; to eliminate obsolete provisions; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1099. Introduced by Bostelman, 23.

A BILL FOR AN ACT relating to economic development; to create the Nebraska Hydrogen Hub Industry Work Group; to provide duties for the Department of Economic Development; to state intent regarding appropriations; and to declare an emergency.

LEGISLATIVE BILL 1100. Introduced by Bostelman, 23.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Economic Development; and to declare an emergency.

LEGISLATIVE BILL 1101. Introduced by Bostelman, 23.

A BILL FOR AN ACT relating to telecommunications; to amend sections 86-330, 86-1306, and 86-1307, Revised Statutes Supplement, 2021; to change universal service funding redirection provisions as prescribed; to change grant application, scoring, and challenge procedure provisions under the Nebraska Broadband Bridge Act; to change and provide duties for the Public Service Commission; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 1102. Introduced by Bostelman, 23.

A BILL FOR AN ACT relating to environmental protection; to amend sections 81-1507 and 81-1508, Reissue Revised Statutes of Nebraska; to adopt the Nebraska Environmental Response Act; to change provisions relating to enforcement of environmental protection provisions; and to repeal the original sections.

LEGISLATIVE BILL 1103. Introduced by Brandt, 32.

A BILL FOR AN ACT relating to the Beginning Farmer Tax Credit Act; to amend sections 77-5203 and 77-5209, Revised Statutes Cumulative Supplement, 2020; to redefine a term; to change provisions relating to net worth qualifications; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1104. Introduced by Day, 49.

A BILL FOR AN ACT relating to the Emergency Management Act; to amend sections 81-829.39 and 81-829.41, Reissue Revised Statutes of Nebraska; to define terms; to change duties of the Nebraska Emergency Management Agency; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1105. Introduced by Day, 49.

A BILL FOR AN ACT relating to motor vehicle registration; to amend sections 60-301, 60-393, 60-395, 60-396, 60-3,104, and 60-3,130.04, Reissue Revised Statutes of Nebraska; to provide for Autism Awareness Plates; to provide powers and duties; to create a fund; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1106. Introduced by Day, 49.

A BILL FOR AN ACT relating to relating to the Mental Health Practice

Act; to amend sections 38-2122 and 38-2123, Revised Statutes Cumulative Supplement, 2020; to change licensure qualifications for provisional mental health practitioners and mental health practitioners; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1107. Introduced by Day, 49.

A BILL FOR AN ACT relating to social services; to amend section 68-1206, Revised Statutes Supplement, 2021; to change provisions relating to provider reimbursement for an absent child; and to repeal the original section.

LEGISLATIVE BILL 1108. Introduced by Day, 49.

A BILL FOR AN ACT relating to sanitary and improvement districts; to amend section 31-727, Revised Statutes Supplement, 2021; to provide powers and duties relating to the regulation of fireworks to certain sanitary and improvement districts as prescribed; and to repeal the original section.

LEGISLATIVE BILL 1109. Introduced by Murman, 38.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend sections 53-101 and 53-125, Reissue Revised Statutes of Nebraska; to provide for the issuance of a liquor license to the spouse of a law enforcement officer as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1110. Introduced by Slama, 1.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 60-103, 60-123, 60-135.01, 60-153, 60-305, 60-339, 60-358.01, 60-3,100, 60-3,104, 60-3,135.01, 60-3,143, 60-3,187, 60-3,190, 60-3,221, 60-471, 60-4,114, 60-4,123, 60-4,123.01, 60-4,124, 60-501, 60-6,266, 60-6,279, 60-6,355, and 60-6,356, Reissue Revised Statutes of Nebraska, and section 23-187, Revised Statutes Cumulative Supplement, 2020; to authorize county boards to regulate the operation of certain all-terrain vehicles and utility-type vehicles on highways within counties; to redefine terms; to change provisions relating to certificates of title for all-terrain vehicles and utility-type vehicles; to require registration and provide for fees and taxes for certain all-terrain vehicles and utility-type vehicles; to change provisions relating to the driving skills test for the Class O operator's license; to change certain safety provisions of the Nebraska Rules of the Road; to authorize the operation of certain all-terrain vehicles and utility-type vehicles on highways as prescribed; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 1111. Introduced by McKinney, 11; Cavanaugh, J., 9; Wayne, 13.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Supreme Court.

LEGISLATIVE BILL 1112. Introduced by McKinney, 11; Slama, 1.

A BILL FOR AN ACT relating to schools; to amend sections 79-729 and 79-760.01, Revised Statutes Supplement, 2021; to adopt the Computer Science and Technology Act; to provide a graduation requirement; to change duties relating to academic content standards; and to repeal the original sections.

LEGISLATIVE BILL 1113. Introduced by McKinney, 11.

A BILL FOR AN ACT relating to the Young Adult Bridge to Independence Act; to amend section 43-4501, Reissue Revised Statutes of Nebraska; to provide for a pilot program; to state intent to appropriate federal funds; and to repeal the original section.

LEGISLATIVE BILL 1114. Introduced by McKinney, 11.

A BILL FOR AN ACT relating to the Business Innovation Act; to amend sections 81-12,153, 81-12,154, 81-12,156, and 81-12,162, Revised Statutes Cumulative Supplement, 2020; to define a term; to change provisions relating to purposes, funding preferences, and the small business investment program; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1115. Introduced by McKinney, 11.

A BILL FOR AN ACT relating to property taxes; to require the development of certain property in order for it to retain its property tax exemption; to define terms; and to create a fund.

LEGISLATIVE BILL 1116. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to the Business Innovation Act; to amend sections 81-12,153 and 81-12,158, Revised Statutes Cumulative Supplement, 2020; to define a term; to change provisions relating to a financial assistance program for creating prototypes; and to repeal the original sections.

LEGISLATIVE BILL 1117. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to the Community Development Assistance Act; to amend sections 13-201 and 13-203, Reissue Revised Statutes of Nebraska, and section 13-208, Revised Statutes Cumulative Supplement, 2020; to define and redefine terms; to change provisions relating to limits on tax credits; to provide a sunset date; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1118. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to city airport authorities; to amend sections 3-504 and 32-547, Reissue Revised Statutes of Nebraska, and section 3-502, Revised Statutes Cumulative Supplement, 2020; to provide for election of members of an airport authority board in a city of the metropolitan class; to change provisions relating to powers; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1119. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to the Cities Airport Authorities Act; to amend section 3-504, Reissue Revised Statutes of Nebraska; to change powers of an authority created by a city of the metropolitan class as prescribed; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 1120. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to federal funds; to disqualify entities receiving funds under the federal American Rescue Plan Act of 2021 from a high-population county or a city of the metropolitan class from receiving such funds from the state; and to define terms.

LEGISLATIVE BILL 1121. Introduced by Albrecht, 17.

A BILL FOR AN ACT relating to elections; to amend section 32-203, Reissue Revised Statutes of Nebraska, and section 32-204, Revised Statutes Cumulative Supplement, 2020; to require inspection of vote counting devices; to provide for use of a fund for such inspections; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1122. Introduced by Erdman, 47.

A BILL FOR AN ACT relating to the Land Surveyors Regulation Act; to amend sections 81-8,108.01 and 81-8,109, Revised Statutes Cumulative Supplement, 2020; to redefine a term; to authorize certain activities and provide a requirement related to land surveying; to provide for liability; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1123. Introduced by Erdman, 47; Clements, 2; Groene, 42.

A BILL FOR AN ACT relating to elections; to amend section 32-1027, Revised Statutes Cumulative Supplement, 2020; to change procedures for counting ballots; and to repeal the original section.

LEGISLATIVE BILL 1124. Introduced by Erdman, 47; Clements, 2; Groene, 42.

A BILL FOR AN ACT relating to decedents' estates; to amend section 30-24,125, Reissue Revised Statutes of Nebraska; to change a personal property value threshold for collection of personal property by affidavit for small estates; and to repeal the original section.

NOTICE OF COMMITTEE HEARING(S)

Health and Human Services
Room 1510 1:30 PM

Thursday, January 27, 2022
Briefing by the Nebraska Children's Commission
LB906

(Signed) John Arch, Chairperson

MOTION(S) - Withdraw LB790

Senator Groene renewed his motion, [MO126](#), found on page 341 and considered in this day's Journal, to withdraw LB790.

Pending.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 1125. Introduced by Aguilar, 35.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Economic Development; and to declare an emergency.

LEGISLATIVE BILL 1126. Introduced by Cavanaugh, M., 6.

A BILL FOR AN ACT relating to the Department of Health and Human Services; to amend section 68-1206, Revised Statutes Supplement, 2021; to eliminate a copayment; and to repeal the original section.

LEGISLATIVE BILL 1127. Introduced by Wishart, 27.

A BILL FOR AN ACT relating to state regulations; to adopt the Regulatory Sandbox Act.

LEGISLATIVE BILL 1128. Introduced by DeBoer, 10.

A BILL FOR AN ACT relating to teachers; to amend section 77-2716, Revised Statutes Supplement, 2021; to adopt the Student Loan Repayment Assistance for Teachers Act; to provide an income tax deduction as prescribed; and to repeal the original section.

LEGISLATIVE BILL 1129. Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to public health and welfare; to provide for free contraceptives for women as prescribed.

LEGISLATIVE BILL 1130. Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to the Nebraska Statewide Workforce and Education Reporting System Act; to amend sections 48-648, 48-2303, 48-3701, and 60-484, Reissue Revised Statutes of Nebraska, and section 77-27,119, Revised Statutes Supplement, 2021; to require memoranda of understanding regarding data sharing; to provide duties for the Nebraska Statewide Workforce and Education Reporting System, Department of Labor, Department of Motor Vehicles, Department of Health and Human Services, and Department of Revenue; to require reports; to require confidentiality; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1131. Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to appropriations; to state intent to appropriate federal funds for bonus payments; and to declare an emergency.

LEGISLATIVE BILL 1132. Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to the Nebraska Uniform Real Property Transfer on Death Act; to amend sections 76-3401 and 76-3410, Reissue Revised Statutes of Nebraska; to change provisions relating to required warnings on transfer on death deeds and insurance policies on certain real property; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1133. Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation Act; to amend section 48-101.01, Reissue Revised Statutes of Nebraska; to define a term; to include health care workers within provisions concerning mental injuries and mental illness; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 1134. Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to political accountability and disclosure; to amend section 49-14,101.02, Reissue Revised Statutes of Nebraska; to prohibit use of public resources by a member of a board of directors or an employee of certain corporations as prescribed; and to repeal the original section.

LEGISLATIVE BILL 1135. Introduced by Murman, 38.

A BILL FOR AN ACT relating to conservation or preservation easements; to amend sections 23-1506, 76-2,112, 76-2,113, 76-2,115, 76-2,117, and 77-5007, Reissue Revised Statutes of Nebraska, and section 77-202, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to creating, approving or denying, recording, or enforcing such easements; to change property tax exemptions relating to easements; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1136. Introduced by Hunt, 8.

A BILL FOR AN ACT relating to health care; to amend section 71-448, Reissue Revised Statutes of Nebraska; to adopt the Senior Care LGBTQ Discrimination Prevention Act; to provide for enforcement under the Health Care Facility Licensure Act; and to repeal the original section.

LEGISLATIVE BILL 1137. Introduced by Hunt, 8.

A BILL FOR AN ACT relating to the Fair Pay to Play Act; to amend sections 48-3601, 48-3602, 48-3603, 48-3604, 48-3605, 48-3606, 48-3607, 48-3608, and 48-3609, Reissue Revised Statutes of Nebraska; to rename the act; to change provisions relating to name, image, or likeness rights of a student-athlete; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1138. Introduced by Vargas, 7.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Health and Human Services; and to declare an emergency.

LEGISLATIVE BILL 1139. Introduced by Hansen, M., 26.

A BILL FOR AN ACT relating to political accountability and disclosure; to amend section 49-1469, Reissue Revised Statutes of Nebraska; to prohibit certain corporations from making an expenditure or a contribution or providing personal services as prescribed; and to repeal the original section.

LEGISLATIVE BILL 1140. Introduced by Hansen, M., 26.

A BILL FOR AN ACT relating to withholding of wages; to amend section 48-224, Reissue Revised Statutes of Nebraska; to change provisions relating to approval of agencies and associations for participation in public employee withholding programs; and to repeal the original section.

NOTICE OF COMMITTEE HEARING(S)

Executive Board
Room 1525 12:00 PM

Wednesday, January 26, 2022

LB814

LB975

Executive Board
Room 1525 12:00 PM

Thursday, January 27, 2022
LB844
LR269CA

(Signed) Dan Hughes, Chairperson

MOTION(S) - Withdraw LB790

Senator Groene renewed his motion, [MO126](#), found on page 341 and considered in this day's Journal, to withdraw LB790.

The Groene motion to withdraw the bill prevailed with 30 ayes, 0 nays, 13 present and not voting, and 6 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 496. Senator Wayne offered his motion, [MO127](#), found on page 341, to reconsider the vote taken on AM1283.

SENATOR HUGHES PRESIDING

SPEAKER HILGERS PRESIDING

Pending.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 1141. Introduced by Vargas, 7.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Commission on Public Advocacy; and to declare an emergency.

LEGISLATIVE BILL 1142. Introduced by Vargas, 7.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Economic Development; and to declare an emergency.

LEGISLATIVE BILL 1143. Introduced by Linehan, 39; Albrecht, 17; Brandt, 32; Briese, 41; Groene, 42; Halloran, 33; Lowe, 37; Moser, 22; Murman, 38; Sanders, 45; Slama, 1.

A BILL FOR AN ACT relating to the Interlocal Cooperation Act; to amend section 13-809, Revised Statutes Cumulative Supplement, 2020; to require approval by the voters for the issuance of certain bonds; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 1144. Introduced by Friesen, 34.

A BILL FOR AN ACT relating to telecommunications; to amend section 86-134, Reissue Revised Statutes of Nebraska, and sections 86-1304 and 86-1306, Revised Statutes Supplement, 2021; to change discontinuance of service provisions under the Nebraska Telecommunications Regulation Act; to define terms; to change provisions of the Nebraska Broadband Bridge Act relating to grant matching funds requirements, application and award deadlines, project extensions, and application scoring; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1145. Introduced by Friesen, 34.

A BILL FOR AN ACT relating to public records; to amend section 60-699, Reissue Revised Statutes of Nebraska; to change provisions relating to public records regarding motor vehicle accident reports; and to repeal the original section.

LEGISLATIVE BILL 1146. Introduced by Friesen, 34.

A BILL FOR AN ACT relating to the Interlocal Cooperation Act; to amend sections 13-804, 13-805, and 13-808, Reissue Revised Statutes of Nebraska; to change agreement provisions; to provide for voter approval of agreements and project proposals; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1147. Introduced by Friesen, 34.

A BILL FOR AN ACT relating to the Uniform Standard Code for Manufactured Homes and Recreational Vehicles; to amend section 71-4603, Reissue Revised Statutes of Nebraska; to redefine terms; and to repeal the original section.

LEGISLATIVE BILL 1148. Introduced by Friesen, 34.

A BILL FOR AN ACT relating to the Motor Vehicle Industry Licensing Board; to amend sections 60-1403, 60-1413, 60-1414, 60-1417.02, 60-1427, 60-1428, and 60-1435, Reissue Revised Statutes of Nebraska; to provide for the employment of a hearing officer; and to repeal the original sections.

LEGISLATIVE BILL 1149. Introduced by Friesen, 34.

A BILL FOR AN ACT relating to the Motor Vehicle Registration Act; to amend section 60-3,191, Reissue Revised Statutes of Nebraska; to change

the registration fee for alternative fuel-powered motor vehicles; and to repeal the original section.

LEGISLATIVE BILL 1150. Introduced by Legislative Performance Audit Committee: Geist, 25, Chairperson; Day, 49; Friesen, 34; Hughes, 44; McCollister, 20.

A BILL FOR AN ACT relating to the ImagiNE Nebraska Act; to amend sections 77-6827 and 77-6828, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to the contents of applications and agreements; and to repeal the original sections.

LEGISLATIVE BILL 1151. Introduced by McCollister, 20.

A BILL FOR AN ACT relating to the Nebraska State Capitol; to amend section 84-612, Revised Statutes Supplement, 2021; to create a fund; to provide restrictions on the fund; to provide for a transfer of funds from the Cash Reserve Fund; and to repeal the original section.

LEGISLATIVE BILL 1152. Introduced by McCollister, 20.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Department of Administrative Services; and to declare an emergency.

LEGISLATIVE BILL 1153. Introduced by McCollister, 20.

A BILL FOR AN ACT relating to the State Electrical Act; to amend section 81-2103, Reissue Revised Statutes of Nebraska; to change the number of members of the State Electrical Board; to change qualifications for certain members of the State Electrical Board; and to repeal the original section.

LEGISLATIVE BILL 1154. Introduced by McKinney, 11.

A BILL FOR AN ACT relating to criminal justice; to amend sections 83-1,107, 83-1,114, 83-1,135, 83-1,135.02, and 83-962, Revised Statutes Cumulative Supplement, 2020; to provide duties for the Department of Correctional Services; to change provisions relating to good time and parole eligibility; to provide for rules and regulations; to provide for applicability; to require reports; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1155. Introduced by Cavanaugh, J., 9.

A BILL FOR AN ACT relating to criminal procedure; to amend section 29-901, Revised Statutes Supplement, 2021; to require implementation of a pilot program for pretrial release; to state intent regarding appropriations; and to repeal the original section.

LEGISLATIVE BILL 1156. Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to appropriations; to amend Laws 2021, LB380, section 216; to change appropriations to the Department of Economic Development; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 1157. Introduced by Linehan, 39.

A BILL FOR AN ACT relating to the State Department of Education; to require reporting on federal funds received under the federal American Rescue Plan Act of 2021.

LEGISLATIVE BILL 1158. Introduced by Sanders, 45; Albrecht, 17; Groene, 42; Halloran, 33; Linehan, 39; Murman, 38.

A BILL FOR AN ACT relating to schools; to amend sections 79-530, 79-531, 79-532, and 79-533, Reissue Revised Statutes of Nebraska; to change provisions relating to parental involvement in education policies; to provide duties for schools and school districts; to provide for withholding of funding from school districts that fail to comply; to provide duties for the Commissioner of Education and county treasurers; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1159. Introduced by Wishart, 27.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Department of Health and Human Services; and to declare an emergency.

LEGISLATIVE BILL 1160. Introduced by Wishart, 27.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Environment and Energy; and to declare an emergency.

LEGISLATIVE BILL 1161. Introduced by Wishart, 27.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the State Department of Education; and to declare an emergency.

LEGISLATIVE BILL 1162. Introduced by Wishart, 27.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Commission for the Deaf and Hard of Hearing; and to declare an emergency.

LEGISLATIVE BILL 1163. Introduced by Wishart, 27.

A BILL FOR AN ACT relating to the Business Innovation Act; to amend sections 81-12,157, 81-12,158, 81-12,159, 81-12,160, 81-12,161, 81-12,162, and 81-12,163, Revised Statutes Cumulative Supplement, 2020; to change award limitations as prescribed; to state legislative intent; and to repeal the original sections.

LEGISLATIVE BILL 1164. Introduced by Wishart, 27.

A BILL FOR AN ACT relating to health and human services; to state intent regarding an increase in rates for Child Welfare Aid; and to declare an emergency.

LEGISLATIVE BILL 1165. Introduced by Sanders, 45.

A BILL FOR AN ACT relating to the Nebraska Budget Act; to amend section 13-504, Revised Statutes Cumulative Supplement, 2020, and sections 13-506 and 13-508, Revised Statutes Supplement, 2021; to change provisions relating to proposed budget statement contents, certification, and an adopted budget statement; and to repeal the original sections.

LEGISLATIVE BILL 1166. Introduced by Sanders, 45.

A BILL FOR AN ACT relating to the One-Call Notification System Act; to amend sections 76-2324 and 76-2329, Reissue Revised Statutes of Nebraska; to change provisions relating to liability for damage by an excavator; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1167. Introduced by Flood, 19.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Economic Development and to the Department of Labor; and to declare an emergency.

LEGISLATIVE BILL 1168. Introduced by Linehan, 39.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716, Revised Statutes Supplement, 2021; to provide an income tax deduction for the costs of medical care as prescribed; and to repeal the original section.

LEGISLATIVE BILL 1169. Introduced by Linehan, 39.

A BILL FOR AN ACT relating to the State Department of Education; to require the State Department of Education to create a loan forgiveness grant program.

LEGISLATIVE BILL 1170. Introduced by Sanders, 45; Albrecht, 17; Arch, 14; Bostelman, 23; Brewer, 43; Clements, 2; Erdman, 47; Flood, 19; Geist, 25; Gragert, 40; Groene, 42; Halloran, 33; Hilkemann, 4; Linehan,

39; Lowe, 37; McCollister, 20; McDonnell, 5; Murman, 38; Slama, 1; Stinner, 48.

A BILL FOR AN ACT relating to schools; to amend section 79-2,103, Reissue Revised Statutes of Nebraska; to require schools to allow youth organizations to provide information, services, and activities as prescribed; to define terms; to require background checks; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 1171. Introduced by Sanders, 45.

A BILL FOR AN ACT relating to the Jury Selection Act; to amend sections 25-1647, 25-1648, and 25-1678, Revised Statutes Cumulative Supplement, 2020; to make the clerk of the district court ex officio jury commissioner in all counties; to change provisions relating to compensation of the jury commissioner in certain counties; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 1172. Introduced by Hilkemann, 4.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Health and Human Services; and to declare an emergency.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 278CA. Introduced by Linchan, 39.

THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION, RESOLVE THAT:

Section 1. At the general election in November 2022, the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article VII, section 2, Article VII, section 4, and Article XIII, section 1, and repeal Article VII, section 3:

~~VII-2 The State Department of Education shall be comprised of a State Board of Education and a Commissioner of Education. The State Department of Education shall have general supervision and administration of the school system of the state and of such other activities as the Legislature may direct.~~

~~VII-4 The Governor State Board of Education shall appoint and fix the compensation of the Commissioner of Education, who shall be the executive officer of the State Board of Education and the administrative head of the State Department of Education, and who shall have such powers and duties as the Legislature may direct. The board shall appoint all employees of the State Department of Education on the recommendation of the Commissioner of Education.~~

XIII-1 The state may, to meet casual deficits, or failures in the revenue, contract debts never to exceed in the aggregate one hundred thousand dollars, and no greater indebtedness shall be incurred except for the purpose of repelling invasion, suppressing insurrection, or defending the state in war, and provision shall be made for the payment of the interest annually, as it shall accrue, by a tax levied for the purpose, or from other sources of revenue, which law providing for the payment of such interest by such tax shall be irrevocable until such debt is paid; Provided, that if the Legislature determines by a three-fifths vote of the members elected thereto that (1) the need for construction of highways in this state requires such action, it may authorize the issuance of bonds for such construction, and for the payment of the interest and the retirement of such bonds it may pledge any tolls to be received from such highways or it may irrevocably pledge for the term of the bonds all or a part of any state revenue closely related to the use of such highways, such as motor vehicle fuel taxes or motor vehicle license fees and (2) the construction of water retention and impoundment structures for the purposes of water conservation and management will promote the general welfare of the state, it may authorize the issuance of revenue bonds for such construction, and for the payment of the interest and the retirement of such bonds it may pledge all or any part of any state revenue derived from the use of such structures; and provided further, that the Board of Regents of the University of Nebraska, the Board of Trustees of the Nebraska State Colleges, and, at the direction of the Governor, the Commissioner of Education ~~the State Board of Education~~ may issue revenue bonds to construct, purchase, or otherwise acquire, extend, add to, remodel, repair, furnish, and equip dormitories, residence halls, single or multiple dwelling units, or other facilities for the housing and boarding of students, single or married, and faculty or other employees, buildings and structures for athletic purposes, student unions or centers, and for the medical care and physical development and activities of students, and buildings or other facilities for parking, which bonds shall be payable solely out of revenue, fees, and other payments derived from the use of the buildings and facilities constructed or acquired, including buildings and facilities heretofore or hereafter constructed or acquired, and paid for out of the proceeds of other issues of revenue bonds, and the revenue, fees, and payments so pledged need not be appropriated by the Legislature, and any such revenue bonds heretofore issued by either of such boards are hereby authorized, ratified, and validated. Bonds for new construction shall be first approved as the Legislature shall provide.

Article VII, section 3, of the Constitution of Nebraska is repealed.

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

A constitutional amendment to eliminate the State Board of Education and transfer the power to appoint the Commissioner of Education to the Governor and the power to issue revenue bonds to the Commissioner of Education at the direction of the Governor.

For

Against.

SELECT FILE

LEGISLATIVE BILL 496. The Wayne motion, [MO127](#), found on page 341 and considered in this day's Journal, to reconsider the vote taken on AM1283, was renewed.

Senator M. Cavanaugh moved for a call of the house. The motion prevailed with 21 ayes, 2 nays, and 26 not voting.

The Wayne motion to reconsider failed with 7 ayes, 28 nays, 10 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

Senator Hunt offered her amendment, [AM1290](#), found on page 1297, First Session, 2021.

Senator Hilkemann offered the following motion:

[MO129](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Hilkemann moved for a call of the house. The motion prevailed with 30 ayes, 2 nays, and 17 not voting.

Senator Hilkemann requested a roll call vote on the motion to invoke cloture.

Voting in the affirmative, 33:

Aguilar	Day	Hilkemann	McDonnell	Slama
Albrecht	Dorn	Hughes	Morfeld	Stinner
Arch	Erdman	Kolterman	Moser	Walz
Bostelman	Flood	Lathrop	Murman	Williams
Brandt	Gragert	Lindstrom	Pahls	Wishart
Brewer	Halloran	Lowe	Pansing Brooks	
Clements	Hilgers	McCollister	Sanders	

Voting in the negative, 12:

Bostar	DeBoer	Hansen, B.	McKinney
Cavanaugh, J.	Friesen	Hansen, M.	Vargas
Cavanaugh, M.	Groene	Hunt	Wayne

Present and not voting, 1:

Linehan

Excused and not voting, 3:

Blood Briese Geist

The Hilkemann motion to invoke cloture prevailed with 33 ayes, 12 nays, 1 present and not voting, and 3 excused and not voting.

Senator M. Cavanaugh requested a roll call vote on the Hunt amendment, AM1290.

Voting in the affirmative, 1:

Hansen, M.

Voting in the negative, 44:

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

Present and not voting, 1:

Morfeld

Excused and not voting, 3:

Blood Briese Geist

The Hunt amendment lost with 1 aye, 44 nays, 1 present and not voting, and 3 excused and not voting.

Senator M. Hansen requested a roll call vote on the advancement of the bill.

Voting in the affirmative, 26:

Albrecht	Erdman	Lathrop	Moser	Walz
Arch	Gragert	Lindstrom	Murman	Williams
Bostelman	Hilgers	Lowe	Pahls	
Brandt	Hilkemann	McCollister	Sanders	
Brewer	Hughes	McDonnell	Slama	
Dorn	Kolterman	Morfeld	Stinner	

Voting in the negative, 16:

Bostar	Flood	Hansen, M.	Pansing Brooks
Cavanaugh, J.	Friesen	Hunt	Vargas
Cavanaugh, M.	Groene	Linehan	Wayne
DeBoer	Hansen, B.	McKinney	Wishart

Present and not voting, 4:

Aguilar	Clements	Day	Halloran
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Excused and not voting, 3:

Blood	Briese	Geist
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Advanced to Enrollment and Review for Engrossment with 26 ayes, 16 nays, 4 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 1173. Introduced by Health and Human Services Committee: Arch, 14, Chairperson; Cavanaugh, M., 6; Day, 49; Hansen, B., 16; Murman, 38; Walz, 15; Williams, 36.

A BILL FOR AN ACT relating to child welfare; to state findings and intent; to create a work group and strategic leadership group for child welfare system reform; to provide duties for the Department of Health and Human Services; to define terms; and to declare an emergency.

LEGISLATIVE BILL 1174. Introduced by Wayne, 13; Hansen, B., 16.

A BILL FOR AN ACT relating to state government; to require reports from state entities; and to require public hearings.

LEGISLATIVE BILL 1175. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to insurance; to prohibit a health insurer from removing a provider as an in-network provider under certain circumstances; and to provide a civil cause of action.

LEGISLATIVE BILL 1176. Introduced by Bostar, 29.

A BILL FOR AN ACT relating to the Affordable Housing Tax Credit Act; to amend sections 77-2501, 77-2502, 77-2503, 77-2505, and 81-523, Reissue Revised Statutes of Nebraska; to redefine a term; to change provisions relating to the allocation and use of tax credits; to provide for applicability; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1177. Introduced by Bostar, 29; McDonnell, 5.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Department of Health and Human Services for a pilot program for frontline first responders; and to declare an emergency.

LEGISLATIVE BILL 1178. Introduced by McCollister, 20.

A BILL FOR AN ACT relating to county records; to amend section 23-3211, Revised Statutes Cumulative Supplement, 2020; to provide for withholding the residential address of a judge from the public; to define a term; and to repeal the original section.

LEGISLATIVE BILL 1179. Introduced by Groene, 42; Albrecht, 17; Brewer, 43; Clements, 2; Erdman, 47; Halloran, 33; Hansen, B., 16; Lowe, 37; McDonnell, 5; Murman, 38; Sanders, 45; Slama, 1.

A BILL FOR AN ACT relating to education; to amend section 9-812, Revised Statutes Supplement, 2021; to adopt the Classroom Safety Intervention and Behavioral Awareness Training Act; to change provisions relating to the Nebraska Education Improvement Fund; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 1180. Introduced by Groene, 42.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2715.03, Reissue Revised Statutes of Nebraska, and section 77-2716, Revised Statutes Supplement, 2021; to change individual income tax brackets as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1181. Introduced by Groene, 42; Albrecht, 17; Brewer, 43; Clements, 2; Erdman, 47; Halloran, 33; Hansen, B., 16; Lowe, 37; Murman, 38; Sanders, 45.

A BILL FOR AN ACT relating to elections; to amend sections 32-318.01 and 32-914, Reissue Revised Statutes of Nebraska, and section 32-947, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to required identification documents for registering to vote and voting in person or by mail; to change provisions relating to early voting procedures; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1182. Introduced by Pansing Brooks, 28; Walz, 15.

A BILL FOR AN ACT relating to schools; to adopt the School Employees Pandemic Protection Act; and to state intent regarding appropriation of federal funds.

LEGISLATIVE BILL 1183. Introduced by Aguilar, 35.

A BILL FOR AN ACT relating to appropriations; to state intent regarding appropriations of federal funds to the Department of Health and Human Services; to define terms; and to declare an emergency.

LEGISLATIVE BILL 1184. Introduced by Geist, 25.

A BILL FOR AN ACT relating to law enforcement; to amend section 81-2009, Reissue Revised Statutes of Nebraska; to change provisions relating to the duty of the Attorney General to defend the Nebraska State Patrol; to provide procedures for agency counsel assisting the Nebraska State Patrol; and to repeal the original section.

LEGISLATIVE BILL 1185. Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to the Electric Cooperative Corporation Act; to amend sections 70-703, 70-704, and 70-705, Reissue Revised Statutes of Nebraska; to change provisions relating to the powers of an electric cooperative corporation; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1186. Introduced by Bostar, 29.

A BILL FOR AN ACT relating to the Oil Pipeline Reclamation Act; to amend sections 57-1405, 76-3301, 76-3302, 76-3303, 76-3304, 76-3305, and 76-3306, Reissue Revised Statutes of Nebraska; to rename the act; to define and redefine terms; to restate legislative intent; to provide reclamation duties for pipeline carriers; to provide for reversion of an abandoned pipeline right-of-way; to provide for recovery of costs; to create a fund; to provide duties for the Department of Environment and Energy; to harmonize provisions; and to repeal the original sections.

MOTION(S) - Print in Journal

Senator Hunt filed the following motion to [LB1086](#):

[MO128](#)

Indefinitely postpone.

AMENDMENT(S) - Print in Journal

Senator M. Cavanaugh filed the following amendment to [LB885](#):

[AM1596](#)

1 1. Strike the original sections and insert the following new
2 sections:
3 Section 1. Section 38-101, Revised Statutes Supplement, 2021, is
4 amended to read:
5 38-101 Sections 38-101 to 38-1,146 and section 3 of this act and the
6 following practice acts shall be known and may be cited as the Uniform
7 Credentialing Act:

8 (1) The Advanced Practice Registered Nurse Practice Act;
 9 (2) The Alcohol and Drug Counseling Practice Act;
 10 (3) The Athletic Training Practice Act;
 11 (4) The Audiology and Speech-Language Pathology Practice Act;
 12 (5) The Certified Nurse Midwifery Practice Act;
 13 (6) The Certified Registered Nurse Anesthetist Practice Act;
 14 (7) The Chiropractic Practice Act;
 15 (8) The Clinical Nurse Specialist Practice Act;
 16 (9) The Cosmetology, Electrology, Esthetics, Nail Technology, and
 17 Body Art Practice Act;
 18 (10) The Dentistry Practice Act;
 19 (11) The Dialysis Patient Care Technician Registration Act;
 20 (12) The Emergency Medical Services Practice Act;
 21 (13) The Environmental Health Specialists Practice Act;
 22 (14) The Funeral Directing and Embalming Practice Act;
 23 (15) The Genetic Counseling Practice Act;
 24 (16) The Hearing Instrument Specialists Practice Act;
 25 (17) The Licensed Practical Nurse-Certified Practice Act until
 26 November 1, 2017;
 27 (18) The Massage Therapy Practice Act;
 1 (19) The Medical Nutrition Therapy Practice Act;
 2 (20) The Medical Radiography Practice Act;
 3 (21) The Medicine and Surgery Practice Act;
 4 (22) The Mental Health Practice Act;
 5 (23) The Nurse Practice Act;
 6 (24) The Nurse Practitioner Practice Act;
 7 (25) The Nursing Home Administrator Practice Act;
 8 (26) The Occupational Therapy Practice Act;
 9 (27) The Optometry Practice Act;
 10 (28) The Perfusion Practice Act;
 11 (29) The Pharmacy Practice Act;
 12 (30) The Physical Therapy Practice Act;
 13 (31) The Podiatry Practice Act;
 14 (32) The Psychology Practice Act;
 15 (33) The Respiratory Care Practice Act;
 16 (34) The Surgical First Assistant Practice Act; and
 17 (35) The Veterinary Medicine and Surgery Practice Act.
 18 If there is any conflict between any provision of sections 38-101 to
 19 38-1,146 and any provision of a practice act, the provision of the
 20 practice act shall prevail except as otherwise specifically provided in
 21 section 38-129.02.
 22 Sec. 2. Section 38-129, Revised Statutes Cumulative Supplement,
 23 2020, is amended to read:
 24 38-129 (1) No individual shall be issued a credential under the
 25 Uniform Credentialing Act until the individual he or she has furnished
 26 satisfactory evidence to the department that the individual;
 27 (a) Is he or she is of good character;
 28 (b) Has and has attained the age of nineteen years except as
 29 otherwise specifically provided by statute, rule, or regulation; and -
 30 (c) Except as provided in subsection (2) of section 3 of this act,
 31 beginning October 1, 2023, has completed implicit bias training as
 1 defined in section 3 of this act.
 2 (2) A credential may only be issued to (a) a citizen of the United
 3 States, (b) an alien lawfully admitted into the United States who is
 4 eligible for a credential under the Uniform Credentialing Act, (c) a
 5 nonimmigrant lawfully present in the United States who is eligible for a
 6 credential under the Uniform Credentialing Act, or (d) a person who
 7 submits (i) an unexpired employment authorization document issued by the
 8 United States Department of Homeland Security, Form I-766, and (ii)
 9 documentation issued by the United States Department of Homeland

10 Security, the United States Citizenship and Immigration Services, or any
 11 other federal agency, such as one of the types of Form I-797 used by the
 12 United States Citizenship and Immigration Services, demonstrating that
 13 such person is described in section 202(c)(2)(B)(i) through (x) of the
 14 federal REAL ID Act of 2005, Public Law 109-13. Such credential shall be
 15 valid only for the period of time during which such person's employment
 16 authorization document is valid.

17 Sec. 3. (1) Except as provided in subsection (2) of this section,
 18 beginning with the first credential renewal period which begins on or
 19 after October 1, 2023, every person holding a credential under the
 20 Uniform Credentialing Act shall annually complete implicit bias training.
 21 (2) This section and subdivision (1)(c) of section 38-129 do not
 22 apply to persons credentialed to engaged in the practice of asbestos
 23 abatement, inspection, project design, and training; athletic training;
 24 body art; cosmetology; electrology; esthetics; funeral directing and
 25 embalming; hearing instrument dispensing and fitting; lead-based paint
 26 abatement, inspection, project design, and training; nail technology;
 27 radon detection, measurement, and mitigation; or veterinary medicine and
 28 surgery or to a registered environmental health specialist.
 29 (3) For purposes of this section, implicit bias training means a
 30 program approved by the department that is designed to expose unconscious
 31 prejudices or partialities, to provide tools to adjust automatic patterns
 1 of thinking, to eliminate discriminatory behaviors, and to create
 2 awareness of implicit bias.
 3 Sec. 4. Original section 38-129, Revised Statutes Cumulative
 4 Supplement, 2020, and section 38-101, Revised Statutes Supplement, 2021,
 5 are repealed.

Senator Morfeld filed the following amendment to LR14:

AM1615

1. Insert the following new RESOLVED clause:
2. The Legislature reaffirms its commitment to protecting the gun
- 3 rights of Nebraskans. The convention of the states shall not propose
- 4 amendments that could in any way result in the restriction,
- 5 disenpowerment, or elimination of the Second Amendment.
6. Renumber the remaining RESOLVED clauses accordingly.

CONFLICT OF INTEREST STATEMENT

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

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Hansen, M. name added to LB717.
 Senator Albrecht name added to LB774.
 Senator DeBoer name added to LB945.
 Senator Brewer name added to LB1008.
 Senator Hansen, M. name added to LB1026.
 Senator Kolterman name added to LB1039.

Senator Hansen, M. name added to LB1040.

VISITOR(S)

Visitors to the Chamber were Nebraska Cattleman Young Cattleman Connection Class of 2022; and Nebraska Supporters of an Article V Convention of States from across Nebraska.

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

ADJOURNMENT

At 12:15 p.m., on a motion by Senator Hughes, the Legislature adjourned until 9:00 a.m., Thursday, January 20, 2022.

Patrick J. O'Donnell
Clerk of the Legislature

TENTH DAY - JANUARY 20, 2022**LEGISLATIVE JOURNAL****ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION****TENTH DAY**

Legislative Chamber, Lincoln, Nebraska
Thursday, January 20, 2022

PRAYER

The prayer was offered by Senator Erdman.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Clements.

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 Blood and Dorn who was excused; and Senators Albrecht, Bostar, B. Hansen, M. Hansen, McCollister, Walz, Wayne, and Wishart who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the ninth day was approved.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

LB/LR	Committee
LB1043	Nebraska Retirement Systems
LB1044	Health and Human Services
LB1045	Natural Resources
LB1046	Natural Resources
LB1047	Natural Resources
LB1049	Appropriations
LB1050	Education
LB1051	Judiciary

LB1052 Appropriations
LB1053 Judiciary
LB1054 Appropriations
LB1055 Appropriations
LB1056 Government, Military and Veterans Affairs
LB1057 Education
LB1058 Natural Resources
LB1059 Judiciary
LB1060 Urban Affairs
LB1061 Banking, Commerce and Insurance
LB1062 Business and Labor
LB1063 Appropriations
LB1064 Government, Military and Veterans Affairs
LB1065 Urban Affairs
LB1066 Appropriations
LB1067 Appropriations
LB1068 Health and Human Services
LB1069 Business and Labor
LB1070 Appropriations
LB1071 Appropriations
LB1072 Appropriations
LB1073 Government, Military and Veterans Affairs
LB1074 Appropriations
LB1075 Appropriations
LB1076 Appropriations
LB1078 Education
LB1079 Appropriations
LB1080 Revenue
LB1081 Natural Resources
LB1082 Natural Resources
LB1083 Business and Labor
LB1084 Business and Labor
LB1085 Appropriations

Baxter, Nicholas - Nebraska Educational Telecommunications Commission
- Education

DeFusco, Richard A. - Nebraska Investment Council - Nebraska Retirement
Systems

Good, Darrin Scott - Nebraska Educational Telecommunications
Commission - Education

Hotz, Robert W. - Tax Equalization and Review Commission - Revenue

Peck, Bridget Troxel - Nebraska Power Review Board - Natural Resources

(Signed) Dan Hughes, Chairperson
Executive Board

NOTICE OF COMMITTEE HEARING(S)

Transportation and Telecommunications
Room 1113 1:30 PM

Tuesday, January 18, 2022
LB757 (cancel)

(Signed) Curt Friesen, Chairperson

BILLS ON FIRST READING

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

LEGISLATIVE BILL 1187. Introduced by Flood, 19.

A BILL FOR AN ACT relating to banking and finance; to amend sections 1-201, 9-102, 9-107A, 9-301, 9-310, 9-312, 9-314, 9-331, 9-406, 12-101, 12-101A, 12-102, 12-103, 12-104, 12-105, 12-106, 12-107, 12-108, and 12-109, Uniform Commercial Code, Revised Statutes Supplement, 2021; to change provisions relating to controllable electronic records; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 1188. Introduced by Flood, 19.

A BILL FOR AN ACT relating to personal data; to adopt the Uniform Personal Data Protection Act; to provide an operative date; and to provide severability.

LEGISLATIVE BILL 1189. Introduced by Flood, 19.

A BILL FOR AN ACT relating to sanitary drainage districts; to amend sections 31-538, 31-539, 31-540, 31-541, and 77-2704.15, Reissue Revised Statutes of Nebraska, and section 16-6,109, Revised Statutes Cumulative Supplement, 2020; to provide for distribution of funds and property and provide liability for debts and obligations upon discontinuance of certain districts as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1190. Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to the Medicare Supplement Insurance Minimum Standards Act; to amend section 44-3601, Reissue Revised Statutes of Nebraska; to change provisions relating to requirements for issuers of medicare supplement insurance policies or certificates and coverage of individuals under sixty-five years of age who are eligible for medicare by reason of disability; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 1191. Introduced by Brewer, 43.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Commission on Indian Affairs; and to declare an emergency.

LEGISLATIVE BILL 1192. Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to children and families; to amend sections 42-357, 43-2920, and 43-2929, Reissue Revised Statutes of Nebraska; to provide for a temporary injunction upon filing for dissolution of marriage or legal separation; to provide for a presumption of joint legal custody and equal parenting time; to provide for sanctions for misconduct by a party; to require the filing of reports; to provide duties for the State Court Administrator; and to repeal the original sections.

LEGISLATIVE BILL 1193. Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to appropriations; to provide limitations on appropriations of federal funds; and to declare an emergency.

LEGISLATIVE BILL 1194. Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Public Service Commission; and to declare an emergency.

LEGISLATIVE BILL 1195. Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Economic Development; and to declare an emergency.

LEGISLATIVE BILL 1196. Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Economic Development; and to declare an emergency.

LEGISLATIVE BILL 1197. Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Department of Correctional Services.

LEGISLATIVE BILL 1198. Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the State Department of Education; and to declare an emergency.

LEGISLATIVE BILL 1199. Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to appropriations; to appropriate federal

funds to the Department of Administrative Services; and to declare an emergency.

GENERAL FILE

LEGISLATIVE BILL 496A. Senator Hunt withdrew her amendments, [AM1397](#), [AM1398](#), and [AM1399](#), found on page 1406, First Session, 2021.

Senator Hilkemann offered his amendment, [AM1580](#), found on page 302.

Senator Hilkemann moved for a call of the house. The motion prevailed with 23 ayes, 1 nay, and 25 not voting.

The Hilkemann amendment was adopted with 25 ayes, 2 nays, 15 present and not voting, and 7 excused and not voting.

Advanced to Enrollment and Review Initial with 28 ayes, 7 nays, 9 present and not voting, and 5 excused and not voting.

The Chair declared the call raised.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 1200. Introduced by Halloran, 33.

A BILL FOR AN ACT relating to civil actions; to amend sections 13-902, 13-903, 13-920, 81-8,209, 81-8,210, and 81-8,229, Reissue Revised Statutes of Nebraska, and section 25-228, Revised Statutes Cumulative Supplement, 2020; to adopt the State and Political Subdivisions Child Sexual Abuse Liability Act; to change provisions relating to a statute of limitations for actions by child sexual abuse victims; to exempt actions from the Political Subdivisions Tort Claims Act and the State Tort Claims Act; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1201. Introduced by DeBoer, 10.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Health and Human Services; and to declare an emergency.

LEGISLATIVE BILL 1202. Introduced by Day, 49.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Economic Development; and to declare an emergency.

LEGISLATIVE BILL 1203. Introduced by Briese, 41.

A BILL FOR AN ACT relating to appropriations; to appropriate funds for child care.

LEGISLATIVE BILL 1204. Introduced by Briese, 41.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend sections 53-101, 53-123.12, 53-124.12, 53-131.01, 53-132, 53-135, 53-148.01, and 53-180.04, Reissue Revised Statutes of Nebraska; to change provisions relating to application forms and delivery methods for licenses and warning signs; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1205. Introduced by McKinney, 11.

A BILL FOR AN ACT relating to the Nebraska State Historical Society; to create a fund; to provide powers and duties to the Nebraska State Historical Society; and to provide for the development of the Ernie Chambers History-Arts-Humanities Museum.

LEGISLATIVE BILL 1206. Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Board of Trustees of the Nebraska State Colleges; and to declare an emergency.

LEGISLATIVE BILL 1207. Introduced by Groene, 42.

A BILL FOR AN ACT relating to school funding; to amend sections 77-1391 and 79-1082, Reissue Revised Statutes of Nebraska, sections 77-3446, 79-1001, 79-1005.01, 79-1009, 79-1016, 79-1017.01, 79-1022, 79-1098, 79-10,100, 79-10,101, 79-10,120, and 79-10,126, Revised Statutes Cumulative Supplement, 2020, and sections 77-201, 77-3442, and 77-5023, Revised Statutes Supplement, 2021; to change provisions relating to property tax valuations and levies and the base limitation; to change provisions relating to the Tax Equity and Educational Opportunities Support Act; to provide powers and duties to the Tax Commissioner relating to foundation aid calculations to be paid to local school systems; to change provisions relating to certain school taxes and school funds; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 1208. Introduced by Friesen, 34.

A BILL FOR AN ACT relating to telecommunications; to adopt the Broadband Pole Replacement Fund Act; to create a fund; to state intent for appropriation of federal funds; and to declare an emergency.

LEGISLATIVE BILL 1209. Introduced by Linehan, 39.

A BILL FOR AN ACT relating to sales and use taxes; to amend sections 77-2701, 77-2701.04, 77-2701.41, 77-2711, 77-2713, and 77-27,223, Revised Statutes Supplement, 2021; to change provisions relating to purchasing agents; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1210. Introduced by Slama, 1.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Economic Development; and to declare an emergency.

LEGISLATIVE BILL 1211. Introduced by Linehan, 39.

A BILL FOR AN ACT relating to education; to amend sections 79-237, 79-238, 79-10,143, and 79-2110, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to option enrollment; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1212. Introduced by Linehan, 39.

A BILL FOR AN ACT relating to education; to amend section 79-1110, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to the Special Education Act and individualized education plans; and to repeal the original section.

LEGISLATIVE BILL 1213. Introduced by Albrecht, 17.

A BILL FOR AN ACT relating to obscenity; to provide powers and duties to school districts, schools, and the Nebraska Library Commission relating to digital or online resources provided to students in kindergarten through grade twelve and access to materials obscene as to minors or harmful to minors; to require the Nebraska Library Commission and the State Department of Education to submit a report; to provide a civil cause of action; to provide an irrebuttable presumption that a vendor, person, or entity providing resources under this act has knowledge of the content provided; and to define terms.

LEGISLATIVE BILL 1214. Introduced by Geist, 25.

A BILL FOR AN ACT relating to the Nebraska Broadband Bridge Act; to amend sections 86-1301, 86-1306, and 86-1308, Revised Statutes Supplement, 2021; to change provisions relating to grant application scoring and grant recipient conditions and obligations; to provide applicability; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1215. Introduced by Geist, 25.

A BILL FOR AN ACT relating to economic development; to adopt the

Small Business Assistance Act.

LEGISLATIVE BILL 1216. Introduced by Cavanaugh, M., 6.

A BILL FOR AN ACT relating to the Nebraska Probate Code; to amend sections 30-2627 and 30-2639, Reissue Revised Statutes of Nebraska; to change provisions relating to eligibility to be appointed as a guardian or as a conservator of an estate; and to repeal the original sections.

LEGISLATIVE BILL 1217. Introduced by Walz, 15; Day, 49; Morfeld, 46; Pansing Brooks, 28.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Department of Administrative Services for incentive payments to eligible school employees; and to declare an emergency.

LEGISLATIVE BILL 1218. Introduced by Education Committee: Walz, 15, Chairperson; Day, 49; McKinney, 11; Morfeld, 46; Pansing Brooks, 28.

A BILL FOR AN ACT relating to education; to amend sections 79-806 and 79-810, Reissue Revised Statutes of Nebraska, and sections 79-807 and 79-8,137, Revised Statutes Cumulative Supplement, 2020; to change intent provisions relating to requirements to teach, provide special services, and administer in Nebraska schools; to redefine terms; to change fees for certificates and permits; to change provisions relating to loan forgiveness under the Attracting Excellence to Teaching Program; and to repeal the original sections.

LEGISLATIVE BILL 1219. Introduced by Sanders, 45.

A BILL FOR AN ACT relating to education; to adopt the Extended Learning Opportunities Act; and to provide an operative date.

SELECT FILE

LEGISLATIVE RESOLUTION 14. Senator McCollister offered his amendment, [AM1555](#), found on page 276.

Senator McCollister withdrew his amendment.

Pending.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 1220. Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the State Department of Education; and to declare an emergency.

LEGISLATIVE BILL 1221. Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Health and Human Services; and to declare an emergency.

LEGISLATIVE BILL 1222. Introduced by Hansen, M., 26.

A BILL FOR AN ACT relating to mobile homes; to amend sections 60-149, 60-166, 60-192, 76-1450, 76-1453, 76-1491, 76-1494, 76-1495, 76-14,104, 76-14,105, 76-14,106, and 76-14,109, Reissue Revised Statutes of Nebraska; to change and eliminate provisions under the Mobile Home Landlord and Tenant Act relating to rules and regulations, prohibited acts, termination of tenancy, landlord remedies, retaliatory conduct, and abandonment; to provide for in-park sales; to create liens for landlords as prescribed and provide for certificates of title, priority, enforcement, and challenges; to provide for applicability; to define terms; to harmonize provisions; to repeal the original sections; and to outright repeal section 76-14,101, Revised Statutes Supplement, 2021.

LEGISLATIVE BILL 1223. Introduced by Hansen, M., 26; Cavanaugh, J., 9.

A BILL FOR AN ACT relating to the Department of Health and Human Services; to amend section 83-338, Reissue Revised Statutes of Nebraska, and section 29-1823, Revised Statutes Cumulative Supplement, 2020; to require the Department of Health and Human Services to reimburse counties for lodging certain defendants and provide duties for the department; to change priorities for admission to state hospitals; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1224. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Economic Development; and to declare an emergency.

LEGISLATIVE BILL 1225. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2734.04 and 77-3802, Reissue Revised Statutes of Nebraska; to eliminate the franchise tax on financial institutions; to make financial institutions subject to the corporate income tax; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 1226. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to real estate sold for delinquent property

taxes; to amend section 77-1902, Reissue Revised Statutes of Nebraska, and sections 18-3417, 77-1832, and 77-1837, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to land banks, service of notice, and the time periods for applying for a tax deed and for bringing certain foreclosure actions; and to repeal the original sections.

LEGISLATIVE BILL 1227. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to the Nebraska Municipal Land Bank Act; to amend section 18-3407, Revised Statutes Cumulative Supplement, 2020; to allow land banks to receive federal funds as prescribed; and to repeal the original section.

LEGISLATIVE BILL 1228. Introduced by Wayne, 13; Brewer, 43.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Nebraska Tourism Commission for purposes of a museum.

LEGISLATIVE BILL 1229. Introduced by Hilkemann, 4.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Economic Development; and to declare an emergency.

LEGISLATIVE BILL 1230. Introduced by Hilkemann, 4.

A BILL FOR AN ACT relating to the Nebraska Health Care Cash Fund; to amend section 71-7611, Revised Statutes Supplement, 2021; to provide for a statewide education program regarding cancer; to state intent regarding funding; and to repeal the original section.

LEGISLATIVE BILL 1231. Introduced by Briese, 41.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend sections 53-101 and 53-103, Reissue Revised Statutes of Nebraska; to define a term; to require a licensed manufacturer, a licensed wholesaler, or a holder of a shipping license to submit a report and any applicable fees to the Nebraska Liquor Control Commission prior to the sale or shipment of any alcoholic liquor into the state; and to repeal the original sections.

LEGISLATIVE BILL 1232. Introduced by McDonnell, 5; Sanders, 45.

A BILL FOR AN ACT relating to appropriations; to amend section 84-612, Revised Statutes Supplement, 2021; to appropriate funds from the Cash Reserve Fund to the Department of Economic Development; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 1233. Introduced by Sanders, 45; Albrecht, 17; Brewer, 43; Flood, 19; Gragert, 40; Halloran, 33; Linehan, 39; Lowe, 37;

McDonnell, 5; Stinner, 48.

A BILL FOR AN ACT relating to appropriations; to amend section 55-801, Reissue Revised Statutes of Nebraska, and section 84-612, Revised Statutes Supplement, 2021; to rename and change provisions relating to the United States Space Command Headquarters Assistance Fund; to change a transfer from the Cash Reserve Fund; to state intent to appropriate funds to the Commission on Military and Veteran Affairs; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 1234. Introduced by Friesen, 34.

A BILL FOR AN ACT relating to telecommunications; to amend section 86-164, Reissue Revised Statutes of Nebraska; to provide for an expedited wire-crossing permit relating to a railroad right-of-way as prescribed; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 1235. Introduced by Lowe, 37.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-123.14, Reissue Revised Statutes of Nebraska; to define a term; to change provisions relating to craft breweries; to allow for self-distribution of beer under certain circumstances; and to repeal the original section.

LEGISLATIVE BILL 1236. Introduced by Lowe, 37.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-123.14, Reissue Revised Statutes of Nebraska; to change provisions relating to the rights of a craft brewery licensee; and to repeal the original section.

LEGISLATIVE BILL 1237. Introduced by Brewer, 43; Albrecht, 17; Linehan, 39; Murman, 38.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2717 and 77-2734.03, Revised Statutes Cumulative Supplement, 2020, and section 77-2715.07, Revised Statutes Supplement, 2021; to adopt the Opportunity Scholarships Act and the Nebraska Child Care Contribution Tax Credit Act; to harmonize provisions; to provide severability; and to repeal the original sections.

LEGISLATIVE BILL 1238. Introduced by Vargas, 7; McDonnell, 5.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Economic Development; and to declare an emergency.

LEGISLATIVE BILL 1239. Introduced by Vargas, 7.

A BILL FOR AN ACT relating to liquor; to amend sections 53-103.14, 53-103.40, 53-123.03, 53-123.09, 53-201, 53-204, 53-211, 53-218, and 53-223, Reissue Revised Statutes of Nebraska; to redefine terms; to change provisions relating to agreements between manufacturers and wholesalers and beer suppliers and beer wholesalers; to harmonize provisions; to eliminate a provision prohibiting a wholesaler from waiving certain rights; to repeal the original sections; and to outright repeal section 53-221, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 1240. Introduced by Albrecht, 17.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the State Department of Education; and to declare an emergency.

LEGISLATIVE BILL 1241. Introduced by Lathrop, 12; Hilgers, 21; Pansing Brooks, 28.

A BILL FOR AN ACT relating to law enforcement training; to amend sections 81-1401, 81-1414, 81-1414.07, and 81-1414.13, Revised Statutes Supplement, 2021; to change provisions relating to law enforcement officer training and certification; to provide duties for the Nebraska Police Standards Advisory Council; to define a term; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 1242. Introduced by Murman, 38.

A BILL FOR AN ACT relating to property taxes; to amend section 79-1036, Revised Statutes Cumulative Supplement, 2020, and sections 77-201 and 77-5023, Revised Statutes Supplement, 2021; to change the valuation of certain real property for purposes of taxes levied by school districts; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 1243. Introduced by Murman, 38.

A BILL FOR AN ACT relating to the Developmental Disabilities Services Act; to amend sections 83-1216 and 83-1216.02, Revised Statutes Cumulative Supplement, 2020; to change a funding priority; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1244. Introduced by Cavanaugh, J., 9.

A BILL FOR AN ACT relating to criminal procedure; to amend section 29-3001, Reissue Revised Statutes of Nebraska; to change provisions relating to limitations for a postconviction relief action; and to repeal the original section.

LEGISLATIVE BILL 1245. Introduced by Cavanaugh, J., 9.

A BILL FOR AN ACT relating to children and families; to amend sections 42-364.17, 42-381, 43-247, 43-1401, 43-1402, 43-1404, 43-1405, 43-1406, 43-1407, 43-1408.01, 43-1409, 43-1410, 43-1412, 43-1412.01, 43-1414, 43-1415, 43-1802, 43-2935, 43-3318, 43-3320, 43-3340, 71-601.01, 71-604, 71-604.05, 71-617.04, 71-628, 71-630, 71-640, 71-640.01, 71-640.02, 71-640.03, 71-640.04, and 71-641, Reissue Revised Statutes of Nebraska, and sections 24-517, 25-2740, 25-2742, 29-3922, 33-107.02, 43-246.02, 43-1411, 43-1411.01, 43-1611, 43-2924, and 71-604.02, Revised Statutes Cumulative Supplement, 2020; to change provisions and terminology relating to determinations of paternity and parentage, birth certificates, and related matters; to define and redefine terms; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1246. Introduced by Pansing Brooks, 28; Albrecht, 17; Geist, 25; Linehan, 39; Sanders, 45; Slama, 1.

A BILL FOR AN ACT relating to criminal procedure; to amend section 55-182, Reissue Revised Statutes of Nebraska, and sections 79-2,144 and 84-712.05, Revised Statutes Supplement, 2021; to provide for confidentiality of victims of sexual assault and sex trafficking prior to the filing of criminal charges; to define terms; to change provisions relating to public records; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1247. Introduced by Pansing Brooks, 28; Brewer, 43.

A BILL FOR AN ACT relating to civil commitment; to amend sections 71-901, 71-903, 71-910, 71-912, 71-919, 71-920, 71-926, 71-929, 71-1201, 71-1203, 71-1204, 71-1206, 71-1210, 71-1213, 83-338, 83-372, 83-374, 83-376, and 83-380, Reissue Revised Statutes of Nebraska, and section 83-364, Revised Statutes Supplement, 2021; to provide for recognition of tribal mental health and dangerous sex offender commitment orders as prescribed; to provide for tribal law enforcement officers to take a subject into emergency protective custody; to provide for transportation of and commitment of persons committed under tribal law and for payment of related costs; to define and redefine terms; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1248. Introduced by Hansen, B., 16.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Environment and Energy; and to declare an emergency.

LEGISLATIVE BILL 1249. Introduced by Hansen, B., 16.

A BILL FOR AN ACT relating to the Medical Nutrition Therapy Practice Act; to amend sections 38-1801, 38-1802, 38-1803, 38-1806, 38-1807,

38-1808, 38-1809, 38-1810, 38-1811, 38-1812, and 38-1816, Reissue Revised Statutes of Nebraska, and section 38-1813, Revised Statutes Supplement, 2021; to provide, change, and eliminate definitions; to restate intent; to change membership on a board; to provide and change licensure requirements; to change provisions regarding the scope of practice; to harmonize provisions; to repeal the original sections; and to outright repeal section 38-1804, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 1250. Introduced by Hansen, B., 16.

A BILL FOR AN ACT relating to the Property Tax Request Act; to amend sections 77-1633 and 77-1634, Revised Statutes Supplement, 2021; to change provisions relating to joint public hearings, postcards, and the effect of certain failures to comply with the act; and to repeal the original sections.

LEGISLATIVE BILL 1251. Introduced by Hansen, B., 16.

A BILL FOR AN ACT relating to education; to amend section 9-812, Revised Statutes Supplement, 2021; to adopt the Equal Opportunity Scholarship for Students with Special Needs Program Act; to change provisions relating to the distribution of lottery funds; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 1252. Introduced by Vargas, 7.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Department of Economic Development; and to declare an emergency.

SELECT FILE

LEGISLATIVE RESOLUTION 14. Senator M. Hansen withdrew his amendment, [AM1538](#), found on page 270 and refiled on page 276.

Senator Morfeld withdrew his amendment, [AM1615](#), found on page 369.

Senator DeBoer offered the following amendment:

[FA63](#)

4. This application will be rescinded as of February 1, 2027.

The DeBoer amendment was adopted with 32 ayes, 0 nays, 13 present and not voting, and 4 excused and not voting.

Senator M. Hansen requested a roll call vote on the advancement of the resolution.

Senator Halloran moved for a call of the house. The motion prevailed with 31 ayes, 4 nays, and 14 not voting.

Senator Halloran requested the roll call vote be taken in reverse order on the advancement of the resolution.

Voting in the affirmative, 32:

Arch	DeBoer	Hansen, B.	Lowe	Stinner
Bostar	Erdman	Hilgers	McDonnell	Vargas
Bostelman	Flood	Hilkemann	Moser	Wayne
Brandt	Friesen	Hughes	Murman	Williams
Brewer	Geist	Kolterman	Pahls	
Briese	Gragert	Lindstrom	Sanders	
Clements	Halloran	Linehan	Slama	

Voting in the negative, 8:

Albrecht	Hansen, M.	Lathrop	Morfeld
Cavanaugh, M.	Hunt	McCollister	Pansing Brooks

Present and not voting, 5:

Aguilar	Cavanaugh, J.	Day	McKinney	Walz
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Excused and not voting, 4:

Blood	Dorn	Groene	Wishart
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Advanced to Enrollment and Review for Engrossment with 32 ayes, 8 nays, 5 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 1253. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to the Department of Economic Development; to provide duties relating to the federal Coronavirus Capital Projects Fund; and to declare an emergency.

LEGISLATIVE BILL 1254. Introduced by Hansen, B., 16.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Health and Human Services; and to declare an emergency.

LEGISLATIVE BILL 1255. Introduced by Bostar, 29; Flood, 19.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the University of Nebraska.

LEGISLATIVE BILL 1256. Introduced by McKinney, 11.

A BILL FOR AN ACT relating to libraries; to amend sections 51-202, 51-204, 51-211, and 51-213, Reissue Revised Statutes of Nebraska; to change provisions relating to public libraries; to require the election of library board members of a city of the metropolitan class; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1257. Introduced by Bostar, 29.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Transportation; and to declare an emergency.

LEGISLATIVE BILL 1258. Introduced by Bostar, 29.

A BILL FOR AN ACT relating to motor vehicles; to adopt the Peer-to-Peer Vehicle Sharing Program Act; and to provide an operative date.

LEGISLATIVE BILL 1259. Introduced by Geist, 25.

A BILL FOR AN ACT relating to license plates; to amend sections 60-3,101 and 60-3,102, Reissue Revised Statutes of Nebraska; to change provisions relating to license plates; to eliminate an obsolete provision; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1260. Introduced by DeBoer, 10.

A BILL FOR AN ACT relating to guardianship and conservatorship; to amend sections 30-4101, 30-4106, 30-4109, 30-4112, and 30-4205, Reissue Revised Statutes of Nebraska; to change membership of the Advisory Council on Public Guardianship; to provide duties for the Public Guardian; to provide for an application process; to change provisions relating to appointment of the Public Guardian and duties of guardian ad litem; to harmonize provisions; and to repeal the original sections.

SPEAKER HILGERS PRESIDING

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 685. Placed on Select File.

(Signed) Terrell McKinney, Chairperson

NOTICE OF COMMITTEE HEARING(S)

Revenue
Room 1524 1:30 PM

Thursday, January 27, 2022

LB926
LB740
LB938
LB939
LB832

(Signed) Lou Ann Linehan, Chairperson

Natural Resources
Room 1525 1:30 PM

Thursday, January 27, 2022

LB1047
LB1046
LB736

Friday, January 28, 2022

LB806
LB924
LB1058

(Signed) Bruce Bostelman, Chairperson

ANNOUNCEMENT(S)

Priority designation(s) received:

Murman - LB723

AMENDMENT(S) - Print in Journal

Senator Morfeld filed the following amendment to LB1129:

[AM1616](#)

1 1. On page 2, line 3, strike "woman" and insert "person".

MOTION(S) - Print in Journal

Senator Friesen filed the following motion to LB911:

[MO130](#)

Suspend Rule 3, Section 14, to permit cancellation of a hearing by the Transportation and Telecommunications Committee.

SELECT FILE

LEGISLATIVE BILL 310. [ER99](#), found on page 341, was adopted.

Senator Clements offered the following amendment:

[AM1623](#)

(Amendments to Standing Committee amendments, AM635)

1 1. On page 1, lines 13 and 16; and page 2, lines 8, 11, 23, and 26,
 2 strike "2022" and insert "2023".
 3 2. On page 3, strike beginning with "On" in line 6 through the colon
 4 in line 11 and insert "Each personal representative of an estate shall,
 5 upon the distribution of any proceeds from an estate, submit a report
 6 regarding inheritance taxes to the county treasurer of the county in
 7 which the estate was administered. On or before July 1, 2023, and on or
 8 before July 1 of each year thereafter, the county treasurer of each
 9 county shall compile and submit a report regarding inheritance taxes to
 10 the Department of Revenue. The reports shall be submitted on a form
 11 prescribed by the Department of Revenue and shall include the following
 12 information:".

The Clements amendment was adopted with 38 ayes, 0 nays, 7 present and not voting, and 4 excused and not voting.

Senator DeBoer offered the following amendment:

[AM1624](#)

(Amendments to Standing Committee amendments, AM635)

1 1. Insert the following new section:
 2 Sec. 3. Section 77-2005.01, Reissue Revised Statutes of Nebraska, is
 3 amended to read:
 4 77-2005.01 (1) For the purposes of sections 77-2004 and 77-2005,
 5 relatives of the decedent shall include:
 6 (a) ~~Relatives~~ relatives of a former spouse to whom the decedent was
 7 married at the time of the death of the former spouse and relatives of a
 8 spouse to whom the decedent was married at the time of his or her death;
 9 ~~and~~ -
 10 (b) Relatives of a spouse or former spouse of the decedent's parent,
 11 ~~grandparent, child, sibling, uncle, aunt, niece, or nephew, if the~~
 12 ~~decedent's parent, grandparent, child, sibling, uncle, aunt, niece, or~~
 13 ~~nephew was married to the spouse at the date of death of the decedent or~~
 14 ~~at the date of death of such spouse.~~
 15 (2) The computation of any tax due pursuant to sections 77-2004,
 16 77-2005, and 77-2006 shall be made without regard to Nebraska inheritance
 17 tax apportionment.
 18 2. On page 3, line 24, strike "4" and insert "5"; and in line 26,
 19 after "77-2005," insert "77-2005.01,".
 20 3. Renumber the remaining sections accordingly.

The DeBoer amendment was adopted with 38 ayes, 1 nay, 6 present and not voting, and 4 excused and not voting.

Senator Erdman requested a record vote on the advancement of the bill.

Voting in the affirmative, 34:

Aguilar	Clements	Hilgers	McCollister	Stinner
Albrecht	Flood	Hilkemann	McDonnell	Vargas
Arch	Friesen	Hughes	Moser	Walz
Bostar	Gragert	Kolterman	Murman	Wayne
Bostelman	Halloran	Lindstrom	Pahls	Williams
Brandt	Hansen, B.	Linehan	Pansing Brooks	Wishart
Briese	Hansen, M.	Lowe	Sanders	

Voting in the negative, 3:

Cavanaugh, M. Erdman Hunt

Present and not voting, 8:

Cavanaugh, J. DeBoer Lathrop Morfeld
Day Geist McKinney Slama

Excused and not voting, 4:

Blood Brewer Dorn Groene

Advanced to Enrollment and Review for Engrossment with 34 ayes, 3 nays, 8 present and not voting, and 4 excused and not voting.

SENATOR CLEMENTS PRESIDING

BILLS ON FIRST READING

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

LEGISLATIVE BILL 1261. Introduced by Murman, 38; Brandt, 32.

A BILL FOR AN ACT relating to the Nebraska Advantage Rural Development Act; to amend sections 77-27,187.02 and 77-27,188, Reissue Revised Statutes of Nebraska; to change provisions relating to limitations on tax credits; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 1262. Introduced by Murman, 38; Brandt, 32; Gragert, 40; Lowe, 37; McCollister, 20; McDonnell, 5.

A BILL FOR AN ACT relating to recreation areas; to adopt the Recreation Area Assistance Act; and to state intent regarding appropriation of federal funds.

LEGISLATIVE BILL 1263. Introduced by Clements, 2; Albrecht, 17; Arch, 14; Brewer, 43; Erdman, 47; Lowe, 37; Moser, 22; Murman, 38; Sanders, 45; Slama, 1.

A BILL FOR AN ACT relating to the Election Act; to amend section 32-1049, Reissue Revised Statutes of Nebraska, and section 32-101, Revised Statutes Cumulative Supplement, 2020; to provide for secure ballot drop-boxes as prescribed; to change requirements for using a vote counting device; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1264. Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2004, 77-2005, 77-2006, 77-2704.09, 77-2715.03, and 77-5803, Reissue Revised Statutes of Nebraska, section 77-2716.01, Revised Statutes Cumulative Supplement, 2020, and sections 77-382, 77-2701.16, 77-2716, and 77-2734.02, Revised Statutes Supplement, 2021; to eliminate inheritance taxes; to impose sales and use taxes on certain services; to eliminate and change certain sales and use tax exemptions; to change provisions relating to income tax brackets and rates, standard deductions, and itemized deductions; to state legislative intent relating to tax incentive programs and student loan relief; to provide an operative date; to repeal the original sections; and to outright repeal sections 77-2704.05, 77-2704.25, and 77-2704.67, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 1265. Introduced by Halloran, 33.

A BILL FOR AN ACT relating to income taxes; to amend section 77-2716, Revised Statutes Supplement, 2021; to provide an income tax deduction for certain law enforcement officers; and to repeal the original section.

LEGISLATIVE BILL 1266. Introduced by Halloran, 33.

A BILL FOR AN ACT relating to the Public Service Commission; to amend section 75-126, Reissue Revised Statutes of Nebraska; to provide an unjust discrimination exception for common carriers as prescribed; and to repeal the original section.

LEGISLATIVE BILL 1267. Introduced by Vargas, 7; Aguilar, 35; Brewer, 43; Cavanaugh, J., 9; Cavanaugh, M., 6; Hansen, M., 26; Hilkemann, 4; McKinney, 11; Wayne, 13.

A BILL FOR AN ACT relating to appropriations; to appropriate funds for health equity liaisons; and to declare an emergency.

LEGISLATIVE BILL 1268. Introduced by Bostar, 29.

A BILL FOR AN ACT relating to the State Lottery Act; to amend section 9-829, Reissue Revised Statutes of Nebraska; to remove the prohibition that a lottery ticket cannot be sold through a vending or dispensing device; and to repeal the original section.

LEGISLATIVE BILL 1269. Introduced by Murman, 38; Clements, 2; Lowe, 37.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Health and Human Services; and to declare an emergency.

LEGISLATIVE BILL 1270. Introduced by Clements, 2; McDonnell, 5.

A BILL FOR AN ACT relating to law enforcement officers; to adopt the Law Enforcement Attraction and Retention Act.

LEGISLATIVE BILL 1271. Introduced by Lindstrom, 18.

A BILL FOR AN ACT relating to law enforcement; to adopt the Law Enforcement Marketing Act.

LEGISLATIVE BILL 1272. Introduced by Halloran, 33.

A BILL FOR AN ACT relating to law enforcement officers; to amend section 85-2603, Revised Statutes Cumulative Supplement, 2020, and section 77-2715.07, Revised Statutes Supplement, 2021; to provide an income tax credit based on years of service; to change provisions relating to a waiver of tuition; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 1273. Introduced by Bostar, 29.

A BILL FOR AN ACT relating to income taxes; to amend section 77-2716, Revised Statutes Supplement, 2021; to provide an income tax deduction to retired law enforcement officers for health insurance premiums; and to repeal the original section.

LEGISLATIVE BILL 1274. Introduced by Flood, 19; Brandt, 32; Friesen, 34; Gragert, 40; Kolterman, 24; Moser, 22.

A BILL FOR AN ACT relating to roads; to require the Department of Transportation to plan, design, and purchase rights-of-way for U.S. Highway 81 and Nebraska Highway 20; and to declare legislative intent to appropriate funds.

LEGISLATIVE BILL 1275. Introduced by Groene, 42.

A BILL FOR AN ACT relating to cannabis; to amend sections 28-439, 60-6,211.08, 77-2701.48, 77-2704.09, and 77-4303, Reissue Revised Statutes of Nebraska, sections 28-416 and 71-2454, Revised Statutes Cumulative Supplement, 2020, and section 77-27,132, Revised Statutes Supplement, 2021; to adopt the Medicinal Cannabis Act; to provide civil and criminal penalties; to create a fund; to change provisions relating to

controlled substances, open containers, and taxation; to harmonize provisions; to provide operative dates; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 1276. Introduced by McKinney, 11.

A BILL FOR AN ACT relating to civil actions; to amend sections 13-902, 13-903, 13-920, 81-8,209, 81-8,210, and 81-8,229, Reissue Revised Statutes of Nebraska; to provide for civil actions against law enforcement officers who commit misconduct and exempt such actions from the Political Subdivisions Tort Claims Act and the State Tort Claims Act; to provide for a civil penalty; to define a term; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1277. Introduced by Clements, 2; Brandt, 32; Geist, 25; Hansen, M., 26; Morfeld, 46; Pansing Brooks, 28.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Economic Development; and to declare an emergency.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 279. Introduced by Pahls, 31.

PURPOSE: The office of Public Counsel, also known as the State Ombudsman's Office, serves the Legislature and the people of Nebraska by independently and impartially investigating issues related to state agencies and employees. The office conducts investigations and works in many areas. Within the office are the office of Inspector General of Nebraska Child Welfare and the office of Inspector General of the Nebraska Correctional System.

The purpose of this study is to examine ways to further support the mission of the office of Public Counsel. The study shall include, but not be limited to, an examination of the organization and structure of the office of Public Counsel while the office transitions to the leadership of a new Public Counsel.

In examining these issues the study committee should seek testimony from stakeholders and the public.

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

1. That the Executive Board of the Legislative Council shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the board shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 280. Introduced by Pansing Brooks, 28; Aguilar, 35; Albrecht, 17; Arch, 14; Brandt, 32; Brewer, 43; Briese, 41; Cavanaugh, J., 9; Cavanaugh, M., 6; DeBoer, 10; Friesen, 34; Geist, 25; Gragert, 40; Hansen, B., 16; Hansen, M., 26; Hilgers, 21; Hilkemann, 4; Hunt, 8; Kolterman, 24; Lathrop, 12; Linehan, 39; Lowe, 37; McCollister, 20; McDonnell, 5; Morfeld, 46; Murman, 38; Pahls, 31; Sanders, 45; Slama, 1; Stinner, 48; Vargas, 7; Walz, 15; Wayne, 13; Williams, 36; Wishart, 27.

WHEREAS, the Legislature recognizes the history of Native American boarding schools in the United States and specifically, Nebraska, wherein Native American children were often sent far away from their families and communities involuntarily, which left them particularly vulnerable and dependent upon the boarding school system to protect them from harm; and

WHEREAS, these children observed and suffered physical, emotional, cultural, spiritual, psychological, and sexual abuse, and punishment by physical restraints, beatings, and isolation in inhospitable surroundings; and

WHEREAS, these children, their children, and now their grandchildren and great-grandchildren, bear the burden of the legacy of the boarding schools and the policies that established and sustained those schools, where the children suffered trauma that had gone unrecognized and unresolved, and has been passed onto each subsequent generation; and

WHEREAS, this historical and intergenerational trauma continues to devastate, undermine, and negatively impact Native American individuals, families, and communities; and

WHEREAS, the Indian Industrial School at Genoa operated between 1884 and 1934 as the fourth largest non-reservation boarding school established by the United States Office of Indian Affairs with a peak of five hundred ninety-nine attending in a single year; and

WHEREAS, at least eighty-six students died at the school many of whom are still unnamed, the Legislature hears the voice of the Native American boarding school survivors and desires to recognize the atrocities caused by Native American boarding schools in the hope that it will aid in the journey towards healing for all.

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

1. That the survivors of the Genoa Industrial School and other boarding schools in the state along with their families and communities are hereby acknowledged.

2. That the Legislature hereby declares February 20 as an annual day of remembrance to recognize the atrocities and trauma that have been endured by the survivors, their families, and their communities and to celebrate their courage, strength, and resiliency.

Laid over.

LEGISLATIVE RESOLUTION 281CA. Introduced by Murman, 38.

THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION, RESOLVE THAT:

Section 1. At the general election in November 2022, the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article VIII, section 1:

VIII-1 The necessary revenue of the state and its governmental subdivisions shall be raised by taxation in such manner as the Legislature may direct. Notwithstanding Article I, section 16, Article III, section 18, or Article VIII, section 4, of this Constitution or any other provision of this Constitution to the contrary: (1) Taxes shall be levied by valuation uniformly and proportionately upon all real property and franchises as defined by the Legislature except as otherwise provided in or permitted by this Constitution; (2) tangible personal property, as defined by the Legislature, not exempted by this Constitution or by legislation, shall all be taxed at depreciated cost using the same depreciation method with reasonable class lives, as determined by the Legislature, or shall all be taxed by valuation uniformly and proportionately; (3) the Legislature may provide for a different method of taxing motor vehicles and may also establish a separate class of motor vehicles consisting of those owned and held for resale by motor vehicle dealers which shall be taxed in the manner and to the extent provided by the Legislature and may also establish a separate class for trucks, trailers, semitrailers, truck-tractors, or combinations thereof, consisting of those owned by residents and nonresidents of this state, and operating in interstate commerce, and may provide reciprocal and proportionate taxation of such vehicles. The tax proceeds from motor vehicles taxed in each county shall be allocated to the county and the cities, villages, and school districts of such county; (4) the Legislature may provide that agricultural land and horticultural land, as defined by the Legislature, shall constitute a separate and distinct class of property for purposes of taxation and may provide for a different method of taxing agricultural land and horticultural land which results in values that are not uniform and proportionate with all other real property and franchises but which results in values that are uniform and proportionate upon all property within the class of agricultural land and horticultural land; (5) the Legislature may enact laws to provide that the value of land actively devoted to agricultural or horticultural use shall for property tax purposes be that value which such land has for agricultural or horticultural use without regard to any value which such land might have for other purposes or uses; (6) the Legislature may prescribe standards and methods for the determination of the value of real property at uniform and proportionate values; (7) in furtherance of the purposes for which such a law of the United States has been adopted, whenever there exists a law of the United States which is intended to protect a specifically designated type, use, user, or owner of property or franchise from discriminatory state or local taxation, such property or franchise shall constitute a separate class of property or franchise under the laws of the State of Nebraska, and such property or franchise may not be taken into consideration in determining whether taxes are levied by valuation

uniformly or proportionately upon any property or franchise, and the Legislature may enact laws which statutorily recognize such class and which tax or exempt from taxation such class of property or franchise in such manner as it determines; ~~and~~ (8) the Legislature may provide that livestock shall constitute a separate and distinct class of property for purposes of taxation and may further provide for reciprocal and proportionate taxation of livestock located in this state for only part of a year; and (9) the Legislature may provide that commercial real property, as defined by the Legislature, shall constitute a separate and distinct class of property for purposes of taxation and may provide for a different method of taxing commercial real property which results in values that are not uniform and proportionate with all other real property and franchises but which results in values that are uniform and proportionate upon all property within the class of commercial real property. Each actual property tax rate levied for a governmental subdivision shall be the same for all classes of taxed property and franchises. Taxes uniform as to class of property or the ownership or use thereof may be levied by valuation or otherwise upon classes of intangible property as the Legislature may determine, and such intangible property held in trust or otherwise for the purpose of funding pension, profit-sharing, or other employee benefit plans as defined by the Legislature may be declared exempt from taxation. Taxes other than property taxes may be authorized by law. Existing revenue laws shall continue in effect until changed by the Legislature.

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

A constitutional amendment authorizing the Legislature to treat commercial real property as a separate and distinct class for purposes of taxation and to provide for a different method of taxing commercial real property which results in values that are not uniform and proportionate with all other real property.

For

Against.

LEGISLATIVE RESOLUTION 282CA. Introduced by Slama, 1.

THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION, RESOLVE THAT:

Section 1. At the general election in November 2022 the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article III, section 7:

III-7 At the general election to be held in November 1964, one-half the members of the Legislature, or as nearly thereto as may be practicable, shall be elected for a term of four years and the remainder for a term of two years, and thereafter all members shall be elected for a term of four years, with the manner of such election to be determined by the Legislature. When the Legislature is redistricted, the members elected prior to the redistricting shall continue in office, and the law providing for such redistricting shall

where necessary specify the newly established district which they shall represent for the balance of their term. ~~Each member shall be nominated and elected in a nonpartisan manner and without any indication on the ballot that he or she is affiliated with or endorsed by any political party or organization.~~ Each member of the Legislature shall receive a salary of not to exceed one thousand dollars per month during the term of his or her office. In addition to his or her salary, each member shall receive an amount equal to his or her actual expenses in traveling by the most usual route once to and returning from each regular or special session of the Legislature. Members of the Legislature shall receive no pay nor perquisites other than his or her salary and expenses, and employees of the Legislature shall receive no compensation other than their salary or per diem.

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

A constitutional amendment to eliminate the requirement that members of the Legislature be nominated and elected in a nonpartisan manner.

For

Against.

LEGISLATIVE RESOLUTION 283CA. Introduced by Bostar, 29; Aguilar, 35; Flood, 19; Geist, 25; Linehan, 39; Stinner, 48.

THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION, RESOLVE THAT:

Section 1. At the general election in November 2022, the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To add a new section 26 to Article XV:

XV-26 Notwithstanding restrictions imposed by any other provision in the Constitution, any city, county, or other political subdivision owning or operating an airport may expend or otherwise employ its revenues, from whatever source, for the public purpose of developing, or encouraging the development of, new or expanded regularly scheduled commercial passenger air service at such airport.

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

A constitutional amendment to authorize any city, county, or other political subdivision owning or operating an airport to expend its revenues for the public purpose of developing or encouraging the development of new or expanded regularly scheduled commercial passenger air service at such airport.

For

Against.

COMMITTEE REPORT(S)

Revenue

LEGISLATIVE BILL 723. Placed on General File.

LEGISLATIVE BILL 825. Placed on General File.

(Signed) Lou Ann Linehan, Chairperson

ANNOUNCEMENT(S)

Priority designation(s) received:

Lindstrom - LB825

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Albrecht name added to LB825.

Senator Arch name added to LB853.

Senator Wishart name added to LB920.

Senator Gragert name added to LB1093.

Senator Bostelman name added to LB1143.

Senator Kolterman name added to LB1199.

VISITOR(S)

The Doctor of the Day was Dr. Theresa Hatcher of Omaha.

ADJOURNMENT

At 12:04 p.m., on a motion by Senator Hughes, the Legislature adjourned until 9:30 a.m., Friday, January 21, 2022.

Patrick J. O'Donnell
Clerk of the Legislature

ELEVENTH DAY - JANUARY 21, 2022**LEGISLATIVE JOURNAL****ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION****ELEVENTH DAY**

Legislative Chamber, Lincoln, Nebraska
Friday, January 21, 2022

PRAYER

The prayer was offered by Senator Halloran.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Lowe.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:30 a.m., Speaker Hilgers presiding.

SENATOR WILLIAMS PRESIDING

The roll was called and all members were present except Senators Bostelman, Brewer, Dorn, and Hughes who were excused; and Senators Bostar, Day, M. Hansen, Kolterman, Morfeld, Pahls, and Wayne who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the tenth day was approved.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

LB/LR	Committee
LB1073	Urban Affairs (rereferred)
LB1048	Appropriations
LB1077	Government, Military and Veterans Affairs
LB1086	Judiciary
LB1087	Appropriations
LB1088	Appropriations

LB1089	Appropriations
LB1090	Appropriations
LB1091	Health and Human Services
LB1093	Revenue
LB1094	Revenue
LB1095	Agriculture
LB1096	Government, Military and Veterans Affairs
LB1097	Revenue
LB1098	Business and Labor
LB1099	Natural Resources
LB1100	Appropriations
LB1101	Transportation and Telecommunications
LB1102	Natural Resources
LB1103	Revenue
LB1104	Government, Military and Veterans Affairs
LB1105	Transportation and Telecommunications
LB1106	Health and Human Services
LB1107	Health and Human Services
LB1108	Urban Affairs
LB1109	General Affairs
LB1110	Transportation and Telecommunications
LB1111	Appropriations
LB1112	Education
LB1113	Health and Human Services
LB1115	Revenue
LB1116	Revenue
LB1117	Revenue
LB1118	Urban Affairs
LB1119	Urban Affairs
LB1120	Appropriations
LB1121	Government, Military and Veterans Affairs
LB1122	Government, Military and Veterans Affairs
LB1123	Government, Military and Veterans Affairs
LB1124	Judiciary
LB1125	Appropriations
LB1126	Health and Human Services
LB1127	Banking, Commerce and Insurance
LB1128	Education
LB1129	Health and Human Services
LB1130	Business and Labor
LB1131	Appropriations
LB1132	Judiciary
LB1133	Business and Labor
LB1134	Government, Military and Veterans Affairs
LB1135	Judiciary
LB1136	Health and Human Services
LB1137	Business and Labor
LB1138	Appropriations
LB1139	Government, Military and Veterans Affairs

LB1140	Business and Labor
LB1141	Appropriations
LB1142	Appropriations
LB1143	Education
LB1144	Transportation and Telecommunications
LB1145	Transportation and Telecommunications
LB1146	Government, Military and Veterans Affairs
LB1147	Transportation and Telecommunications
LB1148	Transportation and Telecommunications
LB1149	Transportation and Telecommunications
LB1150	Revenue
LB1151	Appropriations
LB1152	Appropriations
LB1153	Government, Military and Veterans Affairs
LB1154	Judiciary
LB1155	Judiciary
LB1156	Appropriations
LB1157	Education
LB1158	Education
LB1159	Appropriations
LB1160	Appropriations
LB1161	Appropriations
LB1162	Appropriations
LB1163	Appropriations
LB1164	Appropriations
LB1165	Government, Military and Veterans Affairs
LB1166	Transportation and Telecommunications
LB1167	Appropriations
LB1168	Revenue
LB1169	Education
LB1170	Education
LB1171	Judiciary
LB1172	Appropriations
LB1173	Health and Human Services
LB1174	Executive Board
LB1175	Banking, Commerce and Insurance
LB1176	Revenue
LB1177	Appropriations
LB1178	Government, Military and Veterans Affairs
LB1179	Education
LB1180	Revenue
LB1181	Government, Military and Veterans Affairs
LB1182	Education
LB1183	Appropriations
LB1184	Judiciary
LB1185	Natural Resources
LB1186	Natural Resources
LR278CA	Education

(Signed) Dan Hughes, Chairperson
Executive Board

ANNOUNCEMENT(S)

Priority designation(s) received:

McKinney - LB450

NOTICE OF COMMITTEE HEARING(S)

Health and Human Services
Room 1510 1:30 PM

Friday, January 28, 2022

LB932

LB1019

LB854

(Signed) John Arch, Chairperson

Appropriations
Room 1003 1:30 PM

Friday, January 28, 2022

Agency 25 - Health and Human Services

LB792

LB971

LB782

(Signed) John Stinner, Chairperson

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of January 20, 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

Abboud, Chris - Public Affairs Group

Madonna Rehabilitation Hospital

Bolte, Lacie

Nebraska AIDS Project

Curry Grubb, Andi

Planned Parenthood North Central States

Jensen Rogert Associates, Inc.

Enterprise Rent-A-Car

Magana, Joseph

Americans for Prosperity
Miller, Westin
Civic Nebraska
Nebraska Strategies
Public Trust Advisors, LLC
Tesla, Inc.

REPORTS

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

MOTION - Suspend Rules

Senator Friesen offered his motion, [MO130](#), found on page 387, to suspend Rule 3, Section 14, to permit cancellation of a hearing by the Transportation and Telecommunications Committee, to LB911.

SPEAKER HILGERS PRESIDING

Pending.

MOTION - Escort Chief Justice

Senator McKinney moved that a committee of five be appointed to escort the Chief Justice of the Supreme Court to the Legislative Chamber for the purpose of delivering the State of the Judiciary Address.

The motion prevailed.

The Chair appointed Senators Friesen, Geist, Lathrop, McCollister, and Vargas to serve on said committee.

STATE OF THE JUDICIARY ADDRESS

State of the Judiciary
10 A.M. Friday, January 21, 2022
Chief Justice Michael G. Heavican

Mr. President, Mr. Speaker, and Members of the Legislature. Thanks to all of you, particularly Speaker Hilgers, for inviting me to address you this morning. As always, it is an honor for me to report on the annual accomplishments of our Judicial Branch and to discuss our upcoming plans with you.

With me in the Chamber today are my fellow Justices: Justice William Cassel of O'Neill; Justice Stephanie Stacy of Lincoln; Justice Jeff Funke of Nebraska City; Justice Jonathan Papik of Omaha; and Justice John Freudenberg of Rushville. Justice Lindsey Miller-Lerman of Omaha could not be with us today.

Notwithstanding the ongoing pandemic and other challenges, we have had many successes and accomplishments in 2021, and we look forward to 2022.

Today I will highlight some of our accomplishments, including our continuing pandemic response, our response to ongoing staff shortages, our access to justice initiatives, and what's new with probation, problem-solving courts, and the Office of Public Guardian.

Last year I began my presentation to you by quoting from Article I, § 13 of the Nebraska Constitution, which states that "[a]ll courts shall be open, and every person, for any injury done him or her . . . shall have a remedy by due course of law and justice administered without denial or delay."

As I stated then, this means that our courts must remain open, even when much of the rest of society is not. There are no exceptions -- even for a pandemic -- to Nebraska's Constitutional requirement of open courts.

Last year I also emphasized how important it is for the daily workings of our communities and our State that the courts are open and functioning as normally as possible. I am reminding you again of that importance. Crime does not stop, nor does child abuse, spouse abuse, fraud, divorce, and many of the other social and commercial issues that are only resolved in the courts.

This year I report to you that our courts have not only remained open, but have adapted to the realities of the pandemic. Our judges indicate that case back-logs are minimal. That assertion is supported by case management statistics. Few states have achieved such success.

Courts Open and Operational

Keeping the courts open and accessible is an ongoing challenge, but when the going gets tough, the tough get going.

Among the information contained in the materials you received this morning is a list of "Everyday Heroes." These heroes are individuals within our court and probation offices who were recognized by the Supreme Court during the past year for having gone the extra mile to make sure Nebraskans have access to justice.

As you can see, our everyday court and probation staff heroes got tough and got going.

Technology

We owe the success of our courts to the good old-fashioned work ethic of judges, staff, and practicing attorneys. We also owe our positive accomplishments to the increased use of technology and the accompanying innovative initiatives of our court family.

We are still learning from the lessons of the pandemic. Hearings, specifically Zoom and WebEx hearings, were held countless times in the past year. As I speak, there are trial court judges holding virtual hearings from their homes or offices because they tested positive for pandemic-related illnesses or were exposed to someone who tested positive. Without this technology, our courts would be crippled with delays.

Surveys, both in Nebraska and nationally, have found that the majority of respondents believe courts should continue to offer hearings by video when

possible, even after the pandemic wanes. Such proceedings allow the courts to hear more cases and resolve them more quickly. Proceedings conducted electronically can be more efficient for attorneys and their clients, and video hearings eliminate the need to take time off work and/or locate childcare to travel to the courthouse.

Hence, we have challenged the presiding judges in each of our judicial districts to use remote technology when possible and to update court rules in an effort to bring more uniformity and clarity to modified court operations.

E-filing

Technology in the courts includes enhanced E-filing. As of January 1, 2022, the Supreme Court fully instituted an E-filing process for use by attorneys in all case types and at all court levels. This accomplishment was the result of a larger project undertaken to modernize our Supreme Court rules to reflect and reinforce the use of technology as a foundation for efficient and transparent court processes.

With some exceptions for self-represented litigants and external third parties, our integrated E-filing system allows all documents to be delivered to the courts in electronic form -- something that less than 5 years ago would have involved the printing, filing, copying, and mailing of court documents. Thanks to technology, those acts are now redundant and obsolete.

Courtroom Technology-

Another way we are ensuring access to justice through technology is by helping counties across the State upgrade their courtrooms. By law, counties are required to maintain Nebraska's courthouses, many of them historic, which traditionally included the installation of audio-visual systems in courtrooms.

As noted, the pandemic has fast-tracked the adoption of remote hearings. It has shown us that both the judiciary and the public can benefit in cost and time savings. The Supreme Court wants to sustain this momentum and give our judges the ability to leverage high-quality video in their courtrooms in whatever fashion they deem appropriate. These upgrades will enable courts to conduct high-tech proceedings without putting an additional cost burden on the counties.

On-site visits by technology experts began in the fall of 2021. These county-by-county visits allow experts to talk with judges and county officials to assess their courtroom needs. We then create individualized plans to meet the Supreme Court's best practice standards by replacing or enhancing technology already installed in courtrooms.

Likewise, the Judicial Branch wholeheartedly supports the expansion of high-speed internet broadband. Without a strong broadband infrastructure, our rural court users are unable to access the resources we are working so hard provide.

Staff Shortages

One of the effects of the pandemic is ongoing Judicial Branch staffing shortages across the State. Similar to the Executive Branch, we have had to

implement hiring and retention bonuses for all of our court and probation offices.

At the end of December 2021, out of 614 available staff positions in our county courts, there were 57 job openings. Out of 944 available staff positions in probation, there were 99 job openings. The majority of these vacancies come from Lancaster and Douglas Counties. Of these shortages, there are currently 21 job openings for probation officers in Douglas County alone.

However, even the one or two employee vacancies we have in Lexington, Wilber, Dakota City, Gering, or Madison, make a big difference when it comes to supervising a caseload or maintaining accessibility to the courts.

Retaining highly skilled and competent employees remains a priority for the Judicial Branch, as does fair and comparable pay. We have engaged with the National Center for State Courts on a workload and salary assessment study for the courts, which will be followed by a comprehensive salary study for probation.

Our county and district court judges have repeatedly pleaded for staff salary increases in order to retain long-time, trusted employees and maintain normalcy in their courts. Accordingly, we will be asking this body for an upward adjustment to our personnel spending limit.

I remind you again of the good work our court family is doing to keep the courts open statewide, to mitigate a speedy trial crisis, to defuse an eviction crisis, and to make sure access to justice is available to all Nebraskans.

Access to Justice Commission

With those goals in mind, I report on our Access to Justice Commission.

The Access to Justice Commission is in the final phase of developing a comprehensive 5-year strategic plan. This plan centers around core principles, with particular emphasis on court users who do not have legal representation. The principles provide that all court users:

- Should have access to understandable legal information;
- Should have access to legal representation and advice;
- Should have equal access to court services and full participation in the judicial process, regardless of income, race, ethnicity, gender, age, ability, language, religion, or geography; and
- Should have their cases resolved fairly and efficiently.

Language Access Program

Access to justice also includes language access. In Fiscal Year 2021, interpreters for 25 different languages were employed across the State to provide language access in each of Nebraska's 12 Judicial Districts. Interpreters are involved in everything from problem-solving court participation to adoptions and proceedings in serious felony cases.

Again this year, the most commonly interpreted language is Spanish. We also used interpreters for such unique languages as Ewe, Kunama, and Nepali. In another first for Nebraska's courts, an interpreter for the Afrikaans language was required for a criminal case in North Platte.

Office of Public Guardian

I turn now to our Office of Public Guardian. As you can see in its annual report for 2021, the Office of Public Guardian has two main missions: serving as court-appointed guardians and/or conservators of last resort, and providing mandatory education, and certification of that education, for all of Nebraska's private and family guardians.

Guardian Services

Our public guardians are available for pandemic-related decisions every day -- 24 hours a day seven days a week. This past year, 137 wards tested positive for COVID, necessitating intensive oversight and medical decision-making to ensure the health of our wards and protect their lives. Since the pandemic's beginning, 25 of these wards have required hospitalization. Sadly, nine individuals served by the Office have died of COVID.

The annual report contains a few select stories about clients. In one story, reported in the *Omaha World Herald*, our guardian relentlessly advocated for medical care for a client whose caregivers refused to enter his home after he tested positive for COVID.

Please read this story, as well as other stories in the Public Guardian's report, to better understand the necessity of our guardianship services.

The Office of Public Guardian has a waiting list for vulnerable adults in need of its services. However, due to budget constraints, for the third year in a row it was able to accept fewer than 25 new appointments out of the hundreds of incapacitated individuals in need of guardian/conservator services.

Education Services

The Office of Public Guardian assists Nebraskans who are serving as private and family guardians. Last year, it pioneered an online option for the mandatory education and certification of guardians. As a result, approximately 2,500 individuals were able to utilize online education during the onset of the pandemic. In 2022, it will develop specialized online education for guardians of minors and children from the child welfare system, which comprise over 30% of individuals certified as guardians in Nebraska.

Juvenile Justice

Turning to juvenile probation and juvenile justice, I will emphasize four ongoing initiatives.

System Review

First, Nebraska has been awarded a 3-year grant to conduct a statewide juvenile justice system review. The assessment begins by an examination of the system's strengths, as well a review of areas that need improvement. This focus helps prioritize recommendations for further development and implementation.

The four priority improvement areas include family engagement, positive youth development, simplification of probation court orders, and reduction in detention.

Nebraska's Juvenile Detention Alternatives Initiative

Second, this year marked the 10th Anniversary of Nebraska's Juvenile Detention Alternatives Initiative, which we call JDAI. JDAI is a collaborative process involving courts, prosecutors, public defenders, law enforcement officers, elected officials, community volunteers, and others. The goals of JDAI are to:

- decrease the number of youth who are unnecessarily or inappropriately detained;
- reduce the number of youth who fail to appear in court or who re-offend pending adjudication;
- redirect public funds towards effective juvenile justice strategies;
- reduce disproportionate minority confinement and contact with the juvenile justice system; and
- improve the juvenile justice system overall.

Douglas County became the first Nebraska JDAI site in 2011. Since that time, JDAI has expanded its services to Sarpy, Otoe, and Lancaster Counties. Hall County became Nebraska's fifth site this past year. JDAI has reduced juvenile detention populations by over 50% statewide.

Juvenile Probation Reentry Unit

Third, juvenile probation also enhanced its reentry unit, which supports youth committed to rehabilitation and treatment centers. The reentry unit is comprised of a coordinator and four probation officers assigned to specific youth treatment and rehabilitation facilities across the State, including locations in Kearney, Hastings, and Lincoln.

The enhanced structure of the reentry unit aims to provide intensive case staffing, on-going support and engagement with institutionalized youth, and aid in the development of stronger community transition plans. Such programs help reduce our juvenile justice recidivism rate which, for the second year, remains at an all-time low of 19%.

Office of Dispute Resolution

Fourth, we have concluded an evaluation of our statewide restorative justice initiative, which requires juvenile law violators to meet with the victims of their crimes. The data analysis shows that the recidivism rate for youth who participated in this restorative justice process was only 11.3%, compared to the 19% rate noted above for those youth that did not participate.

With these positive results, the Office of Dispute Resolution is working with mediation centers across the State to expand the number of restorative justice programs available to youth. That office is also partnering with the University of Nebraska-Omaha and the University of Nebraska-Lincoln for further program evaluation and research to understand the perspectives of interested parties related to restorative justice. This work will be completed with the support of a 3-year \$1 million Office of Juvenile Justice and Delinquency Prevention System Reform Grant. Nebraska was one of only seven states selected as a grant recipient.

Adult Probation

Behavioral Health Services

I turn now to adult probation, which of course is part of Nebraska's judicial branch. Adult probation is our State's main alternative to incarceration. On average, over 80% of individuals involved in the criminal justice system have substance abuse or mental health issues -- or both. Hence, this past year we have emphasized improving our mental health and substance abuse treatment services by upgrading our training and technical assistance for probation field officers in all 93 of Nebraska's counties.

Quality Assurance

Quality assurance of behavioral health services is also an ongoing priority. Probation has been assessing the quality of substance abuse evaluations completed by service providers registered with the Judicial Branch.

Through our quality assurance program, behavioral health services will become more effective and further contribute to the reduction of recidivism. Our recidivism rate currently sits at an impressive 18% for adults under supervision.

Adult probation supervision costs taxpayers just over \$2,000 per person per year, which includes the cost of treatment. Intensive supervision of high-risk probationers costs taxpayers just over \$4,000 per person per year. Problem-solving courts, which provide even more supervision, cost about \$4,500 per person per year. These figures compare dramatically and favorably to the cost of incarceration, which is approximately \$41,000 per person per year.

Problem-Solving Courts

I take this opportunity to thank this body for its support of our problem-solving courts. Similar to probation, the goal of problem-solving courts is to divert criminal offenders from our prisons and jails by offering intense community supervision and rehabilitation. Judges are directly involved in this process. Please note the materials included in your packet memorializing the first drug court graduation in Nemaha County.

Our problem-solving courts are finding new and innovative ways to effectively supervise Nebraska's specialized court participants. Nebraska has seven problem-solving court models, which include drug courts, family drug courts, a young adult court, DUI courts, a mental health court, reentry courts, and veterans treatment courts. I will spotlight several of these problem-solving courts, beginning with the veteran's treatment courts.

Veterans Treatment Courts

Nebraska's first Veterans Treatment Court started in Douglas County in 2016. Due to its success, similar courts are now operating in Lancaster, Hall, Buffalo, and Adams Counties. Recently, the Lancaster County Veterans Treatment Court and Adult Drug Court were both selected as model courts for other courts around the country to emulate. Several of

Nebraska's problem-solving court coordinators have also been recruited and selected as trainers by the National Drug Court Institute.

Young Adult Court and Mental Health Court

The Young Adult Court in Douglas County provides sentencing alternatives for those between the ages of 18 and 26 who have been charged with a felony offense. In 2021, this specialized court expanded its capacity to include even more young adults.

In Sarpy County, we established Nebraska's first mental health court. This problem-solving court emphasizes a structured alternative program for chronically mentally ill individuals charged with serious criminal offenses.

Everyday Heroes

I began this presentation by saluting our everyday court heroes who got going when the going got tough. I close with one more example of the court family's good work.

While all of us have faced challenges posed by the pandemic, some members of our communities have faced more challenges than others. As you glance at the materials provided to you today, you may notice photos that appear to be out of place. They are not.

Often, the obstacles faced by individuals in our court system go beyond addiction, mental illness, or the ability to care for themselves. Sometimes the obstacles come in the form of the inability to obtain basic provisions such as food and shelter.

The extra photos in your material packets show the collective efforts of court and probation offices that have gone above and beyond their calls of duty to help our court users. Examples include food baskets delivered at Thanksgiving; a bassinet provided to a single mother; and a clothes closet available in a probation office so that individuals can be appropriately dressed for job interviews.

Thanks again to those everyday court heroes.

Conclusion

And thanks again to the members of this Legislature for the support you have given to our Nebraska Court System. With that support, our everyday court heroes can fulfill our constitutional mandate that the Courts remain open, even in the face of a pandemic.

The support of this body, the Governor, and Nebraska's 2 million citizens reinvigorates Nebraska's court family to continue serving Nebraska by combining Midwest work ethic and innovative ways to provide access to justice for all Nebraskans.

Thank you.

The committee escorted the Chief Justice from the Chamber.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 284. Introduced by Blood, 3.

WHEREAS, American consumers rely on food labeling for truthful, meaningful information about retail food purchases; and

WHEREAS, the fair and efficient functioning of a free market economy requires properly informed consumers; and

WHEREAS, through the federal Fair Packaging and Labeling Program, Congress declared its intention that packages and labels should enable consumers to obtain accurate information; and

WHEREAS, the United States Department of Agriculture's (USDA) Food Safety and Inspection Service holds responsibility for the safety, labeling, and packaging of the nation's commercial supply of meat, poultry, and egg products; and

WHEREAS, the USDA currently permits use of the "Product of U.S.A." label on foreign imported beef or beef food products by the packing and grocery industry; and

WHEREAS, President Biden issued an executive order on July 9, 2021, that directed the USDA to consider new rules defining the conditions under which meat products can bear "Product of U.S.A." and other similar labels so that consumers have accurate, transparent labels that enable them to choose products originating in the United States; and

WHEREAS, in July 2021, the Federal Trade Commission finalized a new rule cracking down on marketers who make false, unqualified claims that their products are "Made in the U.S.A." and specifically requires "Made in the U.S.A." claims on labels be used only for products that are "all or virtually all" made or sourced in the United States; and

WHEREAS, labels inadequately inform consumers beef labeled "Product of U.S.A." may have only marginal connections with the United States cattle sector and may have been born, raised, and processed in another nation, only to be repackaged and sold under the guise of a "Product of U.S.A." label; and

WHEREAS, this misleading and deceptive practice negatively affects United States cattle producers by driving down prices paid to United States cattle producers and increases profits for the meat packing industry; and

WHEREAS, Nebraska cattle producers and consumers deserve truthful labeling.

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

1. That the Legislature supports an objective review of the "Product of U.S.A." label by the USDA and action to restrict the scope of use in a way that is beneficial for cattle producers and consumers, and is trade compliant.

Laid over.

SPEAKER'S ANNOUNCEMENT

Pursuant to Rule 4, Section 8, LR284 was referred to the Reference Committee.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 285. Introduced by Brandt, 32.

WHEREAS, Olympian Maggie Malone is a graduate of Fillmore Central High School in Geneva, Nebraska; and

WHEREAS, Maggie began her collegiate career at the University of Nebraska before transferring to Texas A&M University; and

WHEREAS, Maggie, a four-time All American, won the national championship in her senior year, setting a collegiate record in the women's javelin throw; and

WHEREAS, Maggie competed in the 2016 Olympics in Rio de Janeiro and again in the 2020 Olympics in Tokyo; and

WHEREAS, Maggie qualified for the event final and placed in the top ten for the women's javelin throw at the 2020 Tokyo Olympics; and

WHEREAS, Maggie holds the American record for women's javelin with a throw of 67.4 meters (221 feet, 1 inch).

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

1. That the Legislature congratulates Maggie Malone on being a two-time Olympian and her success in women's javelin throw.
2. That copies of this resolution be sent to Maggie Malone and her family.

Laid over.

AMENDMENT(S) - Print in Journal

Senator Hunt filed the following amendment to [LB1086](#):

[AM1630](#)

- 1 1. Insert the following new section:
- 2 Sec. 7. ~~No provision of the Chemical Abortion Safety Protocol Act~~
- 3 ~~shall apply to any health care consultation or procedure, including, but~~
- 4 ~~not limited to, abortion, chemical abortion, or provision of an abortion-~~
- 5 ~~inducing drug, for a person whose pregnancy resulted from incest or~~
- 6 ~~sexual assault, regardless of whether such incest or sexual assault was~~
- 7 ~~reported, investigated, or prosecuted.~~
- 8 2. On page 2, lines 4 and 6, strike "6" and insert "7".
- 9 3. Renumber the remaining sections accordingly.

Senator Erdman filed the following amendment to [LB165](#):

[AM1579](#)

- 1 1. Strike original section 6 and insert the following new section:
- 2 Sec. 7. Since an emergency exists, this act takes effect when passed
- 3 and approved according to law.
- 4 2. Renumber the remaining section accordingly.

MOTION - Suspend Rules

Senator Friesen renewed his motion, [MO130](#), found on page 387 and considered in this day's Journal, to suspend Rule 3, Section 14, to permit

cancellation of a hearing by the Transportation and Telecommunications Committee, to LB911.

SENATOR WILLIAMS PRESIDING

SPEAKER HILGERS PRESIDING

Senator Hunt moved for a call of the house. The motion prevailed with 19 ayes, 6 nays, and 24 not voting.

Senator Friesen requested a roll call vote on the motion to suspend the rules.

Voting in the affirmative, 39:

Aguilar	Clements	Hansen, M.	McCollister	Slama
Albrecht	DeBoer	Hilgers	McDonnell	Stinner
Arch	Erdman	Hilkemann	McKinney	Vargas
Blood	Friesen	Hunt	Morfeld	Walz
Brandt	Geist	Lathrop	Moser	Wayne
Briese	Gragert	Lindstrom	Murman	Williams
Cavanaugh, J.	Halloran	Linehan	Pansing Brooks	Wishart
Cavanaugh, M.	Hansen, B.	Lowe	Sanders	

Voting in the negative, 0.

Excused and not voting, 10:

Bostar	Brewer	Dorn	Groene	Kolterman
Bostelman	Day	Flood	Hughes	Pahls

The Friesen motion to suspend the rules prevailed with 39 ayes, 0 nays, and 10 excused and not voting.

The Chair declared the call raised.

NOTICE OF COMMITTEE HEARING(S)

Transportation and Telecommunications
Room 1113 1:30 PM

Tuesday, January 25, 2022
LB911 (cancel)

(Signed) Curt Friesen, Chairperson

Revenue
Room 1524 1:30 PM

Friday, January 28, 2022
Robert W. Hotz - Tax Equalization and Review Commission
LB701

LB702
 LB951
 LB1103

(Signed) Lou Ann Linehan, Chairperson

AMENDMENT(S) - Print in Journal

Senator Groene filed the following amendment to [LB568](#):
[AM1464](#)

(Amendments to E&R amendments, ER93)

1 1. Strike the original sections and all amendments thereto and
 2 insert the following new sections:
 3 Section 1. Section 43-2404.03, Reissue Revised Statutes of Nebraska,
 4 is amended to read:
 5 43-2404.03 It is the intent of the Legislature to appropriate five
 6 million dollars each fiscal year through fiscal year 2022-23 and eight
 7 million five hundred thousand dollars for fiscal year 2023-24 and each
 8 fiscal year thereafter to the Community-based Juvenile Services Aid
 9 Program.
 10 Sec. 2. Original section 43-2404.03, Reissue Revised Statutes of
 11 Nebraska, is repealed.

Senator Hunt filed the following amendment to [LB1086](#):
[AM1633](#)

1 1. Insert the following new section:
 2 Sec. 7. No provision of the Chemical Abortion Safety Protocol Act
 3 shall apply to any health care consultation or procedure, including, but
 4 not limited to, abortion, chemical abortion, or provision of an abortion-
 5 inducing drug, for a person whose pregnancy resulted from being subjected
 6 to labor trafficking or sex trafficking, regardless of whether such
 7 trafficking was reported, investigated, or prosecuted.
 8 2. On page 2, lines 4 and 6, strike "6" and insert "7".
 9 3. Renumber the remaining sections accordingly.

COMMITTEE REPORT(S)
 Enrollment and Review

LEGISLATIVE BILL 496. Placed on Final Reading.

(Signed) Terrell McKinney, Chairperson

SELECT FILE

LEGISLATIVE BILL 685. Considered.

Pending.

MOTION(S) - Print in Journal

Senator M. Cavanaugh filed the following motion to [LB685](#):
[MO131](#)
 Bracket until February 16, 2022.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Wayne name added to LB723.

Senator Dorn name added to LB773.

Senator Wayne name added to LB825.

Senator Brewer name added to LB1051.

Senator Arch name added to LB1080.

Senator Gragert name added to LB1160.

ADJOURNMENT

At 12:00 p.m., on a motion by Senator Erdman, the Legislature adjourned until 10:00 a.m., Monday, January 24, 2022.

Patrick J. O'Donnell
Clerk of the Legislature

TWELFTH DAY - JANUARY 24, 2022**LEGISLATIVE JOURNAL****ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION****TWELFTH DAY**

Legislative Chamber, Lincoln, Nebraska
Monday, January 24, 2022

PRAYER

The prayer was offered by Pastor Arin Hess, Heritage Bible Church, Lincoln.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator DeBoer.

ROLL CALL

Pursuant to adjournment, the Legislature met at 10:00 a.m., Senator Williams presiding.

The roll was called and all members were present except Senators Brewer and Day who were excused; and Senators Bostar, Hunt, Morfeld, and Pansing Brooks who were excused until they arrive.

SPEAKER HILGERS PRESIDING**CORRECTIONS FOR THE JOURNAL**

The Journal for the eleventh day was approved.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 496A. Placed on Select File with amendment.

[ER100](#)

1 1. On page 1, line 3, strike "First Session, 2021" and insert
2 "Second Session, 2022".

(Signed) Terrell McKinney, Chairperson

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

LB/LR	Committee
LB1114	Appropriations
LB1187	Banking, Commerce and Insurance
LB1188	Banking, Commerce and Insurance
LB1189	Urban Affairs
LB1190	Banking, Commerce and Insurance
LB1191	Appropriations
LB1192	Judiciary
LB1193	Appropriations
LB1194	Appropriations
LB1195	Appropriations
LB1196	Appropriations
LB1197	Appropriations
LB1198	Appropriations
LB1199	Appropriations
LB1200	Judiciary
LB1201	Appropriations
LB1202	Appropriations
LB1203	Appropriations
LB1204	General Affairs
LB1205	Government, Military and Veterans Affairs
LB1206	Appropriations
LB1207	Revenue
LB1208	Transportation and Telecommunications
LB1209	Revenue
LB1210	Appropriations
LB1211	Education
LB1212	Education
LB1213	Judiciary
LB1214	Transportation and Telecommunications
LB1215	Banking, Commerce and Insurance
LB1216	Judiciary
LB1217	Appropriations
LB1218	Education
LB1219	Education
LB1220	Appropriations
LB1221	Appropriations
LB1222	Judiciary
LB1223	Judiciary
LB1224	Appropriations
LB1225	Revenue
LB1226	Revenue
LB1227	Urban Affairs
LB1228	Appropriations
LB1229	Appropriations

LB1230	Health and Human Services
LB1231	General Affairs
LB1232	Appropriations
LB1233	Appropriations
LB1234	Transportation and Telecommunications
LB1235	General Affairs
LB1236	General Affairs
LB1237	Revenue
LB1238	Appropriations
LB1239	General Affairs
LB1240	Appropriations
LB1241	Judiciary
LB1242	Revenue
LB1243	Health and Human Services
LB1244	Judiciary
LB1245	Judiciary
LB1246	Judiciary
LB1247	Judiciary
LB1248	Appropriations
LB1249	Health and Human Services
LB1250	Revenue
LB1251	Education
LB1252	Appropriations
LB1253	Urban Affairs
LB1254	Appropriations
LB1255	Appropriations
LB1256	General Affairs
LB1257	Appropriations
LB1258	Banking, Commerce and Insurance
LB1259	Transportation and Telecommunications
LB1260	Judiciary
LB1261	Revenue
LB1262	Natural Resources
LB1263	Government, Military and Veterans Affairs
LB1264	Revenue
LB1265	Revenue
LB1266	Transportation and Telecommunications
LB1267	Appropriations
LB1268	General Affairs
LB1269	Appropriations
LB1270	Judiciary
LB1271	Judiciary
LB1272	Revenue
LB1273	Revenue
LB1274	Transportation and Telecommunications
LB1275	Judiciary
LB1276	Judiciary
LB1277	Appropriations
LR281CA	Revenue

LR282CA Executive Board
LR283CA Transportation and Telecommunications

(Signed) Dan Hughes, Chairperson
Executive Board

NOTICE OF COMMITTEE HEARING(S)

Agriculture
Room 1003 1:30 PM

Tuesday, February 1, 2022
Terry L. Cone - Nebraska Brand Committee
LB1095
LR242

(Signed) Steve Halloran, Chairperson

AMENDMENT(S) - Print in Journal

Senator Kolterman filed the following amendment to LB700:
[AM1583](#) is available in the Bill Room.

COMMITTEE REPORT(S)

Government, Military and Veterans Affairs

LEGISLATIVE BILL 29. Placed on General File with amendment.

[AM1610](#)

1 1. On page 2, lines 15 and 16; and page 3, lines 4 and 5, reinstate
2 the stricken matter.

(Signed) Matt Hansen, Vice Chairperson

NOTICE OF COMMITTEE HEARING(S)

Banking, Commerce and Insurance
Room 1507 1:30 PM

Monday, January 31, 2022

LB811
LB892
LB737
LB795

Tuesday, February 1, 2022

LB957
LB1042
LB966
LB955

Tuesday, February 8, 2022
LB738
LB993
LB1017
LB973

(Signed) Matt Williams, Chairperson

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LR274 was adopted.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LR274.

COMMITTEE REPORT(S)

Government, Military and Veterans Affairs

LEGISLATIVE BILL 158. Placed on General File.

(Signed) Matt Hansen, Vice Chairperson

GENERAL FILE

LEGISLATIVE BILL 825. Title read. Considered.

Senator Wayne offered the following motion:

[MO132](#)

Recommit to Revenue Committee.

SENATOR HUGHES PRESIDING

SPEAKER HILGERS PRESIDING

Pending.

NOTICE OF COMMITTEE HEARING(S)

Education

Room 1525 1:30 PM

Monday, January 31, 2022

LB960
LB690
LB1218

Tuesday, February 1, 2022

Darrin Scott Good - Nebraska Educational Telecommunications
Commission

Nicholas Baxter - Nebraska Educational Telecommunications Commission

LB1128

LB945

LB1169

(Signed) Lynne Walz, Chairperson

Appropriations
Room 1524 1:30 PM

Monday, January 31, 2022

LB762

LB893

LB1067

LB988

LB989

LB1177

LB1164

(Signed) John Stinner, Chairperson

Transportation and Telecommunications
Room 1113 1:30 PM

Monday, January 31, 2022

LB1274

LB1016

LB875

LB999

(Signed) Curt Friesen, Chairperson

Government, Military and Veterans Affairs
Room 1507 1:30 PM

Wednesday, February 2, 2022

LR268CA

LB779

LB1263

LB861

LB841

Thursday, February 3, 2022

LB709

LB1153

LB839

(Signed) Matt Hansen, Vice Chairperson

Urban Affairs
Room 1510 1:30 PM

Tuesday, February 1, 2022

LB1024
LB1253
LB842
LB915
LB974

(Signed) Justin Wayne, Chairperson

General Affairs
Room 1510 1:30 PM

Monday, January 31, 2022

LB898
LB899
LB900
LB1204
LB1231
LB1235
LB1236

(Signed) Tom Briese, Chairperson

ANNOUNCEMENT(S)

Priority designation(s) received:

Kolterman - LB767

AMENDMENT(S) - Print in Journal

Senator Wayne filed the following amendment to LB825:

[AM1647](#)

1 1. On page 11, after line 28, insert the following new subsection:
2 "(18) The changes made in this section by this legislative bill
3 shall only apply to taxpayers residing within the boundaries of a
4 qualified census tract as defined in 26 U.S.C. 42(d)(5)(B)(ii)(I), as
5 such section existed on January 1, 2022."

Senator Wayne filed the following amendment to LB825:

[AM1648](#)

1 1. On page 11, after line 28, insert the following new subsection:
2 "(18) The changes made in this section by this legislative bill
3 shall only apply to taxpayers residing within the boundaries of an

4 economic redevelopment area as defined in section 77-6906.".

Senator Wayne filed the following amendment to LB825:
[AM1649](#)

1 1. On page 11, after line 28, insert the following new subsection:
2 "(18) The changes made in this section by this legislative bill
3 shall only apply to taxpayers residing within the boundaries of an area
4 that has been declared an extremely blighted area under section
5 18-2101.02."

Senator Wayne filed the following amendment to LB723:
[AM1650](#)

1 1. On page 4, after line 16, insert the following new subsection:
2 "(6) The changes made in this section by this legislative bill shall
3 only apply to taxpayers residing within the boundaries of a qualified
4 census tract as defined in 26 U.S.C. 42(d)(5)(B)(ii)(I), as such section
5 existed on January 1, 2022."

Senator Wayne filed the following amendment to LB723:
[AM1651](#)

1 1. On page 4, after line 16, insert the following new subsection:
2 "(6) The changes made in this section by this legislative bill shall
3 only apply to taxpayers residing within the boundaries of an economic
4 redevelopment area as defined in section 77-6906."

Senator Wayne filed the following amendment to LB723:
[AM1652](#)

1 1. On page 4, after line 16, insert the following new subsection:
2 "(6) The changes made in this section by this legislative bill shall
3 only apply to taxpayers residing within the boundaries of an area that
4 has been declared an extremely blighted area under section 18-2101.02."

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE RESOLUTION 14. Placed on Final Reading.

(Signed) Terrell McKinney, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 286. Introduced by Bostelman, 23; Aguilar, 35; Arch, 14; Blood, 3; Bostar, 29; Brandt, 32; Briese, 41; Cavanaugh, J., 9; Cavanaugh, M., 6; DeBoer, 10; Dorn, 30; Friesen, 34; Geist, 25; Gragert, 40; Hansen, B., 16; Hansen, M., 26; Hilgers, 21; Hilkemann, 4; Hughes, 44; Hunt, 8; Kolterman, 24; Lathrop, 12; Lindstrom, 18; Linchan, 39; McCollister, 20; McDonnell, 5; McKinney, 11; Morfeld, 46; Murman, 38; Pahls, 31; Pansing Brooks, 28; Sanders, 45; Slama, 1; Stinner, 48; Vargas, 7; Walz, 15; Wayne, 13; Williams, 36; Wishart, 27.

WHEREAS, the fiftieth anniversary of Nebraska's natural resources districts is on July 1, 2022; and

WHEREAS, the Legislature passed LB1357 in 1969 to merge one hundred fifty-four political subdivisions into natural resources districts to provide local management of natural resources based on river basin boundaries; and

WHEREAS, the reorganization into natural resources districts was completed on July 1, 1972; and

WHEREAS, Nebraska's natural resources districts play a critical role in the conservation of natural resources locally, statewide, and nationally; and

WHEREAS, Nebraska's natural resources districts protect water, our most precious resource, by finding a balance between competing uses, an essential element to sustaining our state's resources for future generations; and

WHEREAS, Nebraska's groundwater resources are at predevelopment levels thanks to local management and controls implemented by natural resources districts; and

WHEREAS, Nebraska's natural resources districts work with landowners and partner organizations to minimize flood damage by protecting people and property with watershed structures such as dams, levees, dikes and drainage ditches; and

WHEREAS, Nebraska's natural resources districts have built more than seven hundred flood control structures and levees across Nebraska; and

WHEREAS, Nebraska's natural resources districts have developed multi-use projects providing public access to lakes, trails, and wetland areas across more than eighty recreation areas throughout the state; and

WHEREAS, Nebraska's natural resources districts have planted nearly one hundred million trees and shrubs in windbreak structures and urban forestry programs; and

WHEREAS, Nebraska's natural resources districts have been instrumental in assisting landowners with improving grazing lands and pastures; and

WHEREAS, Nebraska's natural resources districts organize projects and programs to educate both youth and adults about conservation and natural resources; and

WHEREAS, Nebraska's natural resources districts have been invaluable in managing, conserving, and sustaining the state's natural resources for future generations; and

WHEREAS, Nebraska's natural resources districts are a model for the other states and countries to successfully manage natural resources.

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

1. That the Legislature congratulates Nebraska's twenty-three natural resources districts for fifty years of protecting lives, property, and the future of Nebraska.

2. That the Legislature recognizes all past and current natural resources district board members and staff for their dedicated service to the state in protecting our natural resources.

3. That copies of this resolution be sent to each of the twenty-three natural resources district offices.

Laid over.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Blood name added to LB450.
Senator Blood name added to LB568.
Senator Hilkemann name added to LB753.
Senator DeBoer name added to LB825.
Senator Groene name added to LB825.
Senator Erdman name added to LB845.
Senator McCollister name added to LB980.
Senator Erdman name added to LB1074.
Senator Gragert name added to LB1131.
Senator Gragert name added to LB1169.
Senator Gragert name added to LB1191.

VISITOR(S)

Visitors to the Chamber were forth- and sixth-grade students and teachers from St. James Catholic School, Crete.

The Doctor of the Day was Dr. Brett Copley of Syracuse.

ADJOURNMENT

At 11:58 a.m., on a motion by Senator Moser, the Legislature adjourned until 9:00 a.m., Tuesday, January 25, 2022.

Patrick J. O'Donnell
Clerk of the Legislature

THIRTEENTH DAY - JANUARY 25, 2022**LEGISLATIVE JOURNAL****ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION****THIRTEENTH DAY**

Legislative Chamber, Lincoln, Nebraska
Tuesday, January 25, 2022

PRAYER

The prayer was offered by Senator Geist.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Dorn.

ROLL CALL

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

The roll was called and all members were present except Senator Brewer who was excused; and Senators Bostar, Day, Flood, Hunt, Lathrop, McCollister, Morfeld, and Wishart who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the twelfth day was approved.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

LB/LR	Committee
LR283CA	Revenue (rereferred)
LB1092	Banking, Commerce and Insurance
LR284	Agriculture

(Signed) Dan Hughes, Chairperson
Executive Board

COMMUNICATION

Received communication to Senator Arch and the Health and Human Services Committee, from Gary J. Anthon, M.D., Chief Medical Officer, Director, Division of Public Health, Department of Health and Human Services, regarding the appointment of the following to the Stem Cell Research Advisory Committee:

Dr. Alysson Muotri

NOTICE OF COMMITTEE HEARING(S)
Nebraska Retirement Systems
Room 1525 12:00 PM

Wednesday, February 2, 2022
LB700
LB1043

(Signed) Mark Kolterman, Chairperson

Executive Board
Room 1525 12:00 PM

Tuesday, February 1, 2022
LB897
LB1174

(Signed) Dan Hughes, Chairperson

MOTION(S) - Print in Journal

Senator B. Hansen offered the following motion:
Suspend the rules, Rule 3, Section 14, to permit scheduling a public hearing by the Business and Labor Committee in less than seven days.

GENERAL FILE

LEGISLATIVE BILL 825. Senator Wayne withdrew his motion, [MO132](#), found on page 421, to recommit to committee.

Senator Wayne withdrew and refiled his amendments, [AM1647](#) and [AM1648](#), found on page 423.

Advanced to Enrollment and Review Initial with 42 ayes, 0 nays, 1 present and not voting, and 6 excused and not voting.

AMENDMENT(S) - Print in Journal

Senator Arch filed the following amendment to LB376:
AM1646

(Amendments to Standing Committee amendments, AM1307)

1 1. Insert the following new sections:

2 Sec. 5. If the federal Centers for Medicare and Medicaid Services
3 denies the 1915(c) waiver required to be submitted in section 2 of this
4 act, the family support program outlined in sections 2 to 4 of this act
5 shall not be implemented until such waiver or other mechanism authorizing
6 the program is approved. The Department of Health and Human Services
7 shall submit a new waiver application or seek other mechanisms for
8 approval if such application is denied.

9 Sec. 7. Section 83-1201, Revised Statutes Cumulative Supplement,
10 2020, is amended to read:

11 83-1201 Sections 83-1201 to 83-1227 and section 8 of this act shall
12 be known and may be cited as the Developmental Disabilities Services Act.

13 Sec. 8. (1) The Department of Health and Human Services shall
14 engage a nationally recognized consultant to provide an evaluation of the
15 state's developmental disabilities system in order to examine how the
16 State of Nebraska can better serve all Nebraskans with a variety of
17 developmental disabilities.

18 (2) The consultant shall be independent of the Department of Health
19 and Human Services and be a national entity that can demonstrate:

20 (a) Direct involvement with public and tribal developmental
21 disabilities agencies;

22 (b) Partnerships with national advocacy organizations, think tanks,
23 or technical assistance providers for persons with developmental
24 disabilities;

25 (c) Collaboration with community agencies for persons with
26 developmental disabilities; and

1 (d) Independent research regarding developmental disabilities.

2 (3) The evaluation shall analyze the array of services and programs
3 existing in Nebraska for persons with developmental disabilities and
4 address potential areas for improvement with an emphasis on maximizing
5 impact, effectiveness, and cost-efficiencies. The evaluation shall
6 consider: (a) Services offered and provided by the state through the
7 medicaid state plan or by current medicaid waivers; (b) services offered
8 by other states through medicaid state plans, medicaid waivers, or other
9 mechanisms; and (c) any other areas which may be beneficial to the state
10 in the assessment of its developmental disabilities services.

11 (4) The Department of Health and Human Services shall electronically
12 deliver a report detailing the findings and recommendations of the
13 consultant to the Governor, the chairperson of the Health and Human
14 Services Committee of the Legislature, and the Clerk of the Legislature
15 on or before December 31, 2023.

16 (5) Engagement of the consultant described in this section shall not
17 be subject to competitive bidding requirements under sections 73-501 to
18 73-510.

19 2. On page 3, line 25, after "method" insert ", as provided in
20 section 4 of this act,".

21 3. Renumber the remaining sections and correct the repealer
22 accordingly.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

Muotri, Alysson - Stem Cell Research Advisory Committee - Health and Human Services

(Signed) Dan Hughes, Chairperson
Executive Board

GENERAL FILE

LEGISLATIVE BILL 723. Title read. Considered.

Senator Wayne withdrew and refiled his amendments, [AM1650](#), [AM1651](#), and [AM1652](#), found on page 424.

Senator M. Hansen offered the following amendment:

[AM1656](#)

1 1. Strike the original sections and all amendments thereto and
2 insert the following new sections:
3 Section 1. Section 77-6703, Revised Statutes Supplement, 2021, is
4 amended to read:
5 77-6703 (1) For taxable years beginning or deemed to begin on or
6 after January 1, 2020, under the Internal Revenue Code of 1986, as
7 amended, there shall be allowed to each eligible taxpayer a refundable
8 credit against the income tax imposed by the Nebraska Revenue Act of 1967
9 or against the franchise tax imposed by sections 77-3801 to 77-3807. The
10 credit shall be equal to the credit percentage for the taxable year, as
11 set by the department under subsection (2) of this section, multiplied by
12 the amount of school district taxes paid by the eligible taxpayer during
13 such taxable year.
14 (2)(a) For taxable years beginning or deemed to begin during
15 calendar year 2020, the department shall set the credit percentage so
16 that the total amount of credits for such taxable years shall be one
17 hundred twenty-five million dollars;
18 (b) For taxable years beginning or deemed to begin during calendar
19 year 2021, the department shall set the credit percentage so that the
20 total amount of credits for such taxable years shall be one hundred
21 twenty-five million dollars plus either (i) the amount calculated for
22 such calendar year under subdivision (3)(b)(ii)(B) of section 77-4602 or
23 (ii) the amount calculated for such calendar year under subdivision (3)
24 (c)(ii)(B) of section 77-4602, whichever is applicable;
25 (c) For taxable years beginning or deemed to begin during calendar
26 year 2022, the department shall set the credit percentage so that the

27 total amount of credits for such taxable years shall be the maximum
1 amount of credits allowed under subdivision (2)(b) of this section plus
2 either (i) the amount calculated for such calendar year under subdivision
3 (3)(b)(ii)(B) of section 77-4602 or (ii) the amount calculated for such
4 calendar year under subdivision (3)(c)(ii)(B) of section 77-4602,
5 whichever is applicable;

6 (d) For taxable years beginning or deemed to begin during calendar
7 year 2023, the department shall set the credit percentage so that the
8 total amount of credits for such taxable years shall be the maximum
9 amount of credits allowed under subdivision (2)(c) of this section plus
10 either (i) the amount calculated for such calendar year under subdivision
11 (3)(b)(ii)(B) of section 77-4602 or (ii) the amount calculated for such
12 calendar year under subdivision (3)(c)(ii)(B) of section 77-4602,
13 whichever is applicable;

14 (e) For taxable years beginning or deemed to begin during calendar
15 year 2024, the department shall set the credit percentage so that the
16 total amount of credits for such taxable years shall be two hundred
17 ~~sixty-two three hundred seventy-five~~ million dollars; and

18 (f) For taxable years beginning or deemed to begin during calendar
19 year 2025 and each calendar year thereafter, the department shall set the
20 credit percentage so that the total amount of credits for such taxable
21 years shall be the maximum amount of credits allowed in the prior year
22 increased by the allowable growth percentage.

23 (3) If the school district taxes are paid by a corporation having an
24 election in effect under subchapter S of the Internal Revenue Code, a
25 partnership, a limited liability company, a trust, or an estate, the
26 amount of school district taxes paid during the taxable year may be
27 allocated to the shareholders, partners, members, or beneficiaries in the
28 same proportion that income is distributed for taxable years beginning or
29 deemed to begin before January 1, 2021, under the Internal Revenue Code
30 of 1986, as amended. The department shall provide forms and schedules
31 necessary for verifying eligibility for the credit provided in this
1 section and for allocating the school district taxes paid. For taxable
2 years beginning or deemed to begin on or after January 1, 2021, under the
3 Internal Revenue Code of 1986, as amended, the refundable credit shall be
4 claimed by the corporation having an election in effect under subchapter
5 S of the Internal Revenue Code, the partnership, the limited liability
6 company, the trust, or the estate that paid the school district taxes.

7 (4) For any fiscal year or short year taxpayer, the credit may be
8 claimed in the first taxable year that begins following the calendar year
9 for which the credit percentage was determined. The credit shall be taken
10 for the school district taxes paid by the taxpayer during the immediately
11 preceding calendar year.

12 (5) For the first taxable year beginning or deemed to begin on or
13 after January 1, 2021, and before January 1, 2022, under the Internal
14 Revenue Code of 1986, as amended, for a corporation having an election in
15 effect under subchapter S of the Internal Revenue Code, a partnership, a
16 limited liability company, a trust, or an estate that paid school
17 district taxes in calendar year 2020 but did not claim the credit
18 directly or allocate such school district taxes to the shareholders,
19 partners, members, or beneficiaries as permitted under subsection (3) of
20 this section, there shall be allowed an additional refundable credit.
21 This credit shall be equal to six percent, multiplied by the amount of
22 school district taxes paid during 2020 by the eligible taxpayer.

23 Sec. 2. Original section 77-6703, Revised Statutes Supplement,
24 2021, is repealed.

Pending.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 310. Placed on Final Reading.[ST39](#)

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

1. On page 1, the matter beginning with "and" in line 2 through line 4 and all amendments thereto have been struck and "77-2005.01, and 77-2006, Reissue Revised Statutes of Nebraska; to change inheritance tax rates and exemption amounts as prescribed; to change the individuals who are considered to be relatives of a decedent; to require reports; to harmonize provisions; to provide a duty for the Revisor of Statutes; and to repeal the original sections." inserted.

(Signed) Terrell McKinney, Chairperson

COMMITTEE REPORT(S)

Banking, Commerce and Insurance

LEGISLATIVE BILL 767. Placed on General File with amendment.[AM1643](#)

1 1. On page 11, line 31, after "entity" insert "or a 340B contract
2 pharmacy".

3 2. On page 12, line 1, after "entity" insert "or the 340B contract
4 pharmacy"; in line 3 after "entities" insert "or 304B contract
5 pharmacies"; in lines 4, 5, 7, and 9 after "entity" insert "or 304B
6 contract pharmacy"; and strike lines 10 through 14 and insert the
7 following new subsection:

8 "(3) For purposes of this section:

9 (a) 340B entity means an entity participating in the federal 340B
10 drug discount program, as described in 42 U.S.C. 256b; and

11 (b) 340B contract pharmacy means any pharmacy under contract with a
12 340B entity to dispense drugs on behalf of such 340B entity."

(Signed) Matt Williams, Chairperson

Education

LEGISLATIVE BILL 754. Placed on General File.

(Signed) Lynne Walz, Chairperson

NOTICE OF COMMITTEE HEARING(S)

Appropriations

Room 1524 1:30 PM

Tuesday, February 1, 2022

Agency 69 - Arts Council, Nebraska

Agency 13 - Education, Department of

Agency 54 - Historical Society, Nebraska State

Agency 33 - Game and Parks Commission

LB937

LB813

LB1074

(Signed) John Stinner, Chairperson

Judiciary
Room 1113 1:30 PM

Wednesday, February 2, 2022

LB880
LB1035
LB1036
LB1051
LB1154

Thursday, February 3, 2022

LB1031
LB1155
LB1244
LB1246
LB1247

Wednesday, February 9, 2022

LB882
LB1003
LB1200
LB1213
LB1276

Thursday, February 10, 2022

LB942
LB1184
LB1241
LB1270
LB1271

Friday, February 11, 2022

LB1026
LB1038
LB1135
LB1222

Wednesday, February 16, 2022

LB745
LB830
LB947
LB1192
LB1245

Thursday, February 17, 2022

LB922
LB1053
LB1059
LB1124
LB1132

Wednesday, February 23, 2022

LB907
LB1260
LB1275

Thursday, February 24, 2022

LB781
LB933
LB1086

Friday, February 25, 2022

LB772
LB909
LB1009
LB1171
LB1216

Wednesday, March 2, 2022

LB828
LB829
LB851
LB903
LB990
LB994

Thursday, March 3, 2022

LB692
LB1000
LB1223

Wednesday, February 9, 2022

Gerald Randall (Rand) Hansen - Crime Victim's Reparations Committee

(Signed) Steve Lathrop, Chairperson

Natural Resources
Room 1525 1:30 PM

Wednesday, February 2, 2022

LB1082
LB803
LB1045

Thursday, February 3, 2022
LB1262
LB1102

(Signed) Bruce Bostelman, Chairperson

Transportation and Telecommunications
Room 1113 1:30 PM

Tuesday, February 1, 2022
LB958
LB1022
LB1148
LB1259
LB1147

(Signed) Curt Friesen, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 287. Introduced by McCollister, 20; Cavanaugh, M., 6; Hunt, 8; Lathrop, 12.

WHEREAS, the Omaha Westside boys' basketball team won their first Metro Conference Holiday Tournament Championship in eighteen years; and

WHEREAS, Omaha Westside defeated top ranked Bellevue West by a score of 76 to 68 to claim the tournament championship title; and

WHEREAS, this is the sixth tournament championship for the Omaha Westside boys' basketball team; and

WHEREAS, the Omaha Westside boys' basketball team is compiling a historic season; 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 Westside boys' basketball team on winning the Metro Conference Holiday Tournament and wishes them well on the rest of their season.

2. That copies of this resolution be sent to Omaha Westside High School and the Omaha Westside boys' basketball team.

Laid over.

AMENDMENT(S) - Print in Journal

Senator Wayne filed the following amendment to LB915:

AM1666

1 1. Insert the following new section:

2 Sec. 2. Section 81-1239, Revised Statutes Cumulative Supplement,

3 2020, is amended to read:

4 81-1239 (1) The Middle Income Workforce Housing Investment Fund is
5 created. Funding for the grant program described in section 81-1238 shall
6 come from the Middle Income Workforce Housing Investment Fund.

7 ~~(2)~~ The Middle Income Workforce Housing Investment Fund may include
8 revenue from appropriations from the Legislature, grants, private
9 contributions, and other sources. In addition, the Middle Income
10 Workforce Housing Investment Fund shall receive ~~(a)~~ a ~~one-time~~ transfer
11 of ten million dollars on November 14, 2020, from the General Fund ~~and~~
12 ~~(b)~~ a transfer of thirty million dollars on the effective date of this
13 act from the General Fund.

14 ~~(3)~~ Any money in the Middle Income Workforce Housing Investment Fund
15 available for investment shall be invested by the state investment
16 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
17 State Funds Investment Act.

18 ~~(4)~~ ~~(2)~~ The department shall administer the Middle Income Workforce
19 Housing Investment Fund and may seek additional private or nonstate funds
20 to use in the grant program, including, but not limited to, contributions
21 from the Nebraska Investment Finance Authority and other interested
22 parties.

23 ~~(5)~~ ~~(3)~~ Interest earned by the department on grant funds shall be
24 applied to the grant program.

25 ~~(6)~~ ~~(4)~~ If a nonprofit development organization fails to engage in a
26 qualified activity within twenty-four months after receiving initial
27 grant funding, the nonprofit development organization shall return the
1 grant proceeds to the department for credit to the Affordable Housing
2 Trust Fund.

3 ~~(7)~~ ~~(5)~~ Beginning July 1, 2025, any funds held by the department in
4 the Middle Income Workforce Housing Investment Fund shall be transferred
5 to the Affordable Housing Trust Fund.

6 2. Renumber the remaining section and correct the repealer
7 accordingly.

Senator McKinney filed the following amendment to LB450:

AM1600

(Amendments to Standing Committee amendments, AM739)

1 1. Strike the original sections and all amendments thereto and

2 insert the following new sections:

3 Section 1. Sections 1 to 10 of this act shall be known and may be
4 cited as the Nebraska Innovation Hub Act.

5 Sec. 2. The Legislature finds and declares that:

6 (1) Job creation through rapid technology commercialization is a
7 vital part of the state's economic well-being;

8 (2) Innovation and technology-driven entrepreneurial activity
9 coupled with venture investment creates small business startups and
10 expansions at an accelerated rate, which leads to significant employment
11 opportunities that contribute to the state's financial health and
12 economic competitiveness;

13 (3) In order to maintain a healthy state economy and to aid
14 communities, entrepreneurship and technology-based small businesses must
15 be stimulated and supported; and

16 (4) Innovation hubs could serve as a vital resource for stimulating
17 and supporting entrepreneurship and technology-based small businesses in

18 this state.

19 Sec. 3. For purposes of the Nebraska Innovation Hub Act:

20 (1) Department means the Department of Economic Development;

21 (2) Director means the Director of Economic Development;

22 (3) Economic redevelopment area means an area in the State of

23 Nebraska in which:

24 (a) The average rate of unemployment in the area during the period

25 covered by the most recent federal decennial census or American Community

26 Survey 5-Year Estimate by the United States Bureau of the Census is at

1 least one hundred fifty percent of the average rate of unemployment in

2 the state during the same period; and

3 (b) The average poverty rate in the area is twenty percent or more

4 for the federal census tract in the area;

5 (4) iHub area means the geographical area in this state in which an

6 iHub will operate. An iHub area shall be located within:

7 (a) An economic redevelopment area; or

8 (b) An enterprise zone designated pursuant to the Enterprise Zone

9 Act;

10 (5) iHub partner means an entity described in section 6 of this act

11 that collaborates with an iHub for purposes of driving economic growth

12 within an iHub area;

13 (6) Innovation hub or iHub means a private nonprofit corporation

14 that is designated by the director as an iHub; and

15 (7) Postsecondary educational institution means a two-year or four-

16 year college or university which is a member institution of an

17 accrediting body recognized by the United States Department of Education.

18 Sec. 4. The department shall designate innovation hubs within iHub

19 areas to stimulate partnerships, economic development, and job creation

20 by leveraging iHub partner assets to provide an innovation platform for

21 startup businesses, economic development organizations, business groups,

22 and venture capitalists. The iHub partner assets may include, but are not

23 limited to, research parks, technology incubators, universities, and

24 federal laboratories.

25 Sec. 5. (1) A private nonprofit corporation may apply to the

26 director to become designated as an iHub. Applications shall be submitted

27 on or after November 1, 2022, and before June 1, 2023. The application

28 shall include, but not be limited to, the following:

29 (a) A statement of purpose;

30 (b) A signed statement of cooperation and a description of the roles

31 and relationships of each iHub partner;

1 (c) A clear explanation and map conveying the iHub area;

2 (d) A clearly identified central location for the iHub, which shall

3 be a physical location;

4 (e) A complete budget, including a description of secured funds,

5 pending funds, and potential future funding sources;

6 (f) A clearly articulated iHub management structure and plan, which

7 may include a description of the capabilities, qualifications, and

8 experience of the proposed management team, team leaders, or key

9 personnel who are critical to achieving the proposed objectives;

10 (g) A list of iHub assets and resources;

11 (h) A clearly articulated industry focus area of the iHub, including

12 industry sectors or other targeted areas for development and growth;

13 (i) A list of specific resources available to support and guide

14 startup companies;

15 (j) A five-year plan, which shall include a clearly articulated list

16 of goals to be achieved with the designation of the iHub;

17 (k) Defined performance standards agreed upon by the applicant and

18 the proposed iHub partners, which may include expectations for job

19 development and business creation;

20 (l) Evaluation procedures that will be used to measure the level of

21 achievement for each stated goal;
22 (m) A plan for sustainability;
23 (n) Demonstrated experience with innovation programs, such as
24 involvement with technology commercialization;
25 (o) Evidence of community engagement and support; and
26 (p) An application fee of one thousand dollars. The director shall
27 remit all application fees received under this section to the State
28 Treasurer for credit to the Innovation Hub Cash Fund.
29 (2) The department shall establish a weighted scoring system to
30 evaluate applications for iHub designations. Such weighted scoring system
31 shall consider, at a minimum:
1 (a) Whether the iHub is committed to serving underrepresented
2 communities in the proposed iHub area;
3 (b) Whether the iHub has a plan for marketing and outreach to
4 underrepresented communities in the proposed iHub area;
5 (c) Whether the iHub has signed statements of cooperation with at
6 least three proposed iHub partners; and
7 (d) The quality of the iHub's five-year plan.
8 (3) The director shall determine whether or not to approve the
9 requested iHub designation by no later than July 1, 2023. Each iHub
10 designation shall be for a term of five years.
11 (4) The iHub designation shall not be official until a memorandum of
12 understanding is entered into by the applicant and the director. The
13 memorandum of understanding shall include the goals and performance
14 standards identified in the application and other related requirements as
15 determined by the director.
16 (5) An iHub area may overlap with another iHub area if there is a
17 clear distinction between the industry focus areas of the iHubs involved.
18 (6) The department shall set guidelines for approval, designation,
19 operation, and reporting of iHubs.
20 (7) An iHub shall annually report to the director on its progress in
21 meeting the goals and performance standards as described in the iHub
22 application and the implementing memorandum of understanding with the
23 director. The report shall also include information regarding the number
24 of businesses served, the number of jobs created, and the amount of funds
25 raised by the iHub. The director shall annually post the information from
26 these reports on the department's website and provide notice to the
27 Governor and the Legislature that the information is available on the
28 website.
29 Sec. 6. (1) An iHub shall form a collaborative relationship,
30 through a signed statement of cooperation, with at least three iHub
31 partners. An iHub partner may be any of the following:
1 (a) A postsecondary educational institution;
2 (b) A bank or other financial institution;
3 (c) A municipal economic development division or department;
4 (d) A nonprofit economic development corporation;
5 (e) A federal government entity or agency focused on economic
6 development;
7 (f) An inland port authority created pursuant to the Municipal
8 Inland Port Authority Act;
9 (g) A business support organization, including a workforce
10 development or training organization, an incubator or a business
11 accelerator, a business technical assistance provider, a chamber of
12 commerce, or a networking organization that supports innovation;
13 (h) An educational consortium, including technology transfer
14 representatives;
15 (i) A venture capital network, including angel investors; or
16 (j) A business foundation, innovation foundation, science
17 foundation, laboratory research institution, federal laboratory, or
18 research and development facility.

19 (2) The department may allow an entity not listed in subsection (1)
20 of this section to serve as an iHub partner if the department finds that
21 such entity is related to the goals of the iHub.
22 (3) An iHub's board of directors shall include a representative of
23 each iHub partner that has signed a statement of cooperation with the
24 iHub.
25 Sec. 7. Before an official designation as an iHub, the applicant
26 shall self-certify that the iHub and its iHub partners are current in the
27 payment of all state and local taxes owed.
28 Sec. 8. (1) An iHub may do all of, but shall not be limited to, the
29 following:
30 (a) Provide counseling and technical assistance to entrepreneurs,
31 either by direct or indirect services, in the following areas:
1 (i) The legal requirements for starting a business;
2 (ii) Entrepreneurial business planning and management;
3 (iii) Financing and the use of credit;
4 (iv) Marketing for small businesses;
5 (v) Tax education;
6 (vi) Financial account management, bookkeeping, and budgeting;
7 (vii) Leadership development;
8 (viii) Insurance needs and requirements;
9 (ix) Sources for grant funding and how to apply for such grants;
10 (x) Financial literacy education;
11 (xi) Permit and licensing requirements; and
12 (xii) Government procurement processes;
13 (b) Conduct business workshops, seminars, and conferences with local
14 partners including, but not limited to, universities, community colleges,
15 local governments, state and federal service providers, private industry,
16 workforce investment boards and agencies, small business development
17 centers, microenterprise development organizations, small business
18 service agencies, economic development organizations, and chambers of
19 commerce;
20 (c) Facilitate partnerships between innovative startup businesses,
21 research institutions, and venture capitalists or financial institutions;
22 (d) Provide the following for entrepreneurs:
23 (i) Housing;
24 (ii) Retail space;
25 (iii) Commercial kitchens;
26 (iv) Community spaces;
27 (v) Coworking spaces; and
28 (e) Make loans and award grants to entrepreneurs.
29 (2) An iHub shall, to the extent feasible, do all of the following:
30 (a) Work in close collaboration with the activities of the
31 department as its primary statewide partner; and
1 (b) Coordinate activities with community colleges, universities, and
2 other state economic and workforce development programs.
3 Sec. 9. (1) The Innovation Hub Cash Fund is created. The fund shall
4 be administered by the department and shall consist of application fees
5 received under section 5 of this act, funds transferred by the
6 Legislature, and any other money as determined by the Legislature.
7 (2) The fund shall be used by the department for purposes of
8 carrying out the Nebraska Innovation Hub Act. Any money in the fund
9 available for investment shall be invested by the state investment
10 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
11 State Funds Investment Act.
12 Sec. 10. The director may adopt and promulgate rules and
13 regulations to carry out the Nebraska Innovation Hub Act.

Senator Blood filed the following amendment to LB723:

AM1663

1 1. Strike the original sections and all amendments thereto and
2 insert the following new sections:

3 Section 1. Sections 1 to 5 of this act shall be known and may be
4 cited as the Property Tax Reduction Act.

5 Sec. 2. The purpose of the Property Tax Reduction Act is to provide
6 property tax relief for property taxes levied against real property by
7 school districts. The property tax relief will be made to eligible
8 taxpayers in the form of a property tax credit.

9 Sec. 3. For purposes of the Property Tax Reduction Act:

10 (1) Allowable growth percentage means the percentage increase, if
11 any, in the total assessed value of all real property in the state from
12 the prior year to the current year, as determined by the department,
13 except that in no case shall the allowable growth percentage exceed five
14 percent in any one year;

15 (2) Department means the Department of Revenue;

16 (3) Eligible taxpayer means any individual, corporation,
17 partnership, limited liability company, trust, estate, or other entity
18 that pays school district taxes; and

19 (4) School district taxes means property taxes levied on real
20 property in this state by a school district or multiple-district school
21 system, excluding any property taxes levied for bonded indebtedness and
22 any property taxes levied as a result of an override of limits on
23 property tax levies approved by voters pursuant to section 77-3444.

24 Sec. 4. The Property Tax Reduction Cash Fund is created. The fund
25 shall only be used pursuant to the Property Tax Reduction Act. Any money
26 in the fund available for investment shall be invested by the state
27 investment officer pursuant to the Nebraska Capital Expansion Act and the
1 Nebraska State Funds Investment Act.

2 Sec. 5. (1) Beginning with tax year 2022, each eligible taxpayer
3 shall receive a credit against the school district taxes levied on the
4 eligible taxpayer's property. The credit shall be equal to the credit
5 percentage for the year, as set by the department under subsection (2) of
6 this section, multiplied by the amount of school district taxes levied
7 against the eligible taxpayer's property for such year. The credit shall
8 be in the form of a property tax credit which appears on the property tax
9 statement.

10 (2)(a) For tax year 2022, the department shall set the credit
11 percentage so that the total amount of credits for such year shall be
12 five hundred forty-eight million dollars;

13 (b) For tax year 2023, the department shall set the credit
14 percentage so that the total amount of credits for such year shall be
15 five hundred forty-eight million dollars;

16 (c) For tax year 2024, the department shall set the credit
17 percentage so that the total amount of credits for such year shall be
18 three hundred seventy-five million dollars.

19 (d) For tax year 2025 and each tax year thereafter, the department
20 shall set the credit percentage so that the total amount of credits for
21 such year shall be the maximum amount of credits allowed in the prior
22 year increased by the allowable growth percentage.

23 (3) The State of Nebraska shall reimburse school districts for the
24 property tax revenue lost as a result of the credit granted in this
25 section. The amount disbursed to each school district shall be equal to
26 the total amount of credits for the year as determined under subsection
27 (2) of this section multiplied by the ratio of the total school district
28 taxes levied by the school district to the total school district taxes
29 levied in the state. By September 15, the Property Tax Administrator
30 shall determine the amount to be disbursed under this subsection to each
31 school district and certify such amounts to the State Treasurer and to

1 each school district. The disbursements to the school districts shall
 2 occur in two equal payments, the first on or before January 31 and the
 3 second on or before April 1.
 4 (4) If the eligible taxpayer qualifies for a homestead exemption
 5 under sections 77-3501 to 77-3529, the eligible taxpayer shall also be
 6 qualified for the credit provided in the Property Tax Reduction Act to
 7 the extent of any remaining liability after calculation of the relief
 8 provided by the homestead exemption. If the credit results in a property
 9 tax liability on the homestead that is less than zero, the amount of the
 10 credit which cannot be used by the eligible taxpayer shall be returned by
 11 the school district to the Property Tax Administrator by July 1 of the
 12 year the amount disbursed to the school district was disbursed. The
 13 Property Tax Administrator shall immediately credit any funds returned
 14 under this subsection to the Property Tax Reduction Cash Fund. Upon the
 15 return of any funds under this subsection, the school district shall
 16 electronically file a report with the Property Tax Administrator, on a
 17 form prescribed by the Tax Commissioner, indicating the amount of unused
 18 credits returned.

19 Sec. 6. Section 77-6702, Revised Statutes Cumulative Supplement,
 20 2020, is amended to read:
 21 77-6702 For purposes of the Nebraska Property Tax Incentive Act:
 22 ~~(1) Allowable growth percentage means the percentage increase, if~~
 23 ~~any, in the total assessed value of all real property in the state from~~
 24 ~~the prior year to the current year, as determined by the department,~~
 25 ~~except that in no case shall the allowable growth percentage exceed five~~
 26 ~~percent in any one year;~~

27 ~~(1) (2) Department means the Department of Revenue;~~
 28 ~~(2) (3) Eligible taxpayer means any individual, corporation,~~
 29 ~~partnership, limited liability company, trust, estate, or other entity~~
 30 ~~that pays school district taxes during a taxable year; and~~
 31 ~~(3) (4) School district taxes means property taxes levied on real~~
 1 ~~property in this state by a school district or multiple-district school~~
 2 ~~system, excluding any property taxes levied for bonded indebtedness and~~
 3 ~~any property taxes levied as a result of an override of limits on~~
 4 ~~property tax levies approved by voters pursuant to section 77-3444.~~

5 Sec. 7. Section 77-6703, Revised Statutes Supplement, 2021, is
 6 amended to read:
 7 77-6703 (1) For taxable years beginning or deemed to begin on or
 8 after January 1, 2020, ~~and before January 1, 2022,~~ under the Internal
 9 Revenue Code of 1986, as amended, there shall be allowed to each eligible
 10 taxpayer a refundable credit against the income tax imposed by the
 11 Nebraska Revenue Act of 1967 or against the franchise tax imposed by
 12 sections 77-3801 to 77-3807. The credit shall be equal to the credit
 13 percentage for the taxable year, as set by the department under
 14 subsection (2) of this section, multiplied by the amount of school
 15 district taxes paid by the eligible taxpayer during such taxable year.
 16 (2)(a) For taxable years beginning or deemed to begin during
 17 calendar year 2020, the department shall set the credit percentage so
 18 that the total amount of credits for such taxable years shall be one
 19 hundred twenty-five million dollars; ~~and~~
 20 (b) For taxable years beginning or deemed to begin during calendar
 21 year 2021, the department shall set the credit percentage so that the
 22 total amount of credits for such taxable years shall be one hundred
 23 twenty-five million dollars plus either (i) the amount calculated for
 24 such calendar year under subdivision (3)(b)(ii)(B) of section 77-4602 or
 25 (ii) the amount calculated for such calendar year under subdivision (3)
 26 (c)(ii)(B) of section 77-4602, whichever is applicable; ~~;~~
 27 (c) ~~For taxable years beginning or deemed to begin during calendar~~
 28 ~~year 2022, the department shall set the credit percentage so that the~~
 29 ~~total amount of credits for such taxable years shall be the maximum~~

30 amount of credits allowed under subdivision (2)(b) of this section plus
 31 either (i) the amount calculated for such calendar year under subdivision
 1 (3)(b)(ii)(B) of section 77-4602 or (ii) the amount calculated for such
 2 calendar year under subdivision (3)(e)(ii)(B) of section 77-4602;
 3 whichever is applicable;

4 (d) For taxable years beginning or deemed to begin during calendar
 5 year 2023, the department shall set the credit percentage so that the
 6 total amount of credits for such taxable years shall be the maximum
 7 amount of credits allowed under subdivision (2)(e) of this section plus
 8 either (i) the amount calculated for such calendar year under subdivision
 9 (3)(b)(ii)(B) of section 77-4602 or (ii) the amount calculated for such
 10 calendar year under subdivision (3)(e)(ii)(B) of section 77-4602;
 11 whichever is applicable;

12 (e) For taxable years beginning or deemed to begin during calendar
 13 year 2024, the department shall set the credit percentage so that the
 14 total amount of credits for such taxable years shall be three hundred
 15 seventy-five million dollars; and

16 (f) For taxable years beginning or deemed to begin during calendar
 17 year 2025 and each calendar year thereafter, the department shall set the
 18 credit percentage so that the total amount of credits for such taxable
 19 years shall be the maximum amount of credits allowed in the prior year
 20 increased by the allowable growth percentage.

21 (3) If the school district taxes are paid by a corporation having an
 22 election in effect under subchapter S of the Internal Revenue Code, a
 23 partnership, a limited liability company, a trust, or an estate, the
 24 amount of school district taxes paid during the taxable year may be
 25 allocated to the shareholders, partners, members, or beneficiaries in the
 26 same proportion that income is distributed for taxable years beginning or
 27 deemed to begin before January 1, 2021, under the Internal Revenue Code
 28 of 1986, as amended. The department shall provide forms and schedules
 29 necessary for verifying eligibility for the credit provided in this
 30 section and for allocating the school district taxes paid. For taxable
 31 years beginning or deemed to begin on or after January 1, 2021, and
before January 1, 2022, under the Internal Revenue Code of 1986, as
 2 amended, the refundable credit shall be claimed by the corporation having
 3 an election in effect under subchapter S of the Internal Revenue Code,
 4 the partnership, the limited liability company, the trust, or the estate
 5 that paid the school district taxes.

6 (4) For any fiscal year or short year taxpayer, the credit may be
 7 claimed in the first taxable year that begins following the calendar year
 8 for which the credit percentage was determined. The credit shall be taken
 9 for the school district taxes paid by the taxpayer during the immediately
 10 preceding calendar year.

11 (5) For the first taxable year beginning or deemed to begin on or
 12 after January 1, 2021, and before January 1, 2022, under the Internal
 13 Revenue Code of 1986, as amended, for a corporation having an election in
 14 effect under subchapter S of the Internal Revenue Code, a partnership, a
 15 limited liability company, a trust, or an estate that paid school
 16 district taxes in calendar year 2020 but did not claim the credit
 17 directly or allocate such school district taxes to the shareholders,
 18 partners, members, or beneficiaries as permitted under subsection (3) of
 19 this section, there shall be allowed an additional refundable credit.
 20 This credit shall be equal to six percent, multiplied by the amount of
 21 school district taxes paid during 2020 by the eligible taxpayer.
 22 Sec. 8. Section 81-12,193, Revised Statutes Cumulative Supplement,
 23 2020, is amended to read:

24 81-12,193 (1) The Nebraska Transformational Project Fund is hereby
 25 created. The fund shall receive money from application fees paid under
 26 the Nebraska Transformational Projects Act and from appropriations from
 27 the Legislature, grants, private contributions, repayments of matching

28 funds, and all other sources. Any money in the fund available for
29 investment shall be invested by the state investment officer pursuant to
30 the Nebraska Capital Expansion Act and the Nebraska State Funds
31 Investment Act.

1 (2) It is the intent of the Legislature that the State Treasurer
2 shall transfer an amount not to exceed three hundred million dollars to
3 the Nebraska Transformational Project Fund. Such transfers shall only
4 occur after the applicant has been selected for participation in the
5 program described in Title VII, Subtitle C, section 740 of Public Law
6 116-92 and commitments totaling one billion three hundred million dollars
7 in total investment, including only federal dollars and private
8 donations, have been secured. In no case shall any transfer occur before
9 fiscal year 2025-26 or before the total amount of property tax refundable
10 credits granted annually under the Nebraska Property Tax Reduction
11 Incentive Act reaches three hundred seventy-five million dollars.
12 Distributions shall only be made from the fund in amounts equal to the
13 amount of private dollars received by the applicant for the project.

14 (3) Any money remaining in the fund after all obligations have been
15 met shall be transferred to the General Fund.

16 Sec. 9. Section 84-612, Revised Statutes Supplement, 2021, is
17 amended to read:

18 84-612 (1) There is hereby created within the state treasury a fund
19 known as the Cash Reserve Fund which shall be under the direction of the
20 State Treasurer. The fund shall only be used pursuant to this section.

21 (2) The State Treasurer shall transfer funds from the Cash Reserve
22 Fund to the General Fund upon certification by the Director of
23 Administrative Services that the current cash balance in the General Fund
24 is inadequate to meet current obligations. Such certification shall
25 include the dollar amount to be transferred. Any transfers made pursuant
26 to this subsection shall be reversed upon notification by the Director of
27 Administrative Services that sufficient funds are available.

28 (3) In addition to receiving transfers from other funds, the Cash
29 Reserve Fund shall receive federal funds received by the State of
30 Nebraska for undesignated general government purposes, federal revenue
31 sharing, or general fiscal relief of the state.

1 (4) The State Treasurer shall transfer fifty-four million seven
2 hundred thousand dollars on or after July 1, 2019, but before June 15,
3 2021, from the Cash Reserve Fund to the Nebraska Capital Construction
4 Fund on such dates and in such amounts as directed by the budget
5 administrator of the budget division of the Department of Administrative
6 Services.

7 (5) The State Treasurer shall transfer thirty million dollars from
8 the Cash Reserve Fund to the General Fund after November 15, 2020, but
9 before December 31, 2020, on such date as directed by the budget
10 administrator of the budget division of the Department of Administrative
11 Services. Except for the transfer authorized in this subsection, no funds
12 shall be transferred from the Cash Reserve Fund to fulfill the
13 obligations created under the Nebraska Property Tax Incentive Act or the
14 Property Tax Reduction Act unless the balance in the Cash Reserve Fund
15 after such transfer will be at least equal to five hundred million
16 dollars.

17 (6) The State Treasurer shall transfer fifty million dollars from
18 the Cash Reserve Fund to the United States Space Command Headquarters
19 Assistance Fund on or before June 30, 2023, but not before July 1, 2022,
20 on such dates and in such amounts as directed by the budget administrator
21 of the budget division of the Department of Administrative Services. The
22 transfer in this subsection shall not occur unless the State of Nebraska
23 is selected as the site of the United States Space Command headquarters.

24 Sec. 10. Original sections 77-6702 and 81-12,193, Revised Statutes
25 Cumulative Supplement, 2020, and sections 77-6703 and 84-612, Revised

26 Statutes Supplement, 2021, are repealed.
27 Sec. 11. Since an emergency exists, this act takes effect when
28 passed and approved according to law.

Senator M. Hansen filed the following amendment to LB723:

FA64

Amend AM1656:

On page two lines 16-17 strike "Two Hundred Sixty-Two" and insert "Three Hundred Seventy-Six".

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Blood name added to LB795.
Senator Brewer name added to LB825.
Senator Blood name added to LB825.
Senator B. Hansen name added to LB825.
Senator Blood name added to LB844.

ADJOURNMENT

At 11:52 a.m., on a motion by Senator Sanders, the Legislature adjourned until 9:00 a.m., Wednesday, January 26, 2022.

Patrick J. O'Donnell
Clerk of the Legislature

FOURTEENTH DAY - JANUARY 26, 2022**LEGISLATIVE JOURNAL****ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION****FOURTEENTH DAY**

Legislative Chamber, Lincoln, Nebraska
Wednesday, January 26, 2022

PRAYER

The prayer was offered by Pastor Michael Davis, Retired Methodist Clergyman, Gretna.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Erdman.

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 Senator Brewer who was excused; and Senators M. Cavanaugh, B. Hansen, Hunt, McCollister, Pansing Brooks, Walz, and Wishart who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the thirteenth day was approved.

MESSAGE(S) FROM THE GOVERNOR

January 24, 2022

Mr. President, Speaker Hilgers
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Hilgers and Members of the Legislature:

Contingent upon your approval, the following individual is being

reappointed to the Nebraska Motor Vehicle Industry Licensing Board.

Thomas R. McCaslin, 1740 N. D Street, Broken Bow, NE 68822

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

NOTICE OF COMMITTEE HEARING(S)
Health and Human Services
Room 1510 1:30 PM

Thursday, February 3, 2022
LB1068
LB1230

Wednesday, February 2, 2022
LB812
LB752
LB1249
LB770

(Signed) John Arch, Chairperson

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LR275 was adopted.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LR275.

GENERAL FILE

LEGISLATIVE BILL 723. Senator M. Hansen withdrew his amendment, [FA64](#), found on page 444.

Senator M. Hansen renewed his amendment, [AM1656](#), found on page 430.

Senator M. Hansen withdrew his amendment.

Senator Blood offered her amendment, [AM1663](#), found on page 430.

Senator M. Cavanaugh offered the following motion:

[MO133](#)

Bracket until March 17, 2022.

The M. Cavanaugh motion to bracket failed with 4 ayes, 28 nays, 15 present and not voting, and 2 excused and not voting.

The Blood amendment lost with 5 ayes, 27 nays, 15 present and not voting, and 2 excused and not voting.

Senator Briese offered the following amendment:

[FA65](#)

P. 2 Line 25, strike from "the maximum" through line 30 and insert "Five Hundred Forty Eight million dollars" and P. 3 Line 2, strike from "the maximum" through "applicable" on line 7 and insert "Five Hundred Sixty million Seven Hundred thousand dollars".

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

Advanced to Enrollment and Review Initial with 36 ayes, 0 nays, 11 present and not voting, and 2 excused and not voting.

NOTICE OF COMMITTEE HEARING(S)

Revenue
Room 1524 1:30 PM

Wednesday, February 2, 2022

LB1094

LB801

LB985

LB1150

LB817

Thursday, February 3, 2022

LR272CA

LB860

LR283CA

LR281CA

LB1242

LR264CA

(Signed) Lou Ann Linehan, Chairperson

Appropriations
Room 1003 1:30 PM

Wednesday, February 2, 2022

Agency 11 - Attorney General

Agency 12 - State Treasurer

Agency 14 - Public Service Commission
Agency 22 - Insurance, Department of
Agency 65 - Administrative Services, Department of
LB911
LB1151
LB1197

Thursday, February 3, 2022
Agency 5 - Supreme Court
Agency 46 - Correctional Services, Department of
Agency 64 - State Patrol, Nebraska
LB1049
LB1111

(Signed) John Stinner, Chairperson

Business and Labor
Room 1003 1:30 PM

Monday, February 14, 2022
LB935
LB1018
LB1028
LB1069
LB1040
LB1098

Monday, February 28, 2022
LB1083
LB1084
LB1130
LB815
LB1140
LB834
LB1029

(Signed) Ben Hansen, Chairperson

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE BILL 825. Placed on Select File.

(Signed) Terrell McKinney, Chairperson

ANNOUNCEMENT(S)

Priority designation(s) received:

Legislative Performance Audit - LB937
Legislative Performance Audit - LB1150

AMENDMENT(S) - Print in Journal

Senator Briese filed the following amendment to [LB723](#):

[FA66](#)

P. 2 line 25, strike from "the maximum" through line 30 and insert "Five Hundred Forty Eight million dollars" and P. 3 line 2, strike from "the maximum" through "applicable" on line 7 and insert "Five Hundred Sixty Million Seven Hundred Thousand dollars".

GENERAL FILE

LEGISLATIVE BILL 450. Title read. Considered.

Committee [AM739](#), found on page 961, First Session, 2021, was offered.

Senator McKinney offered his amendment, [AM1600](#), found on page 436, to the committee amendment.

SENATOR WILLIAMS PRESIDING

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

The committee amendment, as amended, was adopted with 42 ayes, 0 nays, 3 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 43 ayes, 0 nays, 2 present and not voting, and 4 excused and not voting.

NOTICE OF COMMITTEE HEARING(S)

Urban Affairs
Room 1510 1:30 PM

Tuesday, February 8, 2022

LB713
LB1065
LB1060
LB836
LB725

(Signed) Justin Wayne, Chairperson

Executive Board
Room 1525 12:00 PM

Thursday, February 3, 2022
LR282CA

(Signed) Dan Hughes, Chairperson

Banking, Commerce and Insurance
Room 1507 1:30 PM

Monday, February 14, 2022
LB1092
LB1127
LB1215

Tuesday, February 15, 2022
LB943
LB1175
LB1190

Tuesday, February 22, 2022
LB1187
LB1061
LB948
LB1258

Monday, February 28, 2022
LB689
LB718
LB1188

Tuesday, March 1, 2022
LB715

(Signed) Matt Williams, Chairperson

SELECT FILE

LEGISLATIVE BILL 496A. [ER100](#), found on page 417, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 568. [ER93](#), found on page 1462, First Session, 2021, was adopted.

Senator Pansing Brooks offered her amendment, [AM1510](#), found on page 339.

Pending.

MOTION - Suspend Rules

Senator B. Hansen offered his motion, found on page 428, to suspend Rule 3, Section 14, to permit scheduling a public hearing by the Business and Labor Committee in less than seven days.

The B. Hansen motion to suspend the rules prevailed with 34 ayes, 0 nays, 13 present and not voting, and 2 excused and not voting.

NOTICE OF COMMITTEE HEARING(S)

Business and Labor
Room 1003 1:30 PM

Monday, January 31, 2022

LB719
LB1133
LB1062
LB871
LB967
LB1137

(Signed) Ben Hansen, Chairperson

AMENDMENT(S) - Print in Journal

Senator B. Hansen filed the following amendment to LB906:

AM1675

1 1. Strike the original sections and all amendments thereto and
2 insert the following new sections:
3 Section 1. (1) For purposes of this section:
4 (a) COVID-19 means the novel coronavirus identified as SARS-CoV-2;
5 any disease caused by SARS-CoV-2, its viral fragments, or a virus
6 mutation therefrom; and all conditions associated with the disease which
7 are caused by SARS-CoV-2, its viral fragments, or a virus mutation
8 therefrom;
9 (b) Department means the Department of Health and Human Services;
10 (c)(i) Employer means a person engaged in an industry who has one or
11 more employees;
12 (ii) Employer also includes any party whose business is financed in
13 whole or in part under the Nebraska Investment Finance Authority Act
14 regardless of the number of employees and includes the State of Nebraska,
15 governmental agencies, and political subdivisions; and
16 (iii) Employer does not include (A) the United States, a corporation
17 wholly owned by the government of the United States, or an Indian tribe
18 or (B) a bona fide private membership club, other than a labor
19 organization, which is exempt from taxation under section 501(c) of the
20 Internal Revenue Code;
21 (d) Health care practitioner means a person licensed under (i) the
22 Medicine and Surgery Practice Act to practice medicine and surgery or
23 osteopathic medicine and surgery, (ii) the Medicine and Surgery Practice
24 Act to practice as a physician assistant, or (iii) the Advanced Practice
25 Registered Nurse Practice Act to practice as an advanced practice

26 registered nurse; and

27 (e) Vaccine exemption form means the form created by the department
1 under subsection (2) of this section.

2 (2)(a) The department shall develop a vaccine exemption form for an
3 individual to claim an exemption from receiving a COVID-19 vaccine as
4 provided in this section. The department shall make the form available on
5 the department's website within fifteen days after the effective date of
6 this act.

7 (b) The form shall include a declaration by the individual seeking
8 an exemption that:

9 (i) A health care practitioner has provided the individual with a
10 signed written statement that, in the health care practitioner's opinion,
11 receiving a COVID-19 vaccine would be injurious to the health and well-
12 being of the individual; or

13 (ii) Receiving a COVID-19 vaccine would conflict with the
14 individual's sincerely held religious belief, practice, or observance.

15 (3) An employer that requires applicants or employees to be
16 vaccinated against COVID-19 shall allow for an exemption to such
17 requirement for an individual who provides the employer with:

18 (a) A completed vaccine exemption form; and

19 (b) For an individual claiming an exemption based on the statement
20 of a health care practitioner, a copy of such signed written statement.

21 (4) An employer may require an employee granted an exemption under
22 this section to:

23 (a) Be periodically tested for COVID-19 at the employer's expense;
24 and

25 (b) Wear or use personal protective equipment provided by the
26 employer.

27 Sec. 2. Since an emergency exists, this act takes effect when
28 passed and approved according to law.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 288. Introduced by Morfeld, 46; Aguilar, 35; Albrecht, 17; Arch, 14; Blood, 3; Bostar, 29; Bostelman, 23; Brandt, 32; Briese, 41; Cavanaugh, J., 9; Cavanaugh, M., 6; Clements, 2; Day, 49; DeBoer, 10; Dorn, 30; Erdman, 47; Flood, 19; Friesen, 34; Geist, 25; Gragert, 40; Groene, 42; Hansen, B., 16; Hansen, M., 26; Hilgers, 21; Hilkemann, 4; Hughes, 44; Hunt, 8; Kolterman, 24; Lathrop, 12; Lindstrom, 18; Linehan, 39; Lowe, 37; McCollister, 20; McDonnell, 5; McKinney, 11; Moser, 22; Murman, 38; Pahls, 31; Pansing Brooks, 28; Sanders, 45; Slama, 1; Stinner, 48; Vargas, 7; Walz, 15; Wayne, 13; Williams, 36; Wishart, 27.

WHEREAS, Regent Emeritus Robert "Bob" Whitehouse devoted his life to being a kind, humble, and passionate educator, leader, and public servant; and

WHEREAS, Bob represented District 4 on the University of Nebraska Board of Regents from 2006 to 2018, twice serving as Chairperson; and

WHEREAS, Bob approached every task with the goal of making a positive and lasting difference in the lives of Nebraska's children and college students; and

WHEREAS, Bob was a dedicated teacher, coach, principal, mentor, volunteer, and public servant inspiring all of those around him; and

WHEREAS, Bob left the University of Nebraska system better than he found it and inspired all who served with him; and

WHEREAS, Bob, through his unparalleled service as a member of the Nebraska Board of Regents, improved the quality and accessibility of the University of Nebraska; and

WHEREAS, Bob passed away on January 22, 2022, at the age of seventy-seven and will be greatly missed by all Nebraskans, most especially by his wife Kim and family.

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

1. That the Legislature honors Regent Emeritus Robert "Bob" Whitehouse for his lifelong devotion to education and public service.
2. That the Legislature offers its condolences to the family of Regent Emeritus Bob Whitehouse.
3. That a copy of this resolution be sent to the family of Regent Emeritus Bob Whitehouse.

Laid over.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Hunt name added to LB815.
 Senator Morfeld name added to LB833.
 Senator Hunt name added to LB842.
 Senator Blood name added to LB849.
 Senator Hunt name added to LB872.
 Senator Hunt name added to LB881.
 Senator Hunt name added to LB883.
 Senator Hunt name added to LB920.
 Senator Hunt name added to LB940.
 Senator Hunt name added to LB946.
 Senator Hunt name added to LB952.
 Senator Hunt name added to LB991.
 Senator Hunt name added to LB1002.
 Senator Hunt name added to LB1018.
 Senator Hunt name added to LB1024.
 Senator Hunt name added to LB1052.
 Senator Hunt name added to LB1073.
 Senator Hunt name added to LB1075.
 Senator Brewer name added to LB1080.
 Senator Day name added to LB1080.
 Senator Hunt name added to LB1114.
 Senator Hunt name added to LB1116.
 Senator Hunt name added to LB1117.
 Senator Hunt name added to LB1129.
 Senator Hunt name added to LB1133.
 Senator Hunt name added to LB1141.

Senator Hunt name added to LB1142.
Senator Hunt name added to LB1154.
Senator Hunt name added to LB1155.
Senator Hunt name added to LB1191.
Senator Hunt name added to LB1201.
Senator Hunt name added to LB1203.
Senator Hunt name added to LB1205.
Senator Hunt name added to LB1238.
Senator Hunt name added to LB1252.
Senator Hunt name added to LB1275.
Senator Hunt name added to LB1276.

VISITOR(S)

Visitors to the Chamber were Brooks Roberts, Chadron; Michael H. McCabe, Lombard, Illinois; and sixth- through eighth-grade students from Jesuit Academy & Holy Name School, Omaha.

The Doctor of the Day was Dr. Dale Michels of Walton.

ADJOURNMENT

At 11:55 a.m., on a motion by Senator Dorn, the Legislature adjourned until 9:00 a.m., Thursday, January 27, 2022.

Patrick J. O'Donnell
Clerk of the Legislature

FIFTEENTH DAY - JANUARY 27, 2022**LEGISLATIVE JOURNAL****ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION****FIFTEENTH DAY**

Legislative Chamber, Lincoln, Nebraska
Thursday, January 27, 2022

PRAYER

The prayer was offered by Father Christopher Kubat, St. Cecilia Catholic Church, Hastings.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Friesen.

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 Albrecht, Bostar, Briese, M. Cavanaugh, Day, M. Hansen, Lathrop, Morfeld, Stinner, Walz, and Wishart who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

Page 430, strike the Notice of Committee Hearing for the Agriculture Committee.

The Journal for the thirteenth day was approved as corrected.

The Journal for the fourteenth day was approved.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

LB/LR	Committee
LB1182	Appropriations (referred)

(Signed) Dan Hughes, Chairperson
Executive Board

ANNOUNCEMENT(S)

Priority designation(s) received:

McDonnell - LB1023

SPEAKER HILGERS PRESIDING

SELECT FILE

LEGISLATIVE BILL 568. Senator Pansing Brooks renewed her amendment, [AM1510](#), found on page 339 and considered on page 450.

SENATOR HUGHES PRESIDING

SPEAKER HILGERS PRESIDING

Pending.

MOTION(S) - Print in Journal

Senator M. Cavanaugh filed the following motion to [LB1126](#):

[MO134](#)

Withdraw LB1126.

ANNOUNCEMENT(S)

Priority designation(s) received:

Briese - LB986

Education - LB890

Education - LB1218

COMMITTEE REPORT(S)

Education

LEGISLATIVE BILL 758. Placed on General File with amendment.

[AM1684](#)

1 1. On page 2, line 6, after "79-1101" insert "and includes programs

2 licensed under the Child Care Licensing Act".

(Signed) Lynne Walz, Chairperson

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 723. Placed on Select File.

LEGISLATIVE BILL 450. Placed on Select File.

(Signed) Terrell McKinney, Chairperson

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE BILL 496A. Placed on Final Reading.

(Signed) Terrell McKinney, Chairperson

AMENDMENT(S) - Print in Journal

Senator B. Hansen filed the following amendment to LB906:
[AM1687](#)

- 1 1. Strike the original sections and all amendments thereto and
- 2 insert the following new sections:
- 3 Section 1. (1) For purposes of this section:
- 4 (a) COVID-19 means the novel coronavirus identified as SARS-CoV-2;
- 5 any disease caused by SARS-CoV-2, its viral fragments, or a virus
- 6 mutation therefrom; and all conditions associated with the disease which
- 7 are caused by SARS-CoV-2, its viral fragments, or a virus mutation
- 8 therefrom;
- 9 (b) Department means the Department of Health and Human Services;
- 10 (c)(i) Employer means a person engaged in an industry who has one or
- 11 more employees;
- 12 (ii) Employer also includes any party whose business is financed in
- 13 whole or in part under the Nebraska Investment Finance Authority Act
- 14 regardless of the number of employees and includes the State of Nebraska,
- 15 governmental agencies, and political subdivisions; and
- 16 (iii) Employer does not include (A) the United States, a corporation
- 17 wholly owned by the government of the United States, or an Indian tribe
- 18 or (B) a bona fide private membership club, other than a labor
- 19 organization, which is exempt from taxation under section 501(c) of the
- 20 Internal Revenue Code;
- 21 (d) Health care practitioner means a person licensed under (i) the
- 22 Medicine and Surgery Practice Act to practice medicine and surgery or
- 23 osteopathic medicine and surgery, (ii) the Medicine and Surgery Practice
- 24 Act to practice as a physician assistant, or (iii) the Advanced Practice
- 25 Registered Nurse Practice Act to practice as an advanced practice
- 26 registered nurse; and
- 27 (e) Vaccine exemption form means the form created by the department
1 under subsection (2) of this section.
- 2 (2)(a) The department shall develop a vaccine exemption form for an
- 3 individual to claim an exemption from receiving a COVID-19 vaccine as
- 4 provided in this section. The department shall make the form available on
- 5 the department's website.
- 6 (b) The form shall include a declaration by the individual seeking
- 7 an exemption that:
- 8 (i) A health care practitioner has provided the individual with a
- 9 signed written statement that, in the health care practitioner's opinion,
- 10 (A) receiving a COVID-19 vaccine is medically contraindicated for the
- 11 individual or (B) medical necessity requires the individual to delay
- 12 receiving such vaccine; or
- 13 (ii) Receiving a COVID-19 vaccine would conflict with the
- 14 individual's sincerely held religious belief, practice, or observance.
- 15 (3) An employer that requires applicants or employees to be
- 16 vaccinated against COVID-19 shall allow for an exemption to such
- 17 requirement for an individual who provides the employer with:
- 18 (a) A completed vaccine exemption form; and
- 19 (b) For an individual claiming an exemption based on the statement

20 of a health care practitioner, a copy of such signed written statement.
 21 (4) An employer may require an employee granted an exemption under
 22 this section to:
 23 (a) Be periodically tested for COVID-19 at the employer's expense;
 24 and
 25 (b) Wear or use personal protective equipment provided by the
 26 employer.
 27 Sec. 2. Since an emergency exists, this act takes effect when
 28 passed and approved according to law.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Wayne name added to LB450.
 Senator M. Hansen name added to LB450.
 Senator Brewer name added to LB735.
 Senator Brewer name added to LB768.
 Senator Clements name added to LB774.
 Senator Clements name added to LB777.
 Senator Hunt name added to LB793.
 Senator Brewer name added to LB853.
 Senator Brewer name added to LB859.
 Senator Vargas name added to LB910.
 Senator Clements name added to LB933.
 Senator Brewer name added to LB975.
 Senator Hunt name added to LB1066.
 Senator Hunt name added to LB1067.
 Senator Briese name added to LB1170.
 Senator Clements name added to LB1237.
 Senator Brewer name added to LB1270.
 Senator Brewer name added to LB1271.

WITHDRAW - Cointroducer(s)

Senator Hunt name withdrawn from LB1275.

VISITOR(S)

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

ADJOURNMENT

At 11:54 a.m., on a motion by Senator Hunt, the Legislature adjourned until 9:00 a.m., Friday, January 28, 2022.

Patrick J. O'Donnell
 Clerk of the Legislature

SIXTEENTH DAY - JANUARY 28, 2022

LEGISLATIVE JOURNAL

**ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION**

SIXTEENTH DAY

Legislative Chamber, Lincoln, Nebraska
Friday, January 28, 2022

PRAYER

The prayer was offered by Senator McCollister.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Geist.

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 Senator M. Hansen who was excused; and Senators J. Cavanaugh, M. Cavanaugh, Day, DeBoer, Morfeld, Stinner, and Walz who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the fifteenth day was approved.

COMMITTEE REPORT(S)
Health and Human Services

LEGISLATIVE BILL 1004. Placed on General File.

(Signed) John Arch, Chairperson

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of January 27, 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

American Communications Group, Inc.
City of Norfolk
Together We Achieve Miracles Inc - Ernie Chambers History-Arts-
Humanities Museum
Carroll-Shern, Linda
Pharmaceutical Research and Manufacturers of America
Catalyst Public Affairs
American National Bank
Omaha Municipal Land Bank
CP Strategies LLC
Summit Carbon Solutions
Davis, Jeffrey N.
Burlington Northern Sante Fe (BNSF) Railway Company
Ehlert, Tim
Amazon.com Services LLC
Ewer, Brett
CrossFit, LLC
Fallabel, Christine
Dexcom, Inc.
Houghton Bradford Whitted PC, LLO
City of Ralston
Joslyn Art Museum
Madonna Rehabilitation Hospital
Irsik, Ryan
Walmart Inc.
Jensen Rogert Associates, Inc.
Nebraska Association of Former State Legislators
Kelley Plucker, LLC
Lincoln Police Union
Radcliffe, Walter H. of Radcliffe Gilbertson & Brady
Kruse Company
Welcome Home
Lee-Chambers, Gayla
Together We Achieve Miracles Inc - Ernie Chambers History-Arts-
Humanities Museum
Linehan, Katie
American Federation for Children
Lucariello, Katelin
Pharmaceutical Research and Manufacturers of America
Murty, Dayton
Charter Communications, Inc.
Ostrow, Sean
Bally's Corporation
BetMGM, LLC
DraftKings Inc.
FanDuel Group

FBG Enterprises Opco, LLC
Sand Creek Strategy Group LLC
NAVIGATOR HEARTLAND GREENWAY LLC
Stahly, Dee Ann
Dexcom, Inc.
Taylor, Bruce
Dexcom, Inc.
Waggoner, Erin
Verizon Communications, Inc.
Wetzel, Jason
General Motors LLC

REPORTS

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

RESOLUTION(S)

LEGISLATIVE RESOLUTION 289. Introduced by Slama, 1.

WHEREAS, Jeremy Goldsberry was born on August 1, 1975, and was raised and graduated high school in southeast Nebraska; and

WHEREAS, Jeremy Goldsberry worked in law enforcement in Richardson County for much of the last 20 years, working for the Iowa Tribe, the Falls City Police Department, and the Richardson County Sheriff's Office; and

WHEREAS, Jeremy Goldsberry was a well-respected Sergeant of the Richardson County Sheriff's Office at the time of his death; and

WHEREAS, Jeremy Goldsberry portrayed a deep love for his family, community, and state; and

WHEREAS, Jeremy Goldsberry passed away suddenly at the age of 46 in Falls City, Nebraska, on January 9, 2022; and

WHEREAS, Jeremy Goldsberry will be greatly missed by his family, friends, and colleagues.

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

1. That the Legislature honors Mr. Jeremy Goldsberry for his service to Southeast Nebraska and beyond.
2. That the Legislature offers its condolences to the family of Jeremy Goldsberry.
3. That a copy of this resolution be sent to the family of Jeremy Goldsberry.

Laid over.

MOTION(S) - Return LR14 to Select File

Senator McCollister moved to return LR14 to Select File for the following specific amendment:

[FA67](#)

Strike the enacting clause.

SPEAKER HILGERS PRESIDING

Senator Halloran offered the following motion:

[MO135](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Halloran requested a roll call vote on the motion to invoke cloture.

Voting in the affirmative, 33:

Albrecht	Clements	Gragert	Kolterman	Pahls
Arch	DeBoer	Groene	Lindstrom	Sanders
Bostar	Dorn	Halloran	Linehan	Slama
Bostelman	Erdman	Hansen, B.	Lowe	Wayne
Brandt	Flood	Hilgers	McDonnell	Williams
Brewer	Friesen	Hilkemann	Moser	
Briese	Geist	Hughes	Murman	

Voting in the negative, 10:

Cavanaugh, J.	Hunt	McCollister	Morfeld	Vargas
Cavanaugh, M.	Lathrop	McKinney	Pansing Brooks	Wishart

Present and not voting, 4:

Aguilar	Blood	Day	Walz
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Excused and not voting, 2:

Hansen, M. Stinner

The Halloran motion to invoke cloture prevailed with 33 ayes, 10 nays, 4 present and not voting, and 2 excused and not voting.

The McCollister motion to return to Select File failed with 8 ayes, 36 nays, 3 present and not voting, and 2 excused and not voting.

The McCollister amendment, FA67, was not considered.

RESOLUTION ON FINAL READING

The following resolution was read and put upon final passage:

LEGISLATIVE RESOLUTION 14.

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

1. The Legislature of the State of Nebraska hereby applies to Congress, under the provisions of Article V of the Constitution of the United States, for the calling of a convention of the states limited to proposing amendments to the Constitution of the United States that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and for members of Congress.

2. The Clerk of the Legislature shall transmit copies of this application to the President and Secretary of the United States Senate, to the Speaker and Clerk of the United States House of Representatives, to the members of the Senate and House of Representatives from this state, and to the presiding officers of each of the legislative houses in the several states, requesting their cooperation.

3. This application constitutes a continuing application in accordance with Article V of the Constitution of the United States until the legislatures of at least two-thirds of the several states have made applications on the same subject.

4. This application will be rescinded as of February 1, 2027.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the resolution pass?' "

Voting in the affirmative, 32:

Arch	DeBoer	Groene	Lindstrom	Sanders
Bostar	Dorn	Halloran	Linehan	Slama
Bostelman	Erdman	Hansen, B.	Lowe	Wayne
Brandt	Flood	Hilgers	McDonnell	Williams
Brewer	Friesen	Hilkemann	Moser	
Briese	Geist	Hughes	Murman	
Clements	Gragert	Kolterman	Pahls	

Voting in the negative, 11:

Albrecht	Hunt	McKinney	Vargas
Cavanaugh, J.	Lathrop	Morfeld	Wishart
Cavanaugh, M.	McCollister	Pansing Brooks	

Present and not voting, 4:

Aguilar	Blood	Day	Walz
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Excused and not voting, 2:

Hansen, M. Stinner

A constitutional majority having voted in the affirmative, the resolution was declared passed.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LR14.

NOTICE OF COMMITTEE HEARING(S)

Appropriations
Room 1524 1:30 PM

Tuesday, February 8, 2022

LB788
LB1032
LB1071
LB759
LB1090
LB1114
LB1156

(Signed) John Stinner, Chairperson

Transportation and Telecommunications
Room 1113 1:30 PM

Tuesday, February 8, 2022

LB914
LB1101
LB1214
LB1021
LB1144

Monday, February 14, 2022

LB1266
LB1166
LB1145
LB1110

Tuesday, February 15, 2022

LB761
LB1208
LB1234
LB916

Tuesday, February 22, 2022
 LB1105
 LB1149

(Signed) Curt Friesen, Chairperson

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

McCaslin, Thomas R. - Nebraska Motor Vehicle Industry Licensing Board -
 Transportation and Telecommunications

(Signed) Dan Hughes, Chairperson
 Executive Board

COMMITTEE REPORT(S)

Revenue

LEGISLATIVE BILL 986. Placed on General File with amendment.
[AM1702](#) is available in the Bill Room.

(Signed) Lou Ann Linehan, Chairperson

AMENDMENT(S) - Print in Journal

Senator Wayne filed the following amendment to [LB999](#):
[AM1680](#)

1 1. Strike original section 1 and insert the following new section:
 2 Section 1. (1) On or before January 1, 2023, the Nebraska
 3 Department of Transportation shall apply to the United States Department
 4 of Transportation for grants described in subsection (2) of this section,
 5 to be used for the purposes stated in subsection (3) of this section.
 6 (2) Grants to be applied for under this section include grants
 7 awarded under:
 8 (a) The Reconnecting Communities Pilot Program under the federal
 9 Infrastructure Investment and Jobs Act, Public Law 117-58;
 10 (b) The National Infrastructure Project Assistance grant program
 11 (also known as the megaprojects grant program) under the federal
 12 Infrastructure Investment and Jobs Act, Public Law 117-58;
 13 (c) The federal Rebuilding American Infrastructure with
 14 Sustainability and Equity (RAISE) program;
 15 (d) The federal Infrastructure for Rebuilding America (INFRA)
 16 discretionary grant program;
 17 (e) The federal Build Back Better Act, H.R. 5376, 117th Cong.
 18 (2021), if enacted; and
 19 (f) Any similar federal infrastructure funding mechanisms.
 20 (3) If the Nebraska Department of Transportation obtains such
 21 federal funds in a sufficient amount, the department shall use such funds
 22 to construct a new bridge crossing over a navigable river. Such crossing
 23 shall be within a city of the metropolitan class.

Senator Wayne filed the following amendment to LB798:

AM1708

1 1. Insert the following new sections:

2 Sec. 2. Section 18-2147, Revised Statutes Supplement, 2021, is

3 amended to read:

4 18-2147 (1) Any redevelopment plan as originally approved or as
5 later modified pursuant to section 18-2117 may contain a provision that
6 any ad valorem tax levied upon real property, or any portion thereof, in
7 a redevelopment project for the benefit of any public body shall be
8 divided, for the applicable period described in subsection (3) of this
9 section, as follows:

10 (a) That portion of the ad valorem tax which is produced by the levy
11 at the rate fixed each year by or for each such public body upon the
12 redevelopment project valuation shall be paid into the funds of each such
13 public body in the same proportion as are all other taxes collected by or
14 for the body. When there is not a redevelopment project valuation on a
15 parcel or parcels, the county assessor shall determine the redevelopment
16 project valuation based upon the fair market valuation of the parcel or
17 parcels as of January 1 of the year prior to the year that the ad valorem
18 taxes are to be divided. The county assessor shall provide written notice
19 of the redevelopment project valuation to the authority as defined in
20 section 18-2103 and the owner. The authority or owner may protest the
21 valuation to the county board of equalization within thirty days after
22 the date of the valuation notice. All provisions of section 77-1502
23 except dates for filing of a protest, the period for hearing protests,
24 and the date for mailing notice of the county board of equalization's
25 decision are applicable to any protest filed pursuant to this section.
26 The county board of equalization shall decide any protest filed pursuant
27 to this section within thirty days after the filing of the protest. The
28 county clerk shall mail a copy of the decision made by the county board
29 of equalization on protests pursuant to this section to the authority or
30 owner within seven days after the board's decision. Any decision of the
31 county board of equalization may be appealed to the Tax Equalization and
Review Commission, in accordance with section 77-5013, within thirty days
after the date of the decision;

7 (b) That portion of the ad valorem tax on real property, as provided
8 in the redevelopment contract, bond resolution, or redevelopment plan, as
9 applicable, in the redevelopment project in excess of such amount, if
10 any, shall be allocated to and, when collected, paid into a special fund
11 of the authority to be used solely to pay the principal of, the interest
12 on, and any premiums due in connection with the bonds of, loans, notes,
13 or advances of money to, or indebtedness incurred by, whether funded,
14 refunded, assumed, or otherwise, such authority for financing or
15 refinancing, in whole or in part, the redevelopment project. When such
16 bonds, loans, notes, advances of money, or indebtedness, including
17 interest and premiums due, have been paid, the authority shall so notify
18 the county assessor and county treasurer and all ad valorem taxes upon
19 taxable real property in such a redevelopment project shall be paid into
20 the funds of the respective public bodies. An authority may use a single
21 fund for purposes of this subdivision for all redevelopment projects or
22 may use a separate fund for each redevelopment project; and

23 (c) Any interest and penalties due for delinquent taxes shall be
24 paid into the funds of each public body in the same proportion as are all
25 other taxes collected by or for the public body.

26 (2) To the extent that a redevelopment plan authorizes the division
27 of ad valorem taxes levied upon only a portion of the real property
28 included in such redevelopment plan, any improvements funded by such
29 division of taxes shall be related to the redevelopment plan that
30 authorized such division of taxes.

31 (3)(a) For redevelopment plans that receive an expedited review

1 under section 18-2155, ad valorem taxes shall be divided for a period not
2 to exceed ten years after the effective date as identified in the
3 redevelopment plan.

4 (b) For any redevelopment plan for which more than fifty percent of
5 the property in the redevelopment project area has been declared an
6 extremely blighted area in accordance with section 18-2101.02, ad valorem
7 taxes shall be divided for a period not to exceed twenty years after the
8 effective date as identified in the project redevelopment contract or in
9 the resolution of the authority authorizing the issuance of bonds
10 pursuant to section 18-2124. On and after the effective date of this act,
11 no redevelopment plan shall contain a provision dividing ad valorem taxes
12 for the period described in this subdivision unless the governing body of
13 the city has adopted policies and procedures as required in subsection
14 (7) of section 18-2101.02.

15 (c) For all other redevelopment plans, ad valorem taxes shall be
16 divided for a period not to exceed fifteen years after the effective date
17 as identified in the project redevelopment contract or in the resolution
18 of the authority authorizing the issuance of bonds pursuant to section
19 18-2124.

20 (4) The effective date of a provision dividing ad valorem taxes as
21 provided in subsection (3) of this section shall not occur until such
22 time as the real property in the redevelopment project is within the
23 corporate boundaries of the city. This subsection shall not apply to a
24 redevelopment project involving a formerly used defense site as
25 authorized in section 18-2123.01.

26 (5) Beginning August 1, 2006, all notices of the provision for
27 dividing ad valorem taxes shall be sent by the authority to the county
28 assessor on forms prescribed by the Property Tax Administrator. The
29 notice shall be sent to the county assessor on or before August 1 of the
30 year of the effective date of the provision. Failure to satisfy the
31 notice requirement of this section shall result in the taxes, for all
1 taxable years affected by the failure to give notice of the effective
2 date of the provision, remaining undivided and being paid into the funds
3 for each public body receiving property taxes generated by the property
4 in the redevelopment project. However, the redevelopment project
5 valuation for the remaining division of ad valorem taxes in accordance
6 with subdivisions (1)(a) and (b) of this section shall be the last
7 certified valuation for the taxable year prior to the effective date of
8 the provision to divide the taxes for the remaining portion of the ten-
9 year, twenty-year, or fifteen-year period pursuant to subsection (3) of
10 this section.

11 Sec. 4. Since an emergency exists, this act takes effect when passed
12 and approved according to law.

13 2. On page 3, after line 16 insert the following new subsection:

14 "(7) On and after the effective date of this act, no city shall
15 declare an area to be an extremely blighted area unless the governing
16 body of the city has adopted policies and procedures designed to ensure
17 that any redevelopment plan that will divide ad valorem taxes for a
18 period of up to twenty years as provided in subdivision (3)(b) of section
19 18-2147 is utilized for specific goals established by the city. Such
20 goals shall include, but not be limited to:
21 (a) Development of affordable housing;
22 (b) Flood mitigation;
23 (c) Preservation of historic buildings; and
24 (d) Remediation of poverty in established residential
25 neighborhoods."

26 3. Renumber the remaining section and correct the repealer
27 accordingly.

SELECT FILE

LEGISLATIVE BILL 568. Senator Pansing Brooks renewed her amendment, [AM1570](#), found on page 339 and considered on pages 450 and 456.

Pending.

MOTION(S) - Withdraw LB1126

Senator M. Cavanaugh offered her motion, [MO134](#), found on page 456, to withdraw LB1126.

The M. Cavanaugh motion to withdraw the bill prevailed with 33 ayes, 0 nays, 13 present and not voting, and 3 excused and not voting.

PRESENTED TO THE SECRETARY OF STATE

Presented to the Secretary of State on January 28, 2022, at 11:29 a.m. was the following: LR14.

(Signed) Carol Koranda
Clerk of the Legislature's Office

AMENDMENT(S) - Print in Journal

Senator Groene filed the following amendment to [LB568](#):
[AM1697](#)

(Amendments to E&R amendments, ER93)

- 1 1. Strike the original sections and all amendments thereto and
- 2 insert the following new sections:
- 3 Section 1. Section 43-2404.03, Reissue Revised Statutes of Nebraska,
- 4 is amended to read:
- 5 43-2404.03 It is the intent of the Legislature to appropriate five
- 6 million dollars from the General Fund each fiscal year through fiscal
- 7 year 2022-23 and eight million five hundred thousand dollars from the
- 8 General Fund for fiscal year 2023-24 and each fiscal year thereafter to
- 9 the Community-based Juvenile Services Aid Program.
- 10 Sec. 2. Original section 43-2404.03, Reissue Revised Statutes of
- 11 Nebraska, is repealed.

Senator Arch filed the following amendment to [LB376](#):
[AM1707](#)

(Amendments to Standing Committee amendments, AM1307)

- 1 1. Insert the following new sections:
- 2 Sec. 5. If the federal Centers for Medicare and Medicaid Services
- 3 denies the 1915(c) waiver required to be submitted in section 2 of this
- 4 act, the family support program outlined in sections 2 to 4 of this act
- 5 shall not be implemented until such waiver or other mechanism authorizing
- 6 the program is approved. The Department of Health and Human Services
- 7 shall submit a new waiver application or seek other mechanisms for
- 8 approval if such application is denied.
- 9 Sec. 7. Section 83-1201, Revised Statutes Cumulative Supplement,

10 2020, is amended to read:

11 83-1201 Sections 83-1201 to 83-1227 and section 8 of this act shall
12 be known and may be cited as the Developmental Disabilities Services Act.
13 Sec. 8. (1) The Department of Health and Human Services shall
14 engage a nationally recognized consultant to provide an evaluation of the
15 state's developmental disabilities system in order to examine how the
16 State of Nebraska can better serve all Nebraskans with a variety of
17 developmental disabilities.

18 (2) The consultant shall be independent of the Department of Health
19 and Human Services and be a national entity that can demonstrate:

20 (a) Direct involvement with public and tribal developmental
21 disabilities agencies;

22 (b) Partnerships with national advocacy organizations, think tanks,
23 or technical assistance providers for persons with developmental
24 disabilities;

25 (c) Collaboration with community agencies for persons with
26 developmental disabilities; and

1 (d) Independent research regarding developmental disabilities.

2 (3) The evaluation shall analyze the array of services and programs
3 existing in Nebraska for persons with developmental disabilities and
4 address potential areas for improvement with an emphasis on maximizing
5 impact, effectiveness, and cost-efficiencies. The evaluation shall

6 consider: (a) Services offered and provided by the state through the
7 medicaid state plan or by current medicaid waivers; (b) services offered
8 by other states through medicaid state plans, medicaid waivers, or other
9 mechanisms; and (c) any other areas which may be beneficial to the state
10 in the assessment of its developmental disabilities services.

11 (4) The consultant shall electronically deliver a report detailing
12 the findings and recommendations of the consultant to the Governor, the
13 Department of Health and Human Services, the chairperson of the Health
14 and Human Services Committee of the Legislature, and the Clerk of the
15 Legislature on or before December 31, 2023.

16 2. On page 3, line 25, after "method" insert ", as provided in

17 section 4 of this act."

18 3. Renumber the remaining sections and correct the repealer

19 accordingly.

Senator Briese filed the following amendment to LB986:

[FA68](#)

Insert a comma "," after the word "known" in Section 1 Line 1

Senator Briese filed the following amendment to LB986:

[FA69](#)

Amend AM1702

Insert a comma "," after the word "known" on Page 1 Line 3

ANNOUNCEMENT

Senator Arch announced the Health and Human Services Committee will hold an executive session Monday, January 31, 2022, at 9:30 a.m., in Room 1510.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 290. Introduced by Pansing Brooks, 28; Aguilar, 35; Albrecht, 17; Blood, 3; Bostelman, 23; Brandt, 32; Brewer, 43;

Briese, 41; Cavanaugh, J., 9; Cavanaugh, M., 6; Day, 49; DeBoer, 10; Dorn, 30; Flood, 19; Friesen, 34; Geist, 25; Hilgers, 21; Hilkemann, 4; Hunt, 8; Kolterman, 24; Lathrop, 12; Lindstrom, 18; Linehan, 39; McCollister, 20; McDonnell, 5; McKinney, 11; Morfeld, 46; Pahls, 31; Sanders, 45; Slama, 1; Vargas, 7; Walz, 15; Wayne, 13; Williams, 36; Wishart, 27.

WHEREAS, Professor Anna W. Shavers, J.D., will be remembered as a champion of diversity and inclusion at the University of Nebraska-Lincoln, in her community, and in the field of law; and

WHEREAS, the State of Nebraska owes Professor Shavers a great debt of gratitude for her unyielding endeavors to solve trafficking, racism, immigration, gender, and other equity issues throughout her career; and

WHEREAS, prior to coming to Nebraska, Professor Shavers practiced law in Minnesota and served as an Associate Clinical Professor at the University of Minnesota Law School, establishing the University's first immigration law clinic; and

WHEREAS, Professor Shavers has been a member of the University of Nebraska College of Law faculty since 1989 and has held the titles of Associate Dean for Diversity and Inclusion as well as the Cline Williams Professor of Citizenship Law; and

WHEREAS, Professor Shavers served in a variety of roles for the University of Nebraska-Lincoln including Interim/Acting Dean for the College of Law, Co-Chairperson for the planning team of the Interdisciplinary Conference on Human Trafficking, and Co-Leader of the Journey for Anti-Racism and Racial Equity Initiative; and

WHEREAS, Professor Shavers was a national and international expert on immigration, human trafficking, and administrative law issues; and

WHEREAS, Professor Shavers is recognized as an inspirational mentor to students and legal professionals across the country; and

WHEREAS, Professor Shavers passed away on January 22, 2022; and

WHEREAS, Professor Anna W. Shavers will be greatly missed by her family, friends, colleagues, students, and all of those for whom she advocated in her relentless defense of Human Rights.

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

1. That the Legislature honors Professor Anna W. Shavers, J.D., for her lifelong personal and professional dedication to education, diversity, and inclusion at the University of Nebraska College of Law, in her community, and in her everyday life.

2. That the Legislature recognizes Professor Anna W. Shavers for her endeavors to solve trafficking, racism, and equity issues.

3. That the Legislature offers its condolences and gratitude to the family of Professor Anna W. Shavers.

4. That copies of this resolution be sent to the family of Professor Anna W. Shavers and the Schmid Law Library at the University of Nebraska College of Law.

Laid over.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Murman name added to LB845.

Senator Briese name added to LB906.

Senator Brewer name added to LB1265.

Senator Brewer name added to LB1272.

VISITOR(S)

Visitors to the Chamber were fifth- and eighth-grade students from Blessed Sacrament School, Lincoln.

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

ADJOURNMENT

At 11:58 a.m., on a motion by Senator Friesen, the Legislature adjourned until 10:00 a.m., Monday, January 31, 2022.

Patrick J. O'Donnell
Clerk of the Legislature

SEVENTEENTH DAY - JANUARY 31, 2022

LEGISLATIVE JOURNAL

**ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION**

SEVENTEENTH DAY

Legislative Chamber, Lincoln, Nebraska
Monday, January 31, 2022

PRAYER

The prayer was offered by Senator Lowe.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Gragert.

ROLL CALL

Pursuant to adjournment, the Legislature met at 10:00 a.m., Speaker Hilgers presiding.

The roll was called and all members were present except Senators Bostar, Briese, Day, Hunt, Linehan, Morfeld, and Wishart who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the sixteenth day was approved.

NOTICE OF COMMITTEE HEARING(S)
Health and Human Services
Room 1510 1:30 PM

Wednesday, February 9, 2022
LB1113
LB1173

Thursday, February 10, 2022
LB698
LB895
LB857

Friday, February 11, 2022

LB1044

LB865

LB1091

LB1007

Wednesday, February 16, 2022

LB1136

LB856

LB1243

Thursday, February 17, 2022

LB756

LB956

LB954

Wednesday, February 23, 2022

LB710

LB1107

Thursday, February 24, 2022

LB1129

LB716

Friday, February 25, 2022

LB885

LB1106

Wednesday, March 2, 2022

LB859

LB963

(Signed) John Arch, Chairperson

ANNOUNCEMENT(S)

Priority designation(s) received:

Albrecht - LB1213

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LRs 280, 285, and 286 were adopted.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LRs 280, 285, and 286.

SELECT FILE

LEGISLATIVE BILL 568. Senator Pansing Brooks withdrew her amendment, [AM1510](#), found on page 339 and considered on pages 450, 456, and 468.

Senator Groene withdrew his amendment, [AM1464](#), found on page 414.

Senator Groene offered his amendment, [AM1697](#), found on page 468.

Senator Pansing Brooks offered the following motion:

[MO136](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Pansing Brooks moved for a call of the house. The motion prevailed with 31 ayes, 4 nays, and 14 not voting.

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

Voting in the affirmative, 26:

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

Voting in the negative, 18:

Albrecht	Erdman	Gragert	Hughes	Sanders
Arch	Flood	Groene	Lowe	Slama
Briese	Friesen	Halloran	Moser	
Clements	Geist	Hilgers	Murman	

Excused and not voting, 5:

Bostar	Brewer	Hansen, B.	Lindstrom	Linehan
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The Pansing Brooks motion to invoke cloture failed with 26 ayes, 18 nays, and 5 excused and not voting.

NOTICE OF COMMITTEE HEARING(S)

Appropriations
Room 1003 1:30 PM

Wednesday, February 9, 2022

LB755
LB970
LB783
LB1006
LB1277

Thursday, February 10, 2022

LB1232
LB1233
LB1088
LB722

Friday, February 11, 2022

LB1152
LB1228
LB1195
LB1202
LB1224
LB1229

Monday, February 14, 2022

LB1025
LB1238
LB1210
LB1120
LB1163

Tuesday, February 15, 2022

LB968
LB1033
LB1070
LB1252
LB940
LB1041
LB1142

Wednesday, February 16, 2022

LB699
LB977
LB969
LB1100
LB1125

Thursday, February 17, 2022

LB703
LB721
LB766
LB904

LB950
LB961
LB962
LB1054

Tuesday, February 22, 2022

LB996
LB1055
LB1089
LB1269
LB1183
LB1066
LB1172

Wednesday, February 23, 2022

LB1267
LB760
LB1194
LB1199
LB1257

Thursday, February 24, 2022

LB1167
LB1072
LB1063
LB1206

Friday, February 25, 2022

LB867
LB1221
LB959
LB1075
LB1076
LB1254

Monday, February 28, 2022

LB696
LB1085
LB1182
LB1198
LB1220
LB1240
LB1217

Tuesday, March 1, 2022

LB1161
LB1162
LB1087

LB1079
LB1131
LB1138
LB1203

Wednesday, March 2, 2022

LB1141
LB1002
LB1052
LB1159
LB1201
LB1193

Thursday, March 3, 2022

LB1160
LB1248
LB1191
LB1196
LB1048
LB1255

(Signed) John Stinner, Chairperson

AMENDMENT(S) - Print in Journal

Senator Lathrop filed the following amendment to LB1190:

AM1706

1 1. On page 2, lines 12 and 21, and page 3, lines 2 and 8, after
2 "disability" insert "or end-stage renal disease".

Senator Kolterman filed the following amendment to LB1043:

AM1667

1 1. On page 14, lines 2 and 20, strike "public school" and insert
2 "school district or educational service unit"; and in lines 4 and 14
3 strike "public" and after "school" insert "district or an educational
4 service unit".
5 2. On page 15, strike beginning with the second "school" in line 1
6 through "employer" in line 3 and insert "state school official"; and in
7 line 6 strike "public school" and insert "school district or an
8 educational service unit".

GENERAL FILE

LEGISLATIVE BILL 767. Title read. Considered.

Committee AM1643, found on page 432, was offered.

Pending.

ANNOUNCEMENT(S)

Priority designation(s) received:

Sanders - LB1158

NOTICE OF COMMITTEE HEARING(S)

General Affairs
Room 1510 1:30 PM

Monday, February 14, 2022

LB866
LB840
LB1256

Monday, February 28, 2022

LB1268
LB1109
LB1239

(Signed) Tom Briese, Chairperson

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Blood name added to LB376.
Senator Bostar name added to LB825.
Senator Gragert name added to LB933.
Senator Lindstrom name added to LB933.
Senator Sanders name added to LB933.
Senator Bostelman name added to LB933.
Senator Lowe name added to LB933.
Senator Lindstrom name added to LB1086.
Senator Bostelman name added to LB1213.
Senator Gragert name added to LB1213.
Senator Murman name added to LB1213.

VISITOR(S)

Visitors to the Chamber were Senator Erdman's wife, Cathy, from Bayard, and sister, Jennifer Batholomew, from Ohio.

The Doctor of the Day was Dr. Erika Rothgeb of Omaha.

ADJOURNMENT

At 11:55 a.m., on a motion by Senator Brandt, the Legislature adjourned until 9:00 a.m., Tuesday, February 1, 2022.

Patrick J. O'Donnell
Clerk of the Legislature

EIGHTEENTH DAY - FEBRUARY 1, 2022**LEGISLATIVE JOURNAL****ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION****EIGHTEENTH DAY**

Legislative Chamber, Lincoln, Nebraska
Tuesday, February 1, 2022

PRAYER

The prayer was offered by Senator Arch.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Halloran.

ROLL CALL

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

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

CORRECTIONS FOR THE JOURNAL

The Journal for the seventeenth day was approved.

COMMITTEE REPORT(S)
Health and Human Services

LEGISLATIVE BILL 704. Placed on General File.

LEGISLATIVE BILL 855. Placed on General File.

LEGISLATIVE BILL 374. Placed on General File with amendment.

AM1504

- 1 1. On page 2, strike beginning with "chief" in line 15 through
- 2 "Services" in line 16 and insert "Governor".
- 3 2. On page 3, strike beginning with "chief" in line 8 through
- 4 "Services" in line 9 and insert "Governor"; in line 12 strike "two" and
- 5 insert "four"; in line 13 strike "If there is no suitable successor who
- 6 meets the criteria, the" and insert "A"; in line 14 strike "can" and

7 insert "may", strike "an" and insert "one", and strike "two" and insert
 8 "four"; in line 17 strike "two" and insert "four" and strike beginning
 9 with "chief" in line 17 through "officer's" in line 19 and insert
 10 "Director of Public Health or the director's"; and strike beginning with
 11 the second "and" in line 28 through "Research" in line 29.

LEGISLATIVE BILL 541. Placed on General File with amendment.

AM1518

1 1. Strike the original sections and insert the following new
 2 sections:
 3 Section 1. Section 43-4215, Reissue Revised Statutes of Nebraska, is
 4 amended to read:
 5 43-4215 (1) On or before July 1, 2014, the Division of Children and
 6 Family Services of the Department of Health and Human Services shall
 7 implement the reimbursement rate recommendations of the Foster Care
 8 Reimbursement Rate Committee as reported to the Legislature pursuant to
 9 section 43-4212 as such section existed before June 5, 2013.
 10 (2) It is the intent of the Legislature to create additional levels
 11 of caregiving for youth in foster care and to create an implementation
 12 plan for treatment family care services in order to expand the service
 13 array for high-acuity youth in the foster care system.
 14 (3) The Legislature finds that (a) there is a need for consistency
 15 in the implementation of additional tiers of caregiving across the state,
 16 (b) additional tiers of caregiving and reimbursement exist in the
 17 continuum of foster care services available in Nebraska, however, there
 18 is a variation in the rates, implementation and outcomes, (c) the use of
 19 rates outside of the established rate structure can create barriers to
 20 permanency for children entering adoption and guardianship and prohibits
 21 the state from accessing federal foster care funds that would otherwise
 22 be available under Title IV-E of the federal Social Security Act, and (d)
 23 additional tiers of caregiving should be utilized to support the
 24 exceptional caregiving needs of children.
 25 (4) The Legislature further finds that (a) additional treatment
 26 services are needed to support the behavioral and mental health needs of
 27 youth who are at risk of entering, or who are stepping down from,
 28 congregate treatment placement, and (b) treatment family care services
 29 uses blended funding to support caregivers and prevent placement
 30 disruption.
 31 (5) On or before October 1, 2022, the Division of Children and
 32 Family Services of the Department of Health and Human Services shall, in
 33 collaboration with the Foster Care Reimbursement Rate Committee,
 34 implement additional statewide tiers of foster care reimbursements for
 35 specialized caregiving with standardized rates for foster parents and
 36 child placing agencies.
 37 (6)(a) ~~(2)(a)~~ On or before July 1, 2013, the Division of Children
 38 and Family Services of the Department of Health and Human Services shall
 39 develop a pilot project as provided in this subsection to implement the
 40 standardized level of care assessment tools recommended by the Foster
 41 Care Reimbursement Rate Committee as reported to the Legislature pursuant
 42 to section 43-4212 as such section existed before June 5, 2013.
 43 (b)(i) The pilot project shall comprise two groups: One in an urban
 44 area and one in a rural area. The size of each group shall be determined
 45 by the division to ensure an accurate estimate of the effectiveness and
 46 cost of implementing such tools statewide.
 47 (ii) The Nebraska Children's Commission shall review and provide a
 48 progress report on the pilot project by October 1, 2013, to the
 49 department and electronically to the Health and Human Services Committee
 50 of the Legislature; shall provide to the department and electronically to
 51 the committee by December 1, 2013, a report including recommendations and
 52 any legislation necessary, including appropriations, to adopt the

26 recommendations, regarding the adaptation or continuation of the
 27 implementation of a statewide standardized level of care assessment; and
 28 shall provide to the department and electronically to the committee by
 29 February 1, 2014, a final report and final recommendations of the
 30 commission.

31 Sec. 2. Section 68-1210, Reissue Revised Statutes of Nebraska, is
 1 amended to read:

2 68-1210 (1) Notwithstanding any other provision of law, the
 3 Department of Health and Human Services shall have the authority through
 4 rule or regulation to establish payment rates for children with special
 5 needs who are in foster care and in the custody of the department.

6 (2)(a) On or before October 1, 2022, the Division of Medicaid and
 7 Long-Term Care and the Division of Children and Family Services of the
 8 Department of Health and Human Services shall develop a plan to implement
 9 treatment family care services. The plan shall be submitted to the Health
 10 and Human Services Committee of the Legislature and the Nebraska
 11 Children's Commission.

12 (b) On or before October 1, 2023, the Division of Medicaid and Long-
 13 Term Care shall implement treatment family care services as allowed by
 14 federal law. The department shall seek to maximize federal funding for
 15 such program prior to utilizing state medicaid funds for eligible
 16 children.

17 Sec. 3. Original sections 43-4215 and 68-1210, Reissue Revised
 18 Statutes of Nebraska, are repealed.

19 Sec. 4. Since an emergency exists, this act takes effect when
 20 passed and approved according to law.

LEGISLATIVE BILL 697. Placed on General File with amendment.

[AM1613](#)

1 1. On page 2, line 22, after "Act" insert "and any other transfer
 2 agreement necessary for patient care".

LEGISLATIVE BILL 705. Placed on General File with amendment.

[AM1653](#)

1 1. Insert the following new section:

2 Sec. 6. Since an emergency exists, this act takes effect when passed
 3 and approved according to law.

LEGISLATIVE BILL 741. Placed on General File with amendment.

[AM1683](#) is available in the Bill Room.

LEGISLATIVE BILL 824. Placed on General File with amendment.

[AM1604](#)

1 1. Strike original section 1.

2 2. Renumber the remaining sections and correct the repealer
 3 accordingly.

LEGISLATIVE BILL 905. Placed on General File with amendment.

[AM1609](#)

1 1. Strike the original sections and insert the following new
 2 sections:

3 Section 1. Section 38-201, Reissue Revised Statutes of Nebraska, is
 4 amended to read:

5 38-201 Sections 38-201 to 38-212 and sections 3 to 7 of this act
 6 shall be known and may be cited as the Advanced Practice Registered Nurse
 7 Practice Act.

8 Sec. 2. Section 38-203, Reissue Revised Statutes of Nebraska, is

9 amended to read:

10 38-203 For purposes of the Advanced Practice Registered Nurse
11 Practice Act and elsewhere in the Uniform Credentialing Act, unless the
12 context otherwise requires, the definitions ~~definition~~ found in section
13 38-204 and sections 3 to 6 of this act ~~apply~~ applies.

14 Sec. 3. Perinatal mental health disorder means a mental health
15 condition that occurs during pregnancy or during the postpartum period,
16 including depression, anxiety, or postpartum psychosis.

17 Sec. 4. Post-natal care means an office visit to an advanced
18 practice registered nurse occurring after birth, with reference to the
19 infant or mother.

20 Sec. 5. Prenatal care means an office visit to an advanced practice
21 registered nurse for pregnancy-related care occurring before birth.

22 Sec. 6. Questionnaire means a screening tool administered by an
23 advanced practice registered nurse to detect perinatal mental health
24 disorders, such as the Edinburgh Postnatal Depression Scale, the
25 Postpartum Depression Screening Scale, the Beck Depression Inventory, the
26 Patient Health Questionnaire, or other validated screening methods.

27 Sec. 7. The board may work with accredited hospitals, advanced
1 practice registered nurses, and licensed health care professionals and
2 may create a referral network in Nebraska to develop policies,
3 procedures, information, and educational materials to meet each of the
4 following requirements concerning perinatal mental health disorders:

5 (1) An advanced practice registered nurse providing prenatal care
6 may:

7 (a) Provide education to a pregnant patient and, if possible and
8 with permission, to the patient's family about perinatal mental health
9 disorders in accordance with the formal opinions and recommendations of
10 the American College of Obstetricians and Gynecologists; and

11 (b) Invite each pregnant patient to complete a questionnaire in
12 accordance with the formal opinions and recommendations of the American
13 College of Obstetricians and Gynecologists. Screening for perinatal
14 mental health disorders may be repeated when, in the professional
15 judgment of the advanced practice registered nurse, the patient is at
16 increased risk for developing a perinatal mental health disorder;

17 (2) An advanced practice registered nurse providing postnatal care
18 may invite each postpartum patient to complete a questionnaire and if
19 completed, shall review the questionnaire in accordance with the formal
20 opinions and recommendations of the American College of Obstetricians and
21 Gynecologists; and

22 (3) An advanced practice registered nurse providing pediatric care
23 to an infant may invite the infant's mother to complete a questionnaire
24 at any well-child checkup occurring during the first year of life at
25 which the mother is present, and if completed, shall review the
26 questionnaire in accordance with the formal opinions and recommendations
27 of the American Academy of Pediatrics, in order to ensure that the health
28 and well-being of the infant are not compromised by an undiagnosed
29 perinatal mental health disorder in the mother.

30 Sec. 8. Section 38-2001, Revised Statutes Cumulative Supplement,
31 2020, is amended to read:

1 38-2001 Sections 38-2001 to 38-2062 and sections 10 to 15 of this
2 act shall be known and may be cited as the Medicine and Surgery Practice
3 Act.

4 Sec. 9. Section 38-2002, Revised Statutes Cumulative Supplement,
5 2020, is amended to read:

6 38-2002 For the purposes of the Medicine and Surgery Practice Act
7 and elsewhere in the Uniform Credentialing Act, unless the context
8 otherwise requires, the definitions found in sections 38-2003 to 38-2022
9 and sections 10 to 14 of this act apply.

10 Sec. 10. Licensed health care professional means a physician, an

11 osteopathic physician, or a physician assistant licensed pursuant to the
 12 Uniform Credentialing Act.
 13 Sec. 11. Perinatal mental health disorder means a mental health
 14 condition that occurs during pregnancy or during the postpartum period,
 15 including depression, anxiety, or postpartum psychosis.
 16 Sec. 12. Post-natal care means an office visit to a licensed health
 17 care professional occurring after birth, with reference to the infant or
 18 mother.
 19 Sec. 13. Prenatal care means an office visit to a licensed health
 20 care professional for pregnancy-related care occurring before birth.
 21 Sec. 14. Questionnaire means a screening tool administered by a
 22 licensed health care professional to detect perinatal mental health
 23 disorders, such as the Edinburgh Postnatal Depression Scale, the
 24 Postpartum Depression Screening Scale, the Beck Depression Inventory, the
 25 Patient Health Questionnaire, or other validated screening methods.
 26 Sec. 15. The board may work with accredited hospitals and licensed
 27 health care professionals and may create a referral network in Nebraska
 28 to develop policies, procedures, information, and educational materials
 29 to meet each of the following requirements concerning perinatal mental
 30 health disorders:
 31 (1) A licensed health care professional providing prenatal care may:
 1 (a) Provide education to a pregnant patient and, if possible and
 2 with permission, to the patient's family about perinatal mental health
 3 disorders in accordance with the formal opinions and recommendations of
 4 the American College of Obstetricians and Gynecologists; and
 5 (b) Invite each pregnant patient to complete a questionnaire in
 6 accordance with the formal opinions and recommendations of the American
 7 College of Obstetricians and Gynecologists. Screening for perinatal
 8 mental health disorders may be repeated when, in the professional
 9 judgment of the licensed health care professional, the patient is at
 10 increased risk for developing a perinatal mental health disorder;
 11 (2) A licensed health care professional providing postnatal care may
 12 invite each postpartum patient to complete a questionnaire and if
 13 completed, shall review the questionnaire in accordance with the formal
 14 opinions and recommendations of the American College of Obstetricians and
 15 Gynecologists; and
 16 (3) A licensed health care professional providing pediatric care to
 17 an infant may invite the infant's mother to complete a questionnaire at
 18 any well-child checkup occurring during the first year of life at which
 19 the mother is present, and if completed, shall review the questionnaire
 20 in accordance with the formal opinions and recommendations of the
 21 American Academy of Pediatrics, in order to ensure that the health and
 22 well-being of the infant are not compromised by an undiagnosed perinatal
 23 mental health disorder in the mother.
 24 Sec. 16. Original sections 38-201 and 38-203, Reissue Revised
 25 Statutes of Nebraska, and sections 38-2001 and 38-2002, Revised Statutes
 26 Cumulative Supplement, 2020, are repealed.

LEGISLATIVE BILL 906. Placed on General File with amendment.

[AM1729](#)

1 1. Strike the original sections and all amendments thereto and
 2 insert the following new sections:
 3 Section 1. (1) For purposes of this section:
 4 (a) COVID-19 means the novel coronavirus identified as SARS-CoV-2;
 5 any disease caused by SARS-CoV-2, its viral fragments, or a virus
 6 mutation therefrom; and all conditions associated with the disease which
 7 are caused by SARS-CoV-2, its viral fragments, or a virus mutation
 8 therefrom;
 9 (b) Department means the Department of Health and Human Services;
 10 (c)(i) Employer means a person engaged in an industry who has one or

11 more employees;
 12 (ii) Employer also includes any party whose business is financed in
 13 whole or in part under the Nebraska Investment Finance Authority Act
 14 regardless of the number of employees and includes the State of Nebraska,
 15 governmental agencies, and political subdivisions; and
 16 (iii) Employer does not include (A) the United States, a corporation
 17 wholly owned by the government of the United States, or an Indian tribe
 18 or (B) a bona fide private membership club, other than a labor
 19 organization, which is exempt from taxation under section 501(c) of the
 20 Internal Revenue Code;
 21 (d) Health care practitioner means a person licensed under (i) the
 22 Medicine and Surgery Practice Act to practice medicine and surgery or
 23 osteopathic medicine and surgery, (ii) the Medicine and Surgery Practice
 24 Act to practice as a physician assistant, or (iii) the Advanced Practice
 25 Registered Nurse Practice Act to practice as an advanced practice
 26 registered nurse; and
 27 (e) Vaccine exemption form means the form created by the department
 1 under subsection (2) of this section.
 2 (2)(a) The department shall develop a vaccine exemption form for an
 3 individual to claim an exemption from receiving a COVID-19 vaccine as
 4 provided in this section. The department shall make the form available on
 5 the department's website.
 6 (b) The form shall include a declaration by the individual seeking
 7 an exemption that:
 8 (i) A health care practitioner has provided the individual with a
 9 signed written statement that, in the health care practitioner's opinion,
 10 (A) receiving a COVID-19 vaccine is medically contraindicated for the
 11 individual or (B) medical necessity requires the individual to delay
 12 receiving such vaccine; or
 13 (ii) Receiving a COVID-19 vaccine would conflict with the
 14 individual's sincerely held religious belief, practice, or observance.
 15 (3) An employer that requires applicants or employees to be
 16 vaccinated against COVID-19 shall allow for an exemption to such
 17 requirement for an individual who provides the employer with:
 18 (a) A completed vaccine exemption form; and
 19 (b) For an individual claiming an exemption based on the statement
 20 of a health care practitioner, a copy of such signed written statement.
 21 (4) An employer may require an employee granted an exemption under
 22 this section to:
 23 (a) Be periodically tested for COVID-19 at the employer's expense;
 24 and
 25 (b) Wear or use personal protective equipment provided by the
 26 employer.
 27 Sec. 2. Since an emergency exists, this act takes effect when
 28 passed and approved according to law.

(Signed) John Arch, Chairperson

ANNOUNCEMENT(S)

Priority designation(s) received:

McCullister - LB709

NOTICE OF COMMITTEE HEARING(S)

Natural Resources
Room 1525 1:30 PM

Wednesday, February 9, 2022
LB1015
LB1099

Thursday, February 10, 2022
Scott B. McPheeters - Nebraska Ethanol Board
Taylor D. Nelson - Nebraska Ethanol Board
LB1023
LB1185

(Signed) Bruce Bostelman, Chairperson

MOTION(S) - Print in Journal

Senator Brewer filed the following motion to [LB1056](#):
[MO137](#)
Withdraw LB1056.

ANNOUNCEMENT

Senator Bostelman announced the Natural Resources Committee will hold an executive session Wednesday, February 2, 2022, following the hearing in Room 1525.

GENERAL FILE

LEGISLATIVE BILL 767. Committee [AM1643](#), found on page 432 and considered on page 478, was renewed.

The committee amendment was adopted with 41 ayes, 0 nays, 1 present and not voting, and 7 excused and not voting.

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

SELECT FILE

LEGISLATIVE BILL 376. Senator M. Cavanaugh withdrew her amendment, [AM1453](#), found on page 1487, First Session, 2021.

Senator Slama withdrew her amendment, [FA55](#), found on page 1514, First Session, 2021.

Senator Arch withdrew his amendment, [AM1646](#), found on page 429.

Senator Arch offered his amendment, [AM1707](#), found on page 468.

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

Advanced to Enrollment and Review for Engrossment.

NOTICE OF COMMITTEE HEARING(S)
Government, Military and Veterans Affairs
Room 1507 1:30 PM

Wednesday, February 9, 2022

LB787
LB742
LB743
LB691
LB1178

Thursday, February 10, 2022

LB1096
LB1165
LB1037
LB1064

Friday, February 11, 2022

LB1122
LB1008
LB1146
LB983

(Signed) Tom Brewer, Chairperson

Education
Room 1525 1:30 PM

Tuesday, February 8, 2022

LB1001
LB1057
LB997
LB1219
LB1170

Room 1525 2:00 PM

Monday, February 14, 2022

LB887
LB902
LB1050

Room 1525 1:30 PM

Tuesday, February 15, 2022

LB888
LB1112
LB1158
LB768

(Signed) Lynne Walz, Chairperson

Urban Affairs
Room 1510 1:30 PM

Tuesday, February 8, 2022

AM1708 to LB798

(Signed) Justin Wayne, Chairperson

Agriculture
Room 1003 1:30 PM

Tuesday, February 15, 2022

LB744
LR284

(Signed) Steve Halloran, Chairperson

Executive Board
Room 1525 12:00 PM

Tuesday, February 8, 2022

LB777

(Signed) Dan Hughes, Chairperson

AMENDMENT(S) - Print in Journal

Senator M. Hansen filed the following amendment to LB446:

[AM1737](#)

(Amendments to Standing Committee amendments, AM86)

- 1 1. Strike the original sections and all amendments thereto and
- 2 insert the following new section:
- 3 Section 1. The Governor shall apply for all federal funds available
- 4 to this state for emergency rental and mortgage assistance and shall
- 5 disburse any funds received under this section. The Governor may
- 6 coordinate with other governmental entities to establish eligibility
- 7 guidelines for recipients of such funds.

GENERAL FILE

LEGISLATIVE BILL 986. Title read. Considered.

Committee [AM1702](#), found on page 465, was offered.

Senator Briese withdrew his amendment, [FA69](#), found on page 469.

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

[AM1716](#)

(Amendments to Standing Committee amendments, AM1702)

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

SPEAKER HILGERS PRESIDING

Pending.

COMMITTEE REPORT(S)

Banking, Commerce and Insurance

LEGISLATIVE BILL 795. Placed on General File.

LEGISLATIVE BILL 811. Placed on General File.

LEGISLATIVE BILL 892. Placed on General File.

(Signed) Matt Williams, Chairperson

ANNOUNCEMENT(S)

Priority designation(s) received:

Nebraska Retirement Systems - LB700

Hilgers - LB933

AMENDMENT(S) - Print in Journal

Senator M. Hansen filed the following amendment to [LB986](#):

[AM1715](#)

(Amendments to Standing Committee amendments, AM1702)

- 1 1. On page 3, strike lines 12 through 15.

ANNOUNCEMENT

Senator Brewer announced the Government, Military and Veterans Affairs Committee will hold an executive session Wednesday, February 2, 2022, following the hearing in Room 1507.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Murman name added to LB774.

Senator Morfeld name added to LB783.

Senator Geist name added to LB933.

Senator Murman name added to LB933.

Senator Hughes name added to LB933.

Senator B. Hansen name added to LB933.

Senator Hunt name added to LB1070.

Senator Hunt name added to LB1071.

Senator M. Hansen name added to LB1205.

Senator Clements name added to LB1213.

VISITOR(S)

Visitors to the Chamber were Travis and Karen Petersen, Bayard.

The Doctor of the Day was Dr. Marlon Weiss of Lincoln.

ADJOURNMENT

At 11:59 a.m., on a motion by Senator Day, the Legislature adjourned until 9:00 a.m., Wednesday, February 2, 2022.

Patrick J. O'Donnell
Clerk of the Legislature

NINETEENTH DAY - FEBRUARY 2, 2022**LEGISLATIVE JOURNAL****ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION****NINETEENTH DAY**

Legislative Chamber, Lincoln, Nebraska
Wednesday, February 2, 2022

PRAYER

The prayer was offered by Senator Erdman.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator B. Hansen.

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 Wishart who were excused; and Senators Blood, Bostar, Day, DeBoer, Hilkemann, Hughes, McCollister, Morfeld, Moser, Pansing Brooks, and Wayne who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the eighteenth day was approved.

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LR287 was adopted.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LR287.

GENERAL FILE

LEGISLATIVE BILL 986. Committee [AM1702](#), found on page 465 and considered on page 490, was renewed.

Senator M. Hansen renewed his amendment, [AM1716](#), found and considered on page 490.

SPEAKER HILGERS PRESIDING

SENATOR ARCH PRESIDING

SPEAKER HILGERS PRESIDING

Pending.

MOTION(S) - Withdraw LB1056

Senator Brewer offered his motion, [MO137](#), found on page 487, to withdraw LB1056.

The Brewer motion to withdraw the bill prevailed with 35 ayes, 0 nays, 11 present and not voting, and 3 excused and not voting.

COMMITTEE REPORT(S)
Executive Board

LEGISLATIVE BILL 708. Placed on General File.

(Signed) Dan Hughes, Chairperson

Enrollment and Review

LEGISLATIVE BILL 767. Placed on Select File with amendment. [ER101](#) is available in the Bill Room.

(Signed) Terrell McKinney, Chairperson

NOTICE OF COMMITTEE HEARING(S)
Revenue
Room 1524 1:30 PM

Wednesday, February 9, 2022

LB1237

LB729

LB730

LB1093

LB1176

(Signed) Lou Ann Linehan, Chairperson

Urban Affairs
Room 1510 12:00 PM

Friday, February 11, 2022
AM1737 to LB446

(Signed) Justin Wayne, Chairperson

AMENDMENT(S) - Print in Journal

Senator Erdman filed the following amendment to LB744:
[AM1714](#)

1 1. Strike the original sections and insert the following new
2 sections:
3 Section 1. Section 54-199, Reissue Revised Statutes of Nebraska, is
4 amended to read:
5 54-199 (1) To record a brand, a person shall forward to the Nebraska
6 Brand Committee a facsimile or description of the brand desired to be
7 recorded, a written application, and a recording fee and research fee
8 established by the brand committee. Such recording fee may vary according
9 to the number of locations and methods of brand requested but shall not
10 be more than one hundred fifty dollars per application. Such research fee
11 shall be charged on all applications and shall not be more than fifty
12 dollars per application.
13 (2) For recording of visual brands, upon receipt of a facsimile of
14 the brand, an application, and the required fee, the brand committee
15 shall determine compliance with the following requirements:
16 (a) The brand shall be an identification mark that is applied to the
17 hide of a live animal by hot iron branding or by either hot iron branding
18 or freeze branding. The brand shall be on either side of the animal in
19 any one of three locations, the shoulder, ribs, or hip;
20 (b) The brand is not recorded under the name of any other person and
21 does not conflict with or closely resemble a prior recorded brand;
22 (c) The brand application specifies the left or right side of the
23 animal and the location on that side of the animal where the brand is to
24 be placed;
25 (d) The brand is not recorded as a trade name nor as the name of any
26 profit or nonprofit corporation, unless such trade name or corporation is
27 of record, in current good standing, with the Secretary of State; and
1 (e) The brand is, in the judgment of the brand committee, legible,
2 adequate, and of such a nature that the brand when applied can be
3 properly read and identified by employees of the brand committee.
4 (3) All visual brands shall be recorded as a hot iron brand only
5 unless a co-recording as a freeze brand or other approved method of
6 branding is requested by the applicant. The brand committee shall approve
7 co-recording a brand as a freeze brand unless the brand would not be
8 distinguishable from in-herd identification applied by freeze branding.
9 (4) If the facsimile, the description, or the application does not
10 comply with the requirements of this section, the brand committee shall
11 not record such brand as requested but shall return the recording fee to
12 the forwarding person. The power of examination and rejection is vested
13 in the brand committee, and if the brand committee determines that the
14 application for a visual brand falls within the category set out in
15 subdivision (2)(e) of this section, it shall decide whether or not a
16 recorded brand shall be issued. The brand committee shall make such
17 examination as promptly as possible. If the brand is recorded, the
18 ownership vests from the date of filing of the application.
19 (5) The brand committee may by rule and regulation provide for the

20 use of approved nonvisual identifiers for purposes of enrolling cattle
 21 identified by such method of livestock identification. Such method of
 22 livestock identification shall be approved only if it functions as
 23 satisfactory evidence of ownership for the purpose of enrollment of
 24 cattle and for electronic inspection authorized under section 54-1,108.
 25 Before approving any nonvisual identifier, the brand committee shall
 26 consider the degree to which such method may be susceptible to error,
 27 failure, or fraudulent alteration. Any rule or regulation shall be
 28 adopted and promulgated only after public hearing conducted in compliance
 29 with the Administrative Procedure Act.
 30 (6) Any information that a person provides to the brand committee
 31 for the purpose of enrollment of cattle and electronic inspection
 1 pursuant to subsection (5) of this section is not a public record subject
 2 to disclosure under sections 84-712 to 84-712.09.
 3 Sec. 2. Original section 54-199, Reissue Revised Statutes of
 4 Nebraska, is repealed.

Senator Brewer filed the following amendment to LB512:

AM1620

1 1. Strike original section 6.
 2 2. On page 2, strike lines 7 through 11 and insert the following new
 3 subdivision:
 4 "(2) Critical infrastructure utility worker means an essential
 5 critical infrastructure worker identified in the Guidance on the
 6 Essential Critical Infrastructure Workforce, Version 4.0, as released on
 7 August 18, 2020, by the United States Department of Homeland Security
 8 Cybersecurity and Infrastructure Security Agency."
 9 3. On page 3, line 16, after the semicolon insert "and"; strike
 10 lines 17 through 19; in line 20 strike "(3)" and insert "(2)", and in
 11 line 22 after "workers" insert "in accordance with federal law and
 12 regulations regarding eligibility".

RESOLUTION(S)

LEGISLATIVE RESOLUTION 291. Introduced by Day, 49.

WHEREAS, John Sievers will be remembered as a leader in the Omaha community, a steadfast supporter of the military and our nation's heroes, and a pillar of the Green Beans Coffee Company community and family; and

WHEREAS, John Sievers served in the Air Force for 26 years and traveled the world as a meteorologist; and

WHEREAS, after retiring from the military in 2014, John Sievers opened in West Omaha the country's first family and veteran owned franchise of the Green Beans Coffee Company which donates a portion of proceeds to organizations that support military families and children of the fallen; and

WHEREAS, John Sievers cultivated a local community through his small business; and

WHEREAS, John Sievers was a devoted son, brother, husband, father, grandfather, and friend; and

WHEREAS, John Sievers passed away on January 28, 2022; and

WHEREAS, John Sievers will be greatly missed by his family and friends.

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

1. That the Legislature honors and recognizes Senior Master Sergeant John Sievers for his strength, generosity, and leadership throughout his life and for his years of military service.
2. That the Legislature offer its condolences and gratitude to the family of John Sievers.
3. That a copy of this resolution be sent to the family of John Sievers.

Laid over.

LEGISLATIVE RESOLUTION 292. Introduced by Linehan, 39.

WHEREAS, Peter Benedict Haas, a member of Iron Horse Troop 357 from Elkhorn, and son of Dr. John Paul and Mrs. Susanne Novak Haas completed the requirements for the rank of Eagle Scout in the Boy Scouts of America; and

WHEREAS, to achieve the rank of Eagle Scout, the highest rank in scouting, a Boy Scout must fulfill requirements in the areas of leadership, service, and outdoor skills; and

WHEREAS, to advance through the ranks of Tenderfoot, Second Class, First Class, Star, Life, and finally Eagle Scout, a Boy Scout must demonstrate a number of specific skills; and

WHEREAS, to achieve the rank of Eagle Scout, a Boy Scout must complete a community service project approved by the troop and the Scout Council; and

WHEREAS, for his Eagle Scout Service Project, "Play It Forward," Peter coordinated a month-long donation drive, collecting 1,969 used sporting goods on behalf of the Football for the World Foundation, to be distributed to Omaha metro-area youth whose families fall below the poverty line; and

WHEREAS, to achieve the rank of Eagle Scout, a Boy Scout must earn 21 merit badges, 13 of which are in required areas, in addition to completing the community service project; and

WHEREAS, only a small percentage of those in Boy Scouts of America achieve the rank of Eagle Scout; and

WHEREAS, Peter, through his hard work and perseverance, joins other high achievers who are Eagle Scouts, such as astronauts, political and industry leaders, artists, scientists, and athletes.

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

1. That the Legislature congratulates Peter Benedict Haas on achieving the rank of Eagle Scout.
2. That a copy of this resolution be sent to Peter Benedict Haas.

Laid over.

BILL ON FIRST READING

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

LEGISLATIVE BILL 450A. Introduced by McKinney, 11.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 450, One Hundred Seventh Legislature, Second Session, 2022.

ANNOUNCEMENT

Senator Wayne announced the Urban Affairs Committee will hold an executive session Thursday, February 3, 2022, at 10:00 a.m., under the North Balcony.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Lindstrom name added to LB300.
Senator Albrecht name added to LB496.
Senator Groene name added to LB718.
Senator Albrecht name added to LB723.
Senator Bostar name added to LB783.
Senator Blood name added to LB783.
Senator Arch name added to LB933.
Senator Slama name added to LB955.
Senator Blood name added to LB1024.
Senator Albrecht name added to LB1037.
Senator Albrecht name added to LB1086.

VISITOR(S)

Visitors to the Chamber were Leadership Scottsbluff, Leadership Chadron, Heartland Expressway Association, Scottsbluff-Gering United Chamber, Northwest Nebraska Development Corporation; and members of the Nebraska Realtors Association from across Nebraska.

The Doctor of the Day was Dr. Hans Dethlefs of La Vista.

ADJOURNMENT

At 11:53 a.m., on a motion by Senator Hilkemann, the Legislature adjourned until 9:00 a.m., Thursday, February 3, 2022.

Patrick J. O'Donnell
Clerk of the Legislature

TWENTIETH DAY - FEBRUARY 3, 2022**LEGISLATIVE JOURNAL****ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION****TWENTIETH DAY**

Legislative Chamber, Lincoln, Nebraska
Thursday, February 3, 2022

PRAYER

The prayer was offered by Senator Dorn.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Hilkemann.

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 Day and McDonnell who were excused; and Senators Arch, Bostar, Flood, B. Hansen, Lathrop, McCollister, Morfeld, Walz, Wayne, and Wishart who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the nineteenth day was approved.

COMMITTEE REPORT(S)

Natural Resources

LEGISLATIVE BILL 804. Placed on General File.

LEGISLATIVE BILL 925. Placed on General File.

The Natural Resources 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.

Patrick L. Berggren - Nebraska Game and Parks Commission

Aye: 8. Aguilar, Bostelman, Cavanaugh, J., Gragert, Groene, Hughes, Moser, Wayne. Nay: 0. Absent: 0. Present and not voting: 0.

The Natural Resources 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.

Douglas A. Zingula - Nebraska Game and Parks Commission

Aye: 8. Aguilar, Bostelman, Cavanaugh, J., Gragert, Groene, Hughes, Moser, Wayne. Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) Bruce Bostelman, Chairperson

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of February 2, 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

DeRossett, Dennis M.
Nebraska Press Association
Givens-Dunn, Taylor
Voices for Children in Nebraska (Withdrawn 01/31/2022)
Goss, Kelly
Dialysis Patient Citizens
Johnson, Michael B.
Nebraska Chamber of Commerce & Industry
Neilan Strategy Group
Welcome Home
O'Hara Lindsay & Associates, Inc.
Self Storage Association

REPORTS

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

ANNOUNCEMENT(S)

Priority designation(s) received:

Gragert - LB925

GENERAL FILE

LEGISLATIVE BILL 450A. Title read. Considered.

Advanced to Enrollment and Review Initial with 34 ayes, 0 nays, 5 present and not voting, and 10 excused and not voting.

ANNOUNCEMENT

The Chair announced the birthday of Senator Williams.

GENERAL FILE

LEGISLATIVE BILL 986. Committee [AM1702](#), found on page 465 and considered on pages 490 and 493, was renewed.

Senator M. Hansen renewed his amendment, [AM1716](#), found on page 490, and considered on pages 490 and 494.

SPEAKER HILGERS PRESIDING

Pending.

COMMITTEE REPORT(S)
Nebraska Retirement Systems

LEGISLATIVE BILL 700. Placed on General File with amendment. [AM1704](#) is available in the Bill Room.

(Signed) Mark Kolterman, Chairperson

Revenue

LEGISLATIVE BILL 926. Indefinitely postponed.

(Signed) Lou Ann Linehan, Chairperson

Transportation and Telecommunications

LEGISLATIVE BILL 1147. Placed on General File.

LEGISLATIVE BILL 1148. Placed on General File.

(Signed) Curt Friesen, Chairperson

NOTICE OF COMMITTEE HEARING(S)

Revenue
Room 1524 1:30 PM

Friday, February 11, 2022

LB735
LB850
LB873
LB949
LB1030

Thursday, February 10, 2022

LB818
LB919
LB927
LB864
LB1116

(Signed) Lou Ann Linehan, Chairperson

Education
Room 1525 2:00 PM

Monday, February 14, 2022

Dennis A. Headrick - Coordinating Commission for Postsecondary
Education

(Signed) Lynne Walz, Chairperson

COMMITTEE REPORT(S)

Education

The Education 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.

Nicholas Baxter - Nebraska Educational Telecommunications Commission
Darrin Scott Good - Nebraska Educational Telecommunications
Commission

Aye: 7. Day, Linehan, Morfeld, Murman, Pansing Brooks, Sanders, Walz.
Nay: 0. Absent: 0. Present and not voting: 1. McKinney.

(Signed) Lynne Walz, Chairperson

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LR288 was adopted.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LR288.

GENERAL FILE

LEGISLATIVE BILL 986. Committee [AM1702](#), found on page 465 and considered on pages 490, 493, and in this day's Journal, was renewed.

Senator M. Hansen renewed his amendment, [AM1716](#), found on page 490, and considered on pages 490, 494, and in this day's Journal.

Senator Hunt filed the following motion to [LB986](#):

[MO138](#)

Recommit to Revenue Committee.

Pending.

AMENDMENT(S) - Print in Journal

Senator Briese filed the following amendment to [LB890](#):

[FA70](#)

Amend Committee amendment by striking Section 1

COMMITTEE REPORT(S)

Education

LEGISLATIVE BILL 868. Placed on General File.

LEGISLATIVE BILL 890. Placed on General File with amendment. [AM1756](#) is available in the Bill Room.

LEGISLATIVE BILL 1169. Indefinitely postponed.

(Signed) Lynne Walz, Chairperson

Urban Affairs

LEGISLATIVE BILL 974. Placed on General File.

(Signed) Justin Wayne, Chairperson

Government, Military and Veterans Affairs

LEGISLATIVE BILL 733. Placed on General File.

LEGISLATIVE BILL 769. Placed on General File.

LEGISLATIVE BILL 786. Placed on General File.

LEGISLATIVE BILL 791. Placed on General File.

LEGISLATIVE BILL 807. Placed on General File.

LEGISLATIVE BILL 847. Placed on General File.

LEGISLATIVE RESOLUTION 263CA. Placed on General File.

LEGISLATIVE RESOLUTION 271. Reported to the Legislature for further consideration.

(Signed) Tom Brewer, Chairperson

COMMITTEE REPORT(S)

Revenue

The Revenue 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.

Robert W. Hotz - Tax Equalization and Review Commission

Aye: 8. Albrecht, Bostar, Briese, Flood, Friesen, Lindstrom, Linehan, Pahls.
Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) Lou Ann Linehan, Chairperson

Government, Military and Veterans Affairs

The Government, Military and Veterans Affairs 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.

Jerry Lee Jensen - State Personnel Board

Aye: 7. Brewer, Halloran, Hansen, M., Hunt, Lowe, McCollister, Sanders.
Nay: 0. Absent: 0. Present and not voting: 1. Blood.

(Signed) Tom Brewer, Chairperson

AMENDMENT(S) - Print in Journal

Senator Walz filed the following amendment to LB890:

[AM1766](#)

(Amendments to Standing Committee amendments, AM1756)

1 1. On page 1, line 17, strike "the property tax", show as stricken,
2 and insert "property taxes".

Senator Walz filed the following amendment to LB890:

[AM1767](#)

(Amendments to Standing Committee amendments, AM1756)

1 1. On page 1, line 22, after "the" insert "public school".

Senator Walz filed the following amendment to LB890:

[AM1768](#)

(Amendments to Standing Committee amendments, AM1756)

1 1. On page 2, line 1, strike "state" and insert "State of Nebraska".

Senator Blood filed the following amendment to LB689:
AM1669

1 1. Strike the original sections and insert the following new
2 sections:
3 Section 1. Section 21-192, Revised Statutes Supplement, 2021, is
4 amended to read:
5 21-192 (1) The filing fee for all filings under the Nebraska Uniform
6 Limited Liability Company Act, including amendments and name reservation,
7 shall be thirty dollars if the filing is submitted in writing and twenty-
8 five dollars if the filing is submitted electronically pursuant to
9 section 84-511, except that:
10 (a) The filing fee for filing a certificate of organization under
11 section 21-117 ~~or~~ and for filing an application for a certificate of
12 authority to transact business in this state as a foreign limited
13 liability company under section 21-156 shall be:
14 (i) Until December 31, 2022, one hundred ten dollars if the filing
15 is submitted in writing and one hundred dollars if the filing is
16 submitted electronically pursuant to section 84-511, and ten dollars for
17 a certificate; ~~and~~
18 (ii) Beginning January 1, 2023, and until December 31, 2023, zero
19 dollars; and
20 (iii) Beginning January 1, 2024, one hundred ten dollars if the
21 filing is submitted in writing and one hundred dollars if the filing is
22 submitted electronically pursuant to section 84-511, and ten dollars for
23 a certificate; and
24 (b) The filing fee for filing a protected-series designation under
25 section 21-509, ~~or~~ or a statement of designation under section 21-532, ~~or~~
26 ~~shall be one hundred ten dollars if the filing is submitted in writing~~
27 ~~and one hundred dollars if the filing is submitted electronically~~
28 ~~pursuant to section 84-511, for each protected series stated, and ten~~
29 ~~dollars for a certificate and the filing fee for an application for a~~
30 ~~certificate of authority to do business in this state as a foreign~~
31 ~~protected series under section 21-537 shall be:~~
32 (i) Until December 31, 2022, one hundred ten dollars if the filing
33 is submitted in writing and one hundred dollars if the filing is
34 submitted electronically pursuant to section 84-511, and ten dollars for
35 a certificate; -
36 (ii) Beginning January 1, 2023, and until December 31, 2023, zero
37 dollars; and
38 (iii) Beginning January 1, 2024, one hundred ten dollars if the
39 filing is submitted in writing and one hundred dollars if the filing is
40 submitted electronically pursuant to section 84-511, and ten dollars for
41 a certificate.
42 (2) The filing fee for filing a statement of change of address for
43 an agent for service of process under section 21-114 shall be thirty
44 dollars if the filing is submitted in writing and twenty-five dollars if
45 the filing is submitted electronically pursuant to section 84-511 for
46 each limited liability company or foreign limited liability company for
47 which the agent is designated.
48 (3) The filing fee for filing a statement of designation change
49 under section 21-509 or 21-510 shall be thirty dollars if the filing is
50 submitted in writing and twenty-five dollars if the filing is submitted
51 electronically pursuant to section 84-511 for each protected series
52 designation changed by the filing.
53 (4) The filing fee for the filing of a biennial report under section
54 21-125 or 21-514 shall be:
55 (a) Until December 31, 2022, thirty dollars if the filing is
56 submitted in writing and twenty-five dollars if the filing is submitted
57 electronically pursuant to section 84-511 for the series limited

31 liability company and thirty dollars if the filing is submitted in
 1 writing and twenty-five dollars if the filing is submitted electronically
 2 pursuant to section 84-511 for each of the series limited liability
 3 company's protected series; -
 4 (b) Beginning January 1, 2023, and until December 31, 2023, zero
 5 dollars; and
 6 (c) Beginning January 1, 2024, thirty dollars if the filing is
 7 submitted in writing and twenty-five dollars if the filing is submitted
 8 electronically pursuant to section 84-511 for the series limited
 9 liability company and thirty dollars if the filing is submitted in
 10 writing and twenty-five dollars if the filing is submitted electronically
 11 pursuant to section 84-511 for each of the series limited liability
 12 company's protected series.
 13 (5) The fee for an application for reinstatement more than five
 14 years after the effective date of an administrative dissolution shall be
 15 five hundred dollars.
 16 (6) The fee for filing a certificate of registration pursuant to
 17 section 21-186 shall be thirty dollars if the certificate is submitted in
 18 writing and twenty-five dollars if the certificate is submitted
 19 electronically pursuant to section 84-511. In lieu of filing such
 20 certificate, the fee for application for electronic access to records
 21 pursuant to section 21-186 is fifty-five dollars if submitted in writing
 22 or fifty dollars if submitted electronically pursuant to section 84-511.
 23 (7) A fee of one dollar per page plus ten dollars per certificate
 24 shall be paid for a certified copy of any document on file under the act.
 25 (8) The fees for filings under the act shall be paid to the
 26 Secretary of State. The Secretary of State shall remit the fees to the
 27 State Treasurer. The State Treasurer shall credit sixty percent of the
 28 fees to the General Fund and forty percent of the fees to the Secretary
 29 of State Cash Fund.
 30 Sec. 2. Original section 21-192, Revised Statutes Supplement, 2021,
 31 is repealed.

GENERAL FILE

LEGISLATIVE BILL 986. Committee [AM1702](#), found on page 465 and considered on pages 490, 493, and in this day's Journal, was renewed.

Senator M. Hansen renewed his amendment, [AM1716](#), found on page 490 and considered on page 490, 494, and in this day's Journal.

Senator Hunt renewed her motion, [MO138](#), found in this day's Journal, to recommit to Revenue Committee.

Pending.

COMMITTEE REPORT(S)

Revenue

LEGISLATIVE BILL LB 939. Placed on General File with amendment.

[AM1780](#)

1 1. Strike the original sections and insert the following new
 2 sections:
 3 Section 1. Section 77-2715.03, Reissue Revised Statutes of Nebraska,
 4 is amended to read:
 5 77-2715.03 (1) For taxable years beginning or deemed to begin on or

6 after January 1, 2013, and before January 1, 2014, the following brackets
7 and rates are hereby established for the Nebraska individual income tax:

8 Individual Income Tax Brackets and Rates

9 Bracket	Single	Married,	Head of	Married,	Estates	Tax
10 Number	Individuals	Filing	Household	Filing	and	Rate
11	Jointly		Separate	Trusts		
12 1	\$0-2,399	\$0-4,799	\$0-4,499	\$0-2,399	\$0-499	2.46%
13 2	\$2,400-	\$4,800-	\$4,500-	\$2,400-	\$500-	
14	17,499	34,999	27,999	17,499	4,699	3.51%
15 3	\$17,500-	\$35,000-	\$28,000-	\$17,500-	\$4,700-	
16	26,999	53,999	39,999	26,999	15,149	5.01%
17 4	\$27,000	\$54,000	\$40,000	\$27,000	\$15,150	
18	and Over	and Over	and Over	and Over	and Over	6.84%

19 (2) For taxable years beginning or deemed to begin on or after

20 January 1, 2014, the following brackets and rates are hereby established

21 for the Nebraska individual income tax:

22 Individual Income Tax Brackets and Rates

23 Bracket	Single	Married,	Head of	Married,	Estates	Tax
24 Number	Individuals	Filing	Household	Filing	and	Rate
25	Jointly		Separate	Trusts		
26 1	\$0-2,999	\$0-5,999	\$0-5,599	\$0-2,999	\$0-499	2.46%
1 2	\$3,000-	\$6,000-	\$5,600-	\$3,000-	\$500-	
2	17,999	35,999	28,799	17,999	4,699	3.51%
3 3	\$18,000-	\$36,000-	\$28,800-	\$18,000-	\$4,700-	
4	28,999	57,999	42,999	28,999	15,149	5.01%
5 4	\$29,000	\$58,000	\$43,000	\$29,000	\$15,150	
6	and Over	and Over	and Over	and Over	and Over	Top Rate
7 4	\$29,000	\$58,000	\$43,000	\$29,000	\$15,150	
8	and Over	and Over	and Over	and Over	and Over	6.84%

9 For purposes of this subsection, the top rate shall be:

10 (a) 6.84% for taxable years beginning or deemed to begin on or after

11 January 1, 2014, and before January 1, 2023;

12 (b) 6.34% for taxable years beginning or deemed to begin on or after

13 January 1, 2023, and before January 1, 2024;

14 (c) 6.14% for taxable years beginning or deemed to begin on or after

15 January 1, 2024, and before January 1, 2025; and

16 (d) 5.84% for taxable years beginning or deemed to begin on or after

17 January 1, 2025.

18 (3)(a) For taxable years beginning or deemed to begin on or after

19 January 1, 2015, the minimum and maximum dollar amounts for each income

20 tax bracket provided in subsection (2) of this section shall be adjusted

21 for inflation by the percentage determined under subdivision (3)(b) of

22 this section. The rate applicable to any such income tax bracket shall

23 not be changed as part of any adjustment under this subsection. The

24 minimum and maximum dollar amounts for each income tax bracket as

25 adjusted shall be rounded to the nearest ten-dollar amount. If the

26 adjusted amount for any income tax bracket ends in a five, it shall be

27 rounded up to the nearest ten-dollar amount.

28 (b)(i) For taxable years beginning or deemed to begin on or after

29 January 1, 2015, and before January 1, 2018, the Tax Commissioner shall

30 adjust the income tax brackets by the percentage determined pursuant to

1 the provisions of section 1(f) of the Internal Revenue Code of 1986, as

2 it existed prior to December 22, 2017, except that in section 1(f)(3)(B)

3 of the code the year 2013 shall be substituted for the year 1992. For

4 2015, the Tax Commissioner shall then determine the percent change from

5 the twelve months ending on August 31, 2013, to the twelve months ending

6 on August 31, 2014, and in each subsequent year, from the twelve months

7 ending on August 31, 2013, to the twelve months ending on August 31 of

8 the year preceding the taxable year. The Tax Commissioner shall prescribe

9 new tax rate schedules that apply in lieu of the schedules set forth in

10 subsection (2) of this section.

11 (ii) For taxable years beginning or deemed to begin on or after
 12 January 1, 2018, the Tax Commissioner shall adjust the income tax
 13 brackets based on the percentage change in the Consumer Price Index for
 14 All Urban Consumers published by the federal Bureau of Labor Statistics
 15 from the twelve months ending on August 31, 2016, to the twelve months
 16 ending on August 31 of the year preceding the taxable year. The Tax
 17 Commissioner shall prescribe new tax rate schedules that apply in lieu of
 18 the schedules set forth in subsection (2) of this section.

19 (4) Whenever the tax brackets or tax rates are changed by the
 20 Legislature, the Tax Commissioner shall update the tax rate schedules to
 21 reflect the new tax brackets or tax rates and shall publish such updated
 22 schedules.

23 (5) The Tax Commissioner shall prepare, from the rate schedules, tax
 24 tables which can be used by a majority of the taxpayers to determine
 25 their Nebraska tax liability. The design of the tax tables shall be
 26 determined by the Tax Commissioner. The size of the tax table brackets
 27 may change as the level of income changes. The difference in tax between
 28 two tax table brackets shall not exceed fifteen dollars. The Tax
 29 Commissioner may build the personal exemption credit and standard
 30 deduction amounts into the tax tables.

31 (6) For taxable years beginning or deemed to begin on or after
 1 January 1, 2013, the tax rate applied to other federal taxes included in
 2 the computation of the Nebraska individual income tax shall be 29.6
 3 percent.

4 (7) The Tax Commissioner may require by rule and regulation that all
 5 taxpayers shall use the tax tables if their income is less than the
 6 maximum income included in the tax tables.

7 Sec. 2. Section 77-2734.02, Revised Statutes Supplement, 2021, is
 8 amended to read:

9 77-2734.02 (1) Except as provided in subsection (2) of this section,
 10 a tax is hereby imposed on the taxable income of every corporate taxpayer
 11 that is doing business in this state:

12 (a) For taxable years beginning or deemed to begin before January 1,
 13 2013, at a rate equal to one hundred fifty and eight-tenths percent of
 14 the primary rate imposed on individuals under section 77-2701.01 on the
 15 first one hundred thousand dollars of taxable income and at the rate of
 16 two hundred eleven percent of such rate on all taxable income in excess
 17 of one hundred thousand dollars. The resultant rates shall be rounded to
 18 the nearest one hundredth of one percent;

19 (b) For taxable years beginning or deemed to begin on or after
 20 January 1, 2013, and before January 1, 2022, at a rate equal to 5.58
 21 percent on the first one hundred thousand dollars of taxable income and
 22 at the rate of 7.81 percent on all taxable income in excess of one
 23 hundred thousand dollars;

24 (c) For taxable years beginning or deemed to begin on or after
 25 January 1, 2022, and before January 1, 2023, at a rate equal to 5.58
 26 percent on the first one hundred thousand dollars of taxable income and
 27 at the rate of 7.50 percent on all taxable income in excess of one
 28 hundred thousand dollars; ~~and~~

29 (d) For taxable years beginning or deemed to begin on or after
 30 January 1, 2023, ~~and before January 1, 2024~~, at a rate equal to 5.58
 31 percent on the first one hundred thousand dollars of taxable income and
 1 at the rate of ~~7.00~~ ~~7.25~~ percent on all taxable income in excess of one
 2 hundred thousand dollars; ~~;~~

3 (e) ~~For taxable years beginning or deemed to begin on or after~~
 4 ~~January 1, 2024, and before January 1, 2025, at a rate equal to 5.58~~
 5 ~~percent on the first one hundred thousand dollars of taxable income and~~
 6 ~~at the rate of 6.50 percent on all taxable income in excess of one~~
 7 ~~hundred thousand dollars;~~

8 (f) For taxable years beginning or deemed to begin on or after
 9 January 1, 2025, and before January 1, 2026, at a rate equal to 5.58
 10 percent on the first one hundred thousand dollars of taxable income and
 11 at the rate of 6.14 percent on all taxable income in excess of one
 12 hundred thousand dollars; and
 13 (g) For taxable years beginning or deemed to begin on or after
 14 January 1, 2026, at a rate equal to 5.58 percent on the first one hundred
 15 thousand dollars of taxable income and at the rate of 5.84 percent on all
 16 taxable income in excess of one hundred thousand dollars.
 17 It is the intent of the Legislature to enact legislation after
 18 August 28, 2021, to lower the tax rate applicable to income in excess of
 19 one hundred thousand dollars to 7.00 percent for taxable years beginning
 20 or deemed to begin on or after January 1, 2024, and before January 1,
 21 2025, and to 6.84 percent for taxable years beginning or deemed to begin
 22 on or after January 1, 2025.
 23 For corporate taxpayers with a fiscal year that does not coincide
 24 with the calendar year, the individual rate used for this subsection
 25 shall be the rate in effect on the first day, or the day deemed to be the
 26 first day, of the taxable year.
 27 (2) An insurance company shall be subject to taxation at the lesser
 28 of the rate described in subsection (1) of this section or the rate of
 29 tax imposed by the state or country in which the insurance company is
 30 domiciled if the insurance company can establish to the satisfaction of
 31 the Tax Commissioner that it is domiciled in a state or country other
 1 than Nebraska that imposes on Nebraska domiciled insurance companies a
 2 retaliatory tax against the tax described in subsection (1) of this
 3 section.
 4 (3) For a corporate taxpayer that is subject to tax in another
 5 state, its taxable income shall be the portion of the taxpayer's federal
 6 taxable income, as adjusted, that is determined to be connected with the
 7 taxpayer's operations in this state pursuant to sections 77-2734.05 to
 8 77-2734.15.
 9 (4) Each corporate taxpayer shall file only one income tax return
 10 for each taxable year.
 11 Sec. 3. Original section 77-2715.03, Reissue Revised Statutes of
 12 Nebraska, and section 77-2734.02, Revised Statutes Supplement, 2021, are
 13 repealed.

(Signed) Lou Ann Linehan, Chairperson

ANNOUNCEMENT(S)

Priority designation(s) received:

Morfeld - LB519
 Revenue - LB939

AMENDMENT(S) - Print in Journal

Senator Brewer filed the following amendment to LB773:
[AM1757](#) is available in the Bill Room.

UNANIMOUS CONSENT - Room Change

Senator Wayne asked unanimous consent that the Urban Affairs Committee conduct its hearing on Friday, February 11, 2022, in Room 1525 instead of Room 1510. No objections. So ordered.

ANNOUNCEMENT

Senator B. Hansen announced the Business and Labor Committee will hold an executive session Tuesday, February 8, 2022, at 12:00 p.m., in Room 1524.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Blood name added to LB779.
Senator Blood name added to LB841.
Senator Brewer name added to LR284.

VISITOR(S)

Visitors to the Chamber were Representatives from Nebraska Community Colleges.

ADJOURNMENT

At 12:00 p.m., on a motion by Senator Wayne, the Legislature adjourned until 10:00 a.m., Tuesday, February 8, 2022.

Patrick J. O'Donnell
Clerk of the Legislature

TWENTY-FIRST DAY - FEBRUARY 8, 2022

LEGISLATIVE JOURNAL

**ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION**

TWENTY-FIRST DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, February 8, 2022

PRAYER

The prayer was offered by Senator Kolterman.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Hughes.

ROLL CALL

Pursuant to adjournment, the Legislature met at 10:00 a.m., President Foley presiding.

The roll was called and all members were present except Senators Blood, Bostar, Bostelman, Day, B. Hansen, Lathrop, Morfeld, and Pansing Brooks who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the twentieth day was approved.

COMMITTEE REPORT(S)
Judiciary

LEGISLATIVE BILL 519. Placed on General File with amendment.

[AM1781](#)

1 1. On page 2, strike beginning with "for" in line 20 through the
2 comma in line 21 and insert "upon a showing by the petitioner"; and in
3 line 21 strike "could" and insert "would".

LEGISLATIVE BILL 543. Placed on General File with amendment.

[AM1800](#)

1 1. Strike the original sections and all amendments thereto and
2 insert the following new sections:
3 Section 1. Sections 1 to 6 of this act shall be known and may be
4 cited as the Agricultural Equipment Right-To-Repair Act.
5 Sec. 2. For purposes of the Agricultural Equipment Right-To-Repair

6 Act:

7 (1) Authorized repair provider means an individual or business who
8 is affiliated with an original equipment manufacturer and who has an
9 arrangement with the original equipment manufacturer, for a definite or
10 indefinite period, under which the original equipment manufacturer grants
11 to the individual or business a license to use a trade name, service
12 mark, or other proprietary identifier for the purposes of offering the
13 services of diagnosis, maintenance, or repair of electronics-enabled
14 agricultural equipment under the name of the original equipment
15 manufacturer, or other arrangement with the original equipment
16 manufacturer to offer such services on behalf of the original equipment
17 manufacturer. An original equipment manufacturer who offers the services
18 of diagnosis, maintenance, or repair of its own electronics-enabled
19 agricultural equipment, and who does not have an arrangement described in
20 this subsection with an affiliated individual or business, shall be
21 considered an authorized repair provider with respect to such equipment;

22 (2) Electronics-enabled agricultural equipment or equipment means
23 any product, part of a product, or attachment to a product, when sold or
24 leased for use in farming, ranching, or other agriculture, that depends
25 for its functioning, in whole or in part, on digital electronics embedded
26 in or attached to it. The term includes, but is not limited to, a
27 tractor, a trailer, a combine, a sprayer, a baler, or an implement used
1 for tillage, planting, irrigation, or cultivating. Electronics-enabled
2 agricultural equipment or equipment does not include motor vehicles and
3 does not include consumer electronic devices, including wireless
4 communication devices and computers;

5 (3) Documentation means any manual, diagram, reporting output,
6 service code description, schematic, product guide, product service
7 demonstration, training seminar, clinic, fleet management information,
8 connected support, mobile application, on-board diagnostic via
9 diagnostics port or wireless interface, or other guidance or information
10 on service, parts, operation, safety, electronic field diagnostic service
11 tools, or training for use in effecting the services of diagnosis,
12 maintenance, or repair of electronics-enabled agricultural equipment or
13 service that is required to bring the equipment back to full or upgraded
14 functionality;

15 (4) Embedded software means any programmable instructions provided
16 on firmware delivered with electronics-enabled agricultural equipment, or
17 with a part for such equipment, for purposes of equipment operation,
18 including all relevant updates, patches, and fixes made by the
19 manufacturer of such equipment or part for such purposes;

20 (5)(a) Fair and reasonable terms for obtaining a part, a tool,
21 documentation, or software means at fair and reasonable costs and terms
22 that do not impair the contracts and agreements between authorized repair
23 providers affiliated with the original equipment manufacturer. Fair and
24 reasonable terms shall prohibit an original equipment manufacturer and
25 its authorized repair providers from imposing additional costs or burdens
26 not reasonably necessary or designed to be an impediment on the
27 independent repair provider or equipment owner.

28 (b) For software tools, fair and reasonable terms also means without
29 requiring authorization or Internet access, or imposing impediments to
30 access or use, in the course of effecting the diagnosis, maintenance, or
31 repair and enabling full functionality of electronics-enabled
1 agricultural equipment, in a manner that impairs the efficient and cost-
2 effective performance of any of those activities unless authorization is
3 required to prevent access to source code or infringement of intellectual
4 property in software or hardware that is owned and licensed to the
5 original equipment manufacturer by a third party and subject to terms of
6 use;

7 (6) Firmware means a set of instructions programmed on electronics-

8 enabled agricultural equipment, or on a part for such equipment, to allow
9 the equipment or part to communicate within itself or with other computer
10 hardware;

11 (7) Independent repair provider means an individual or business
12 operating in this state, who does not have an arrangement described in
13 subdivision (1) of this section with an original equipment manufacturer,
14 and who is not affiliated with any individual or business who has such an
15 arrangement, and who is engaged in the services of diagnosis,
16 maintenance, or repair of electronics-enabled agricultural equipment,
17 except that an original equipment manufacturer or, with respect to that
18 original equipment manufacturer, an individual or business who has such
19 an arrangement with that original equipment manufacturer, or who is
20 affiliated with an individual or business who has such an arrangement
21 with that original equipment manufacturer, shall be considered an
22 independent repair provider for purposes of those instances in which it
23 engages in the services of diagnosis, maintenance, or repair of
24 electronics-enabled agricultural equipment that is not manufactured by or
25 sold under the name of that original equipment manufacturer;

26 (8) Motor vehicle means a vehicle that is designed for transporting
27 persons or property on a street or highway and is certified by the
28 manufacturer under all applicable federal safety and emissions standards
29 and requirements for distribution and sale in the United States;

30 (9) Original equipment manufacturer means a business engaged in the
31 business of selling, leasing, or otherwise supplying new electronics-
1 enabled agricultural equipment manufactured by or on behalf of itself, to
2 any individual or business;

3 (10) Owner means an individual or business that owns or leases
4 electronics-enabled agricultural equipment purchased or used in this
5 state;

6 (11) Part means any replacement part, either new or used, made
7 available by an original equipment manufacturer or other supplier for
8 purposes of effecting the services of maintenance or repair of
9 electronics-enabled agricultural equipment manufactured by or on behalf
10 of, sold, or otherwise supplied by the original equipment manufacturer;

11 (12) Repair means to maintain, diagnose, service, and restore
12 machinery that results in the machine being returned to its original or
13 upgraded specifications. Repair does not include performing any
14 activities that result in the machine being modified outside of the
15 original equipment manufacturer specifications. Specifically, repair does
16 not include the ability to:

17 (a) Reset security-related electronic modules;

18 (b) Reprogram any electronic processing units or engine control
19 units and parameters;

20 (c) Change any equipment or engine settings that negatively affect
21 emissions or safety compliance; and

22 (d) Download or access the source code of any proprietary embedded
23 software or code;

24 (13) Tools means any software program, software upgrade, hardware
25 implement, product service demonstrations, service training, seminars,
26 clinics, on-board diagnostics via diagnostics port or wireless interface,
27 electronic field diagnostic service tools and training on how to use
28 them, or other apparatus used for diagnosis, maintenance, or repair of
29 electronics-enabled agricultural equipment, including software or other
30 mechanisms that provision, program, or pair a new part, calibrate
31 functionality, or perform any other function required to bring the
1 product back to specifications; and

2 (14) Trade secret has the same meaning as in section 87-502.

3 Sec. 3. For electronics-enabled agricultural equipment, and parts
4 for such equipment, sold or used in this state, an original equipment
5 manufacturer shall make available, for purposes of diagnosis,

6 maintenance, or repair of such equipment, to any independent repair
7 provider, or to the owner of electronics-enabled agricultural equipment
8 manufactured by or on behalf of, or sold or otherwise supplied by, the
9 original equipment manufacturer, on fair and reasonable terms,
10 documentation, parts, and tools, inclusive of any updates to information
11 or embedded software. Nothing in this subsection requires an original
12 equipment manufacturer to make available documentation, parts, and tools
13 if such documentation, parts, and tools are no longer available to the
14 original equipment manufacturer.
15 Sec. 4. Violation of the Agricultural Equipment Right-To-Repair Act
16 is an unlawful practice under the Uniform Deceptive Trade Practices Act.
17 All remedies, penalties, and authority granted to the Attorney General by
18 the Uniform Deceptive Trade Practices Act shall be available to the
19 Attorney General for the enforcement of the Agricultural Equipment Right-
20 To-Repair Act.
21 Sec. 5. (1) Nothing in the Agricultural Equipment Right-To-Repair
22 Act shall be construed to require an original equipment manufacturer to
23 divulge a trade secret to an owner or an independent service provider
24 except as necessary to provide documentation, parts, and tools on fair
25 and reasonable terms.
26 (2) No provision in the Agricultural Equipment Right-To-Repair Act
27 shall be construed to alter the terms of any arrangement described in
28 subdivision (1) of section 2 of this act in force between an authorized
29 repair provider and an original equipment manufacturer, including, but
30 not limited to, the performance or provision of warranty or recall repair
31 work by an authorized repair provider on behalf of an original equipment
1 manufacturer pursuant to such arrangement, except that any provision in
2 such terms that purports to waive, avoid, restrict, or limit the original
3 equipment manufacturer's obligations to comply with the act shall be void
4 and unenforceable.
5 Sec. 6. The Agricultural Equipment Right-To-Repair Act applies with
6 respect to equipment sold or in use on or after the effective date of
7 this act.

(Signed) Steve Lathrop, Chairperson

ANNOUNCEMENT(S)

Priority designation(s) received:

Brandt - LB543

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LRs 289 and 290 were adopted.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LRs 289 and 290.

NOTICE OF COMMITTEE HEARING(S)

Health and Human Services
Room 1510 1:30 PM

Wednesday, March 2, 2022

Briefing by the Department of Health and Human Services on the
Heritage Health Procurement

(Signed) John Arch, Chairperson

Government, Military and Veterans Affairs
Room 1507 1:30 PM

Wednesday, February 16, 2022

LB928
LB908
LB1205
LB930

Thursday, February 17, 2022

LB1104
LB964
LB910

(Signed) Tom Brewer, Chairperson

Urban Affairs
Room 1510 1:30 PM

Tuesday, February 22, 2022

LB1108
LB726
LB727
LB821
LB1118
LB1119

Tuesday, February 15, 2022

LB1073
LB789
LB1189
LB998
LB837
LB1227

(Signed) Justin Wayne, Chairperson

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 450A. Placed on Select File.

(Signed) Terrell McKinney, Chairperson

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 376. Placed on Final Reading.**ST40**

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

1. In the Standing Committee amendments, AM1307, on page 7, line 8, "section" has been struck and "sections 83-1201 and" inserted; and in line 9 "is" has been struck and "are" inserted.

2. On page 1, lines 2 through 7 and all amendments thereto have been struck and "sections 83-1201 and 83-1212.01, Revised Statutes Cumulative Supplement, 2020; to state findings and declarations; to require application for and implementation of services and supports for children with disabilities and their families as prescribed; to require reports and evaluations; to provide powers and duties; to harmonize provisions; and to repeal the original sections." inserted.

(Signed) Terrell McKinney, Chairperson

GENERAL FILE**LEGISLATIVE BILL 592.** Title read. Considered.

Committee [AM237](#), found on page 536, First Session, 2021, was adopted with 38 ayes, 0 nays, 5 present and not voting, and 6 excused and not voting.

Advanced to Enrollment and Review Initial with 40 ayes, 0 nays, 4 present and not voting, and 5 excused and not voting.

LEGISLATIVE BILL 754. Title read. Considered.

Advanced to Enrollment and Review Initial with 40 ayes, 0 nays, 6 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 758. Title read. Considered.

Committee [AM1684](#), found on page 456, was adopted with 40 ayes, 0 nays, and 9 present and not voting.

Advanced to Enrollment and Review Initial with 43 ayes, 0 nays, and 6 present and not voting.

LEGISLATIVE BILL 892. Title read. Considered.

Advanced to Enrollment and Review Initial with 38 ayes, 4 nays, 6 present and not voting, and 1 excused and not voting.

LEGISLATIVE BILL 708. Title read. Considered.

Advanced to Enrollment and Review Initial with 43 ayes, 0 nays, 5 present and not voting, and 1 excused and not voting.

COMMITTEE REPORT(S)
Urban Affairs

LEGISLATIVE BILL 695. Placed on General File with amendment. [AM1742](#) is available in the Bill Room.

(Signed) Justin Wayne, Chairperson

AMENDMENT(S) - Print in Journal

Senator Linehan filed the following amendment to [LB939](#):
[AM1820](#)

(Amendments to Standing Committee amendments, AM1780)

1 1. On page 2, line 6, strike "Top" and insert "Maximum"; and in line
2 9 strike "top" and insert "maximum".

Senator Linehan filed the following amendment to [LB939](#):
[AM1821](#)

(Amendments to Standing Committee amendments, AM1780)

1 1. On page 5, line 23, strike "coincide", show as stricken, and
2 insert "match".

ANNOUNCEMENT(S)

Priority designation(s) received:

Williams - LB1069

GENERAL FILE

LEGISLATIVE BILL 986. Committee [AM1702](#), found on page 465 and considered on pages 490, 493, and 503, was renewed.

Senator M. Hansen renewed his amendment, [AM1716](#), found on page 490 and considered on pages 490, 494, and 503, to the committee amendment.

Senator Hunt renewed her motion, [MO138](#), found on page 503 and considered on pages 503 and 506, to recommit to Revenue Committee.

Senator M. Hansen offered the following motion:

[MO139](#)

Bracket until April 20, 2022.

Senator Briese offered the following motion:

[MO140](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Briese moved for a call of the house. The motion prevailed with 27 ayes, 1 nay, and 21 not voting.

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

Voting in the affirmative, 28:

Albrecht	Briese	Gragert	Lindstrom	Pahls
Arch	Clements	Groene	Linehan	Sanders
Bostar	Erdman	Halloran	Lowe	Slama
Bostelman	Flood	Hansen, B.	McDonnell	Wayne
Brandt	Friesen	Hilgers	Moser	
Brewer	Geist	Hughes	Murman	

Voting in the negative, 21:

Aguilar	DeBoer	Kolterman	Pansing Brooks	Wishart
Blood	Dorn	Lathrop	Stinner	
Cavanaugh, J.	Hansen, M.	McCollister	Vargas	
Cavanaugh, M.	Hilkemann	McKinney	Walz	
Day	Hunt	Morfeld	Williams	

The Briese motion to invoke cloture failed with 28 ayes, 21 nays, and 0 not voting.

GENERAL FILE

LEGISLATIVE BILL 906. Title read. Considered.

Committee [AM1729](#), found on page 485, was offered.

Pending.

AMENDMENT(S) - Print in Journal

Senator J. Cavanaugh filed the following amendment to [LB773](#):

[AM1794](#)

(Amendments to AM1757)

1 1. Insert the following new sections:

2 Sec. 14. (1) For purposes of this section, concealed weapon offense

3 means:

4 (a) A violation of section 28-1202 as it existed on or before

5 January 1, 2022; or

6 (b) Attempt, conspiracy, solicitation, being an accessory to, aiding

7 and abetting, aiding the consummation of, or compounding a felony with a

8 violation described in subdivision (1)(a) of this section as the
 9 underlying offense.
 10 (2) At any time following the completion of sentence or disposition,
 11 a person convicted of a concealed weapon offense or adjudicated in
 12 juvenile court for a concealed weapon offense may file a motion to set
 13 aside such conviction or adjudication. The motion shall be filed in the
 14 county, district, or separate juvenile court in which the movant was
 15 convicted or adjudicated.
 16 (3) In determining whether to set aside the conviction, the court
 17 shall consider:
 18 (a) The behavior of the movant after completion of sentencing or
 19 disposition;
 20 (b) The likelihood that the movant will not engage in further
 21 criminal activity; and
 22 (c) Any other information the court considers relevant.
 23 (4) There shall be a rebuttable presumption that the movant is
 24 entitled to relief under this section if:
 25 (a) As a result of the changes made to section 28-1202 by this
 26 legislative bill, the movant's conduct underlying the conviction or
 1 adjudication for a concealed weapon offense would not be a violation of
 2 section 28-1202;
 3 (b) Section 28-1202 is amended by the Legislature such that the
 4 movant's conduct underlying the conviction or adjudication for a
 5 concealed weapon offense would no longer be a violation of section
 6 28-1202; or
 7 (c) Section 28-1202 is outright repealed by the Legislature.
 8 (5) The court may grant the motion and issue an order setting aside
 9 the conviction or adjudication when in the opinion of the court the order
 10 will be in the best interest of the movant and consistent with the public
 11 welfare.
 12 (6) An order setting aside a conviction or an adjudication under
 13 this section shall have the same effect as an order setting aside a
 14 conviction as provided in subsections (5) and (6) of section 29-2264.
 15 Sec. 15. Section 29-3523, Revised Statutes Cumulative Supplement,
 16 2020, is amended to read:
 17 29-3523 (1) After the expiration of the periods described in
 18 subsection (3) of this section or after the granting of a motion under
 19 subsection (4), (5), ~~or~~ (6), or (7) of this section, a criminal justice
 20 agency shall respond to a public inquiry in the same manner as if there
 21 were no criminal history record information and criminal history record
 22 information shall not be disseminated to any person other than a criminal
 23 justice agency, except as provided in subsection (2) of this section or
 24 when the subject of the record:
 25 (a) Is currently the subject of prosecution or correctional control
 26 as the result of a separate arrest;
 27 (b) Is currently an announced candidate for or holder of public
 28 office;
 29 (c) Has made a notarized request for the release of such record to a
 30 specific person; or
 31 (d) Is kept unidentified, and the record is used for purposes of
 1 surveying or summarizing individual or collective law enforcement agency
 2 activity or practices, or the dissemination is requested consisting only
 3 of release of criminal history record information showing (i) dates of
 4 arrests, (ii) reasons for arrests, and (iii) the nature of the
 5 dispositions including, but not limited to, reasons for not prosecuting
 6 the case or cases.
 7 (2) That part of criminal history record information described in
 8 subsection ~~(8)~~ (7) of this section may be disseminated to individuals and
 9 agencies for the express purpose of research, evaluative, or statistical
 10 activities pursuant to an agreement with a criminal justice agency that

11 specifically authorizes access to the information, limits the use of the
 12 information to research, evaluative, or statistical activities, and
 13 ensures the confidentiality and security of the information.

14 (3) Except as provided in subsections (1) and (2) of this section,
 15 in the case of an arrest, citation in lieu of arrest, or referral for
 16 prosecution without citation, all criminal history record information
 17 relating to the case shall be removed from the public record as follows:
 18 (a) When no charges are filed as a result of the determination of
 19 the prosecuting attorney, the criminal history record information shall
 20 not be part of the public record after one year from the date of arrest,
 21 citation in lieu of arrest, or referral for prosecution without citation;
 22 (b) When charges are not filed as a result of a completed diversion,
 23 the criminal history record information shall not be part of the public
 24 record after two years from the date of arrest, citation in lieu of
 25 arrest, or referral for prosecution without citation; and
 26 (c) When charges are filed, but the case is dismissed by the court
 27 (i) on motion of the prosecuting attorney, (ii) as a result of a hearing
 28 not the subject of a pending appeal, (iii) after acquittal, (iv) after a
 29 deferred judgment, or (v) after completion of a program prescribed by a
 30 drug court or any other problem solving court approved by the Supreme
 31 Court, the criminal history record information shall not be part of the
 1 public record immediately upon notification of a criminal justice agency
 2 after acquittal pursuant to subdivision (3)(c)(iii) of this section or
 3 after the entry of an order dismissing the case.

4 (4) Upon the granting of a motion to set aside a conviction or an
 5 adjudication pursuant to section 29-3005, a person who is a victim of sex
 6 trafficking, as defined in section 29-3005, may file a motion with the
 7 ~~same sentencing~~ court for an order to seal the criminal history record
 8 information related to such conviction or adjudication. Upon a finding
 9 that a court issued an order setting aside such conviction or
 10 adjudication pursuant to section 29-3005, the ~~sentencing~~ court shall
 11 grant the motion and:

12 (a) For a conviction, issue an order as provided in subsection (8)
 13 ~~(7)~~ of this section; or
 14 (b) For an adjudication, issue an order as provided in section
 15 43-2,108.05.

16 (5) Upon the granting of a motion to set aside a conviction or an
 17 adjudication pursuant to section 14 of this act, the movant may file a
 18 motion with the same court for an order to seal the criminal history
 19 record information related to such conviction or adjudication. Upon a
 20 finding that an order setting aside such conviction or adjudication was
 21 issued pursuant to section 14 of this act, the court shall grant the
 22 motion and:

23 (a) For a conviction, issue an order as provided in subsection (8)
 24 of this section; or
 25 (b) For an adjudication, issue an order as provided in section
 26 43-2,108.05.

27 ~~(6)~~ ~~(5)~~ Any person who has received a pardon may file a motion with
 28 the sentencing court for an order to seal the criminal history record
 29 information and any cases related to such charges or conviction. Upon a
 30 finding that the person received a pardon, the court shall grant the
 31 motion and issue an order as provided in subsection ~~(8)~~ ~~(7)~~ of this
 1 section.

2 ~~(7)~~ ~~(6)~~ Any person who is subject to a record which resulted in a
 3 case being dismissed prior to January 1, 2017, as described in
 4 subdivision (3)(c) of this section, may file a motion with the court in
 5 which the case was filed to enter an order pursuant to subsection ~~(8)~~ ~~(7)~~
 6 of this section. Upon a finding that the case was dismissed for any
 7 reason described in subdivision (3)(c) of this section, the court shall
 8 grant the motion and enter an order as provided in subsection ~~(8)~~ ~~(7)~~ of

9 this section.

10 ~~(8) (7)~~ Upon acquittal or entry of an order dismissing a case
11 described in subdivision (3)(c) of this section, or after granting a
12 motion under subsection (4), (5), ~~or (6), or (7)~~ of this section, the
13 court shall:

14 (a) Order that all records, including any information or other data
15 concerning any proceedings relating to the case, including the arrest,
16 taking into custody, petition, complaint, indictment, information, trial,
17 hearing, adjudication, correctional supervision, dismissal, or other
18 disposition or sentence, are not part of the public record and shall not
19 be disseminated to persons other than criminal justice agencies, except
20 as provided in subsection (1) or (2) of this section;

21 (b) Send notice of the order (i) to the Nebraska Commission on Law
22 Enforcement and Criminal Justice, (ii) to the Nebraska State Patrol, and
23 (iii) to law enforcement agencies, county attorneys, and city attorneys
24 referenced in the court record;

25 (c) Order all parties notified under subdivision ~~(8)(b) (7)(b)~~ of
26 this section to seal all records pertaining to the case; and

27 (d) If the case was transferred from one court to another, send
28 notice of the order to seal the record to the transferring court.

29 ~~(9) (8)~~ In any application for employment, bonding, license,
30 education, or other right or privilege, any appearance as a witness, or
31 any other public inquiry, a person cannot be questioned with respect to
1 any offense for which the record is sealed. If an inquiry is made in
2 violation of this subsection, the person may respond as if the offense
3 never occurred.

4 ~~(10) (9)~~ Any person arrested due to the error of a law enforcement
5 agency may file a petition with the district court for an order to
6 expunge the criminal history record information related to such error.
7 The petition shall be filed in the district court of the county in which
8 the petitioner was arrested. The county attorney shall be named as the
9 respondent and shall be served with a copy of the petition. The court may
10 grant the petition and issue an order to expunge such information if the
11 petitioner shows by clear and convincing evidence that the arrest was due
12 to error by the arresting law enforcement agency.

13 ~~(11) (40)~~ The changes made by Laws 2018, LB1132 and this legislative
14 bill, to the relief set forth in this section shall apply to all persons
15 otherwise eligible in accordance with the provisions of this section,
16 whether arrested, cited in lieu of arrest, referred for prosecution
17 without citation, charged, convicted, or adjudicated prior to, on, or
18 subsequent to July 19, 2018.

19 Sec. 16. Section 29-3528, Reissue Revised Statutes of Nebraska, is
20 amended to read:

21 29-3528 ~~(1) If a state agency or political subdivision or an~~
22 ~~Whenever any officer or employee of a the state, its agencies, or its~~
23 ~~political subdivisions, or whenever any state agency or any political~~
24 ~~subdivision or its agencies fails to comply with the requirements of the~~
25 ~~Security, Privacy, and Dissemination of Criminal History Information Act~~
26 ~~sections 29-209, 29-210, 29-3501 to 29-3528, and 81-1423 or of rules and~~
27 ~~regulations lawfully adopted and promulgated under such act, such failure~~
28 ~~creates private liability on the part of such agency, political~~
29 ~~subdivision, officer, or employee. Any to implement sections 29-209,~~
30 ~~29-210, 29-3501 to 29-3528, and 81-1423, any person aggrieved by such a~~
31 ~~violation may bring an action for appropriate relief, including, but not~~
1 ~~limited to, actual damages, such preliminary and other equitable or~~
2 ~~declaratory relief as may be appropriate, or a writ of an action for~~
3 ~~mandamus.~~

4 ~~(2) Consent is hereby given to join the state, any agency or~~
5 ~~political subdivision of the state, and any officer or employee of the~~
6 ~~state, its agencies, or its political subdivisions as a defendant in any~~

7 ~~action under this section. Such entities, when a party to any such~~
 8 ~~action, shall be deemed to have waived sovereign immunity and shall be~~
 9 ~~subject to the judgments, orders, and decrees of the court.~~
 10 (3) ~~An action under this section is not subject to the State Tort~~
 11 ~~Claims Act or the Political Subdivisions Tort Claims Act.~~
 12 (4) ~~An , to compel compliance and such action under this section may~~
 13 be brought in the district court of any district in which the records
 14 involved are located or in the district court of Lancaster County. The
 15 commission may request the Attorney General to bring such action.
 16 2. Renumber the remaining sections and correct the repealer
 17 accordingly.

Senator Friesen filed the following amendment to LB939:
AM1818

(Amendments to Standing Committee amendments, AM1780)

1 1. On page 2, line 11, strike "2023" and insert "2050"; in line 13
 2 strike "2023" and insert "2050" and strike "2024" and insert "2051"; in
 3 line 15 strike "2024" and insert "2051" and strike "2025" and insert
 4 "2052"; and in line 17 strike "2025" and insert "2052".

Senator Friesen filed the following amendment to LB939:
AM1815

(Amendments to Standing Committee amendments, AM1780)

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

NOTICE OF COMMITTEE HEARING(S)

Natural Resources
 Room 1525 1:30 PM

Wednesday, February 16, 2022

Scott L. Cassels - Nebraska Game and Parks Commission
 LB1081
 LB1186

Thursday, February 17, 2022

Bridget Troxel Peck - Nebraska Power Review Board

(Signed) Bruce Bostelman, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 293. Introduced by Friesen, 34; Aguilar, 35; Albrecht, 17; Arch, 14; Blood, 3; Bostar, 29; Bostelman, 23; Brandt, 32; Brewer, 43; Briese, 41; Cavanaugh, J., 9; Clements, 2; Day, 49; DeBoer, 10; Dorn, 30; Erdman, 47; Flood, 19; Geist, 25; Gragert, 40; Groene, 42; Halloran, 33; Hansen, B., 16; Hansen, M., 26; Hilgers, 21; Hilkemann, 4; Hughes, 44; Kolterman, 24; Lathrop, 12; Lindstrom, 18; Linehan, 39; Lowe, 37; McCollister, 20; McDonnell, 5; Morfeld, 46; Moser, 22; Murman, 38; Pahls, 31; Pansing Brooks, 28; Sanders, 45; Slama, 1; Stinner, 48; Vargas, 7; Walz, 15; Wayne, 13; Williams, 36; Wishart, 27.

WHEREAS, the United States has a close alliance with the United Kingdom. The United States and the United Kingdom are durable partners and allies whose partnership is the foundation of our mutual prosperity and security; and

WHEREAS, the strong relationship between the United States and the United Kingdom reflects common democratic ideals and values, which are reinforced through cooperation on political, security, and economic issues; and

WHEREAS, the United States and the United Kingdom are the first and fifth largest economies in the world, and their investment and commitment to free market values and mutual trade enables both economies to thrive; and

WHEREAS, United Kingdom companies employ over 4000 workers in the State of Nebraska; and

WHEREAS, the citizens of Nebraska and the United Kingdom mutually benefit from trade between the United States and the United Kingdom; and

WHEREAS, Nebraska's exports to the United Kingdom totaled \$68.2 million in 2020, with \$14.9 million coming from agricultural products; and

WHEREAS, Nebraska annually exports about 30 percent of its agricultural production.

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

1. That the Legislature thanks the United Kingdom for being a longstanding ally.
2. That the Legislature appreciates the strong diplomatic and trade relationship between our two great nations.
3. That copies of this resolution be sent to the British Consul General in Chicago.

Laid over.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Groene name added to LB713.
Senator Clements name added to LB906.
Senator Morfeld name added to LB1241.
Senator DeBoer name added to LB1246.
Senator Morfeld name added to LB1271.

VISITOR(S)

Visitors to the Chamber were a group of State Officers from Career and Technical Student Organizations; and members of Leadership Wayne.

The Doctor of the Day was Dr. Pat Hotovy of York.

ADJOURNMENT

At 11:54 a.m., on a motion by Senator Blood, the Legislature adjourned until 9:00 a.m., Wednesday, February 9, 2022.

Patrick J. O'Donnell
Clerk of the Legislature

TWENTY-SECOND DAY - FEBRUARY 9, 2022**LEGISLATIVE JOURNAL****ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION****TWENTY-SECOND DAY**

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

PRAYER

The prayer was offered by Pastor Scott Bruick, St. John's Lutheran Church, Seward.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Brewer.

ROLL CALL

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

The roll was called and all members were present except Senators Bostar, Briese, J. Cavanaugh, Day, Friesen, B. Hansen, M. Hansen, Morfeld, Pansing Brooks, Slama, Stinner, Walz, and Wishart who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the twenty-first day was approved.

ANNOUNCEMENT(S)

Priority designation(s) received:

Arch - LB1037

GENERAL FILE

LEGISLATIVE BILL 906. Committee [AM1729](#), found on page 485 and considered on page 518, was renewed.

Senator Williams offered the following amendment to the committee

amendment:

[AM1805](#)

(Amendments to Standing Committee amendments, AM1729)

1 1. On page 1, line 26, strike "and" and insert the following new

2 subdivision:

3 "(e) Medicare-certified or medicaid-certified provider or supplier

4 means any entity, including, but not limited to, a health care facility

5 as defined in section 71-413, that is a medicare-certified or medicaid-

6 certified provider or supplier and that is subject to the federal Centers

7 for Medicare and Medicaid Services' COVID-19 health care staff

8 vaccination requirements; and"; and in line 27 strike "(e)" and insert

9 "(f)".

10 2. On page 2, line 5, after "website" insert "within fifteen days

11 after the effective date of this act"; in line 15 strike "An" and insert

12 "Subject to subsection (5) of this section, an"; and after line 26 insert

13 the following new subsection:

14 "(5) A medicare-certified or medicaid-certified provider or supplier

15 or a federal contractor may require additional processes, documentation,

16 or accommodations as necessary to be in compliance with federal law and

17 to maintain compliance with the rules and regulations of the federal

18 Centers for Medicare and Medicaid Services."

Senator Arch offered the following motion:

[MO141](#)

Bracket until April 20, 2022.

Senator Arch withdrew his motion to bracket.

The Williams amendment was adopted with 33 ayes, 1 nay, 12 present and not voting, and 3 excused and not voting.

Senator B. Hansen withdrew his amendment, [AM1675](#), found on page 451.

Senator B. Hansen withdrew his amendment, [AM1687](#), found on page 457.

The committee amendment, as amended, was adopted with 35 ayes, 0 nays, 11 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review Initial with 33 ayes, 0 nays, 12 present and not voting, and 4 excused and not voting.

ANNOUNCEMENT

Pursuant to Rule 8, Sec. 3, the Appropriations Committee presented its preliminary report on February 9, 2022, summarizing the recommended appropriations for the following biennium.

GENERAL FILE

LEGISLATIVE BILL 700. Title read. Considered.

Committee [AM1704](#), found on page 501, was offered.

Committee [AM1704](#) was adopted with 36 ayes, 0 nays, 9 present and not voting, and 4 excused and not voting.

Senator Kolterman withdrew his amendment, [AM1538](#), found on page 420.

Advanced to Enrollment and Review Initial with 36 ayes, 0 nays, 9 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 890. Title read. Considered.

Committee [AM1756](#), found on page 503, was offered.

Senator Briese offered his amendment, [FA70](#), found on page 503, to the committee amendment.

Senator Briese withdrew his amendment.

Senator Walz asked unanimous consent to withdraw her amendment, [AM1766](#), found on page 504, and replace it with her substitute amendment, [FA71](#), to the committee amendment. No objections. So ordered.
[FA71](#)

To amend AM1756 to LB890 as follows: Strike "If the amount of state aid calculated under this subsection for any school district is less than twenty percent of such school district's basic funding, the state aid for such school district shall be increased to an amount equal to twenty percent of such school district's basic funding" from page 3, lines 5-9, and lines 18-22.

Pending.

BILL ON FIRST READING

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

LEGISLATIVE BILL 925A. Introduced by Gragert, 40.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 925, One Hundred Seventh Legislature, Second Session, 2022.

NOTICE OF COMMITTEE HEARING(S)

Revenue
Room 1524 1:30 PM

Wednesday, February 16, 2022

LB819
LB1117
LB1265
LB1272
LB1273

(Signed) Lou Ann Linehan, Chairperson

COMMITTEE REPORT(S)

Natural Resources

LEGISLATIVE BILL 1082. Placed on General File.

(Signed) Bruce Bostelman, Chairperson

Urban Affairs

LEGISLATIVE BILL 820. Placed on General File.

(Signed) Justin Wayne, Chairperson

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 592. Placed on Select File.**LEGISLATIVE BILL 754.** Placed on Select File.**LEGISLATIVE BILL 758.** Placed on Select File.**LEGISLATIVE BILL 892.** Placed on Select File.**LEGISLATIVE BILL 708.** Placed on Select File.

(Signed) Terrell McKinney, Chairperson

AMENDMENT(S) - Print in JournalSenator Gragert filed the following amendment to [LB925](#):[AM1836](#)1 1. On page 5, line 15, after "2022" insert "and through 2027".**UNANIMOUS CONSENT - Add Cointroducer(s)**

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

Senator DeBoer name added to LB914.

Senator Vargas name added to LB1024.

VISITOR(S)

Visitors to the Chamber were Extension Educators from Northeast Nebraska; and Family and Consumer Science Teachers and Students from across the state.

The Doctor of the Day was Dr. Brent Holmquist of Elkhorn.

ADJOURNMENT

At 11:55 a.m., on a motion by Senator Aguilar, the Legislature adjourned until 9:00 a.m., Thursday, February 10, 2022.

Patrick J. O'Donnell
Clerk of the Legislature

TWENTY-THIRD DAY - FEBRUARY 10, 2022

LEGISLATIVE JOURNAL

**ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION**

TWENTY-THIRD DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, February 10, 2022

PRAYER

The prayer was offered by Father Kenneth Borowiak, St. Michael's Parish, Lincoln.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Lindstrom.

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 M. Cavanaugh, Day, DeBoer, Flood, Geist, B. Hansen, Hunt, Lathrop, McCollister, Morfeld, Wayne, and Wishart who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the twenty-second day was approved.

COMMITTEE REPORT(S)

Agriculture

LEGISLATIVE BILL 712. Placed on General File.

LEGISLATIVE BILL 889. Placed on General File.

LEGISLATIVE BILL 848. Placed on General File with amendment.

[AM1626](#)

- 1 1. On page 4, strike beginning with "the" in line 6 through
- 2 "organizations" in line 7 and insert "planning for and assistance with";
- 3 and in line 8 strike "plans".
- 4 2. On page 5, line 6, reinstate the stricken matter; in line 15
- 5 strike "or" and show as stricken; in line 17 strike "(h)" and insert
- 6 "(vi)"; and in line 19 strike "transportation".

LEGISLATIVE BILL 1095. Indefinitely postponed.

(Signed) Steve Halloran, Chairperson

Government, Military and Veterans Affairs

LEGISLATIVE BILL 779. Placed on General File.

LEGISLATIVE BILL 839. Placed on General File.

LEGISLATIVE BILL 823. Placed on General File with amendment.

[AM1694](#)

1 1. On page 2, strike lines 13 through 19 and insert the following
 2 new subsection:
 3 "(3) Absent the showing of a compelling state interest, an agency
 4 shall not require any annual filing or reporting by a charitable
 5 organization, whether regulated or specifically exempted from regulation,
 6 that is more burdensome than any requirements authorized by state law.
 7 Any such filing or reporting requirement shall be narrowly tailored to
 8 achieve such compelling state interest."; and in line 22 after "law"
 9 insert ", including, but not limited to, issuance of a civil
 10 investigative demand or subpoena".

(Signed) Tom Brewer, Chairperson

NOTICE OF COMMITTEE HEARING(S)

Health and Human Services

Room 1510 1:30 PM

Wednesday, February 23, 2022

Linda Mentink - Commission for the Blind and Visually Impaired
 Cheryl Livingston - Commission for the Blind and Visually Impaired
 Richard L. Wiener - Foster Care Advisory Committee
 Peggy A. Williams - Commission for the Deaf and Hard of Hearing

(Signed) John Arch, Chairperson

GENERAL FILE

LEGISLATIVE BILL 890. Committee [AM1756](#), found on page 503 and considered on page 527, was renewed.

The Walz amendment, [FA71](#), found on page 527, to the committee amendment, was renewed.

SPEAKER HILGERS PRESIDING

SENATOR HUGHES PRESIDING

Pending.

COMMITTEE REPORT(S)
Banking, Commerce and Insurance

LEGISLATIVE BILL 966. Placed on General File.

(Signed) Matt Williams, Chairperson

AMENDMENT(S) - Print in Journal

Senator Friesen filed the following amendment to LB890:
[AM1853](#)

(Amendments to Standing Committee amendments, AM1756)

1 1. Insert the following new sections:

2 Section 1. Section 77-201, Revised Statutes Supplement, 2021, is
3 amended to read:

4 77-201 (1) Except as provided in subsections (2) through (4) of this
5 section, all real property in this state, not expressly exempt therefrom,
6 shall be subject to taxation and shall be valued at its actual value.

7 (2) Agricultural land and horticultural land as defined in section
8 77-1359 shall constitute a separate and distinct class of property for
9 purposes of property taxation, shall be subject to taxation, unless
10 expressly exempt from taxation, and shall be valued at seventy-five
11 percent of its actual value, except that (a) for school district taxes
12 levied to pay the principal and interest on bonds that are approved by a
13 vote of the people on or after January 1, 2022, such land shall be valued
14 at fifty percent of its actual value and (b) for other school district
15 taxes, such land shall be valued at (i) sixty-five percent of its actual
16 value for tax year 2023 and (ii) fifty-five percent of its actual value
17 for tax year 2024 and each tax year thereafter.

18 (3) Agricultural land and horticultural land actively devoted to
19 agricultural or horticultural purposes which has value for purposes other
20 than agricultural or horticultural uses and which meets the
21 qualifications for special valuation under section 77-1344 shall
22 constitute a separate and distinct class of property for purposes of
23 property taxation, shall be subject to taxation, and shall be valued for
24 taxation at seventy-five percent of its special valuation as defined in
25 section 77-1343, except that (a) for school district taxes levied to pay
26 the principal and interest on bonds that are approved by a vote of the
27 people on or after January 1, 2022, such land shall be valued at fifty
28 percent of its special valuation as defined in section 77-1343 and (b)
29 for other school district taxes, such land shall be valued at (i) sixty-
30 five percent of its special valuation as defined in section 77-1343 for
31 tax year 2023 and (ii) fifty-five percent of its special valuation as
32 defined in section 77-1343 for tax year 2024 and each tax year
33 thereafter.

34 (4) Historically significant real property which meets the
35 qualifications for historic rehabilitation valuation under sections
36 77-1385 to 77-1394 shall be valued for taxation as provided in such
37 sections.

38 (5) Tangible personal property, not including motor vehicles,
39 trailers, and semitrailers registered for operation on the highways of
40 this state, shall constitute a separate and distinct class of property
41 for purposes of property taxation, shall be subject to taxation, unless
42 expressly exempt from taxation, and shall be valued at its net book
43 value. Tangible personal property transferred as a gift or devise or as
44 part of a transaction which is not a purchase shall be subject to
45 taxation based upon the date the property was acquired by the previous
46 owner and at the previous owner's Nebraska adjusted basis. Tangible

21 personal property acquired as replacement property for converted property
22 shall be subject to taxation based upon the date the converted property
23 was acquired and at the Nebraska adjusted basis of the converted property
24 unless insurance proceeds are payable by reason of the conversion. For
25 purposes of this subsection, (a) converted property means tangible
26 personal property which is compulsorily or involuntarily converted as a
27 result of its destruction in whole or in part, theft, seizure,
28 requisition, or condemnation, or the threat or imminence thereof, and no
29 gain or loss is recognized for federal or state income tax purposes by
30 the holder of the property as a result of the conversion and (b)
31 replacement property means tangible personal property acquired within two
1 years after the close of the calendar year in which tangible personal
2 property was converted and which is, except for date of construction or
3 manufacture, substantially the same as the converted property.
4 (6) For purposes of this section, other school district taxes means
5 property taxes levied on real or personal property by any school district
6 or multiple-district school system, excluding property taxes levied to
7 pay the principal and interest on bonds issued by the school district or
8 multiple-district school system.

9 Sec. 2. Section 77-5023, Revised Statutes Supplement, 2021, is
10 amended to read:

11 77-5023 (1) Pursuant to section 77-5022, the commission shall have
12 the power to increase or decrease the value of a class or subclass of
13 real property in any county or taxing authority or of real property
14 valued by the state so that all classes or subclasses of real property in
15 all counties fall within an acceptable range.
16 (2) An acceptable range is the percentage of variation from a
17 standard for valuation as measured by an established indicator of central
18 tendency of assessment. Acceptable ranges are: (a) For agricultural land
19 and horticultural land as defined in section 77-1359, sixty-nine to
20 seventy-five percent of actual value, except that (i) for school district
21 taxes levied to pay the principal and interest on bonds that are approved
22 by a vote of the people on or after January 1, 2022, the acceptable range
23 is forty-four to fifty percent of actual value, (ii) for other school
24 district taxes levied for tax year 2023, the acceptable range is fifty-
25 nine to sixty-five percent of actual value, and (iii) for other school
26 district taxes levied for tax year 2024 and each tax year thereafter, the
27 acceptable range is forty-nine to fifty-five percent of actual value; (b)
28 for lands receiving special valuation, sixty-nine to seventy-five percent
29 of special valuation as defined in section 77-1343, except that (i) for
30 school district taxes levied to pay the principal and interest on bonds
31 that are approved by a vote of the people on or after January 1, 2022,
1 the acceptable range is forty-four to fifty percent of special valuation
2 as defined in section 77-1343, (ii) for other school district taxes
3 levied for tax year 2023, the acceptable range is fifty-nine to sixty-
4 five percent of special valuation as defined in section 77-1343, and
5 (iii) for other school district taxes levied for tax year 2024 and each
6 tax year thereafter, the acceptable range is forty-nine to fifty-five
7 percent of special valuation as defined in section 77-1343; and (c) for
8 all other real property, ninety-two to one hundred percent of actual
9 value.

10 (3) Any increase or decrease shall cause the level of value
11 determined by the commission to be at the midpoint of the applicable
12 acceptable range.

13 (4) Any decrease or increase to a subclass of property shall also
14 cause the level of value determined by the commission for the class from
15 which the subclass is drawn to be within the applicable acceptable range.

16 (5) Whether or not the level of value determined by the commission
17 falls within an acceptable range or at the midpoint of an acceptable
18 range may be determined to a reasonable degree of certainty relying upon

19 generally accepted mass appraisal techniques.

20 (6) For purposes of this section, other school district taxes means
 21 property taxes levied on real or personal property by any school district
 22 or multiple-district school system, excluding property taxes levied to
 23 pay the principal and interest on bonds issued by the school district or
 24 multiple-district school system.

25 Sec. 16. Section 79-1016, Revised Statutes Cumulative Supplement,
 26 2020, is amended to read:

27 79-1016 (1) On or before August 20, the county assessor shall
 28 certify to the Property Tax Administrator the total taxable value by
 29 school district in the county for the current assessment year on forms
 30 prescribed by the Tax Commissioner. The county assessor may amend the
 31 filing for changes made to the taxable valuation of the school district
 1 in the county if corrections or errors on the original certification are
 2 discovered. Amendments shall be certified to the Property Tax
 3 Administrator on or before August 31.

4 (2) On or before October 10, the Property Tax Administrator shall
 5 compute and certify to the State Department of Education the adjusted
 6 valuation for the current assessment year for each class of property in
 7 each school district and each local system. The adjusted valuation of
 8 property for each school district and each local system, for purposes of
 9 determining state aid pursuant to the Tax Equity and Educational
 10 Opportunities Support Act, shall reflect as nearly as possible state aid
 11 value as defined in subsection (3) of this section. The Property Tax
 12 Administrator shall notify each school district and each local system of
 13 its adjusted valuation for the current assessment year by class of
 14 property on or before October 10. Establishment of the adjusted valuation
 15 shall be based on the taxable value certified by the county assessor for
 16 each school district in the county adjusted by the determination of the
 17 level of value for each school district from an analysis of the
 18 comprehensive assessment ratio study or other studies developed by the
 19 Property Tax Administrator, in compliance with professionally accepted
 20 mass appraisal techniques, as required by section 77-1327. The Tax
 21 Commissioner shall adopt and promulgate rules and regulations setting
 22 forth standards for the determination of level of value for state aid
 23 purposes.

24 (3) For purposes of this section, state aid value means:

25 (a) For real property other than agricultural and horticultural
 26 land, ninety-six percent of actual value;

27 (b) For agricultural and horticultural land: ¶

28 (i) For the adjusted valuation used for the calculation of aid for
 29 school fiscal years prior to school fiscal year 2023-24, seventy-two
 30 percent of actual value as provided in sections 77-1359 and to 77-1363;
 31 (ii) For the adjusted valuation used for the calculation of aid for
 1 school fiscal year 2023-24, sixty-two percent of actual value as provided
 2 in sections 77-1359 and 77-1363; and

3 (iii) For the adjusted valuation used for the calculation of aid for
 4 school fiscal year 2024-25 and each school fiscal year thereafter, fifty-
 5 two percent of actual value as provided in sections 77-1359 and 77-1363;

6 (c) - For agricultural and horticultural land that receives special
 7 valuation pursuant to section 77-1344; ¶

8 (i) For the adjusted valuation used for the calculation of aid for
 9 school fiscal years prior to school fiscal year 2023-24, seventy-two
 10 percent of special valuation as defined in section 77-1343;

11 (ii) For the adjusted valuation used for the calculation of aid for
 12 school fiscal year 2023-24, sixty-two percent of special valuation as
 13 defined in section 77-1343; and

14 (iii) For the adjusted valuation used for the calculation of aid for
 15 school fiscal year 2024-25 and each school fiscal year thereafter, fifty-
 16 two percent of special valuation as defined in section 77-1343; and

17 (d) (e) For personal property, the net book value as defined in
18 section 77-120.

19 (4) On or before November 10, any local system may file with the Tax
20 Commissioner written objections to the adjusted valuations prepared by
21 the Property Tax Administrator, stating the reasons why such adjusted
22 valuations are not the valuations required by subsection (3) of this
23 section. The Tax Commissioner shall fix a time for a hearing. Either
24 party shall be permitted to introduce any evidence in reference thereto.
25 On or before January 1, the Tax Commissioner shall enter a written order
26 modifying or declining to modify, in whole or in part, the adjusted
27 valuations and shall certify the order to the State Department of
28 Education. Modification by the Tax Commissioner shall be based upon the
29 evidence introduced at hearing and shall not be limited to the
30 modification requested in the written objections or at hearing. A copy of
31 the written order shall be mailed to the local system within seven days
1 after the date of the order. The written order of the Tax Commissioner
2 may be appealed within thirty days after the date of the order to the Tax
3 Equalization and Review Commission in accordance with section 77-5013.

4 (5) On or before November 10, any local system or county official
5 may file with the Tax Commissioner a written request for a nonappealable
6 correction of the adjusted valuation due to clerical error as defined in
7 section 77-128 or, for agricultural and horticultural land, assessed
8 value changes by reason of land qualified or disqualified for special use
9 valuation pursuant to sections 77-1343 to 77-1347.01. On or before the
10 following January 1, the Tax Commissioner shall approve or deny the
11 request and, if approved, certify the corrected adjusted valuations
12 resulting from such action to the State Department of Education.

13 (6) On or before May 31 of the year following the certification of
14 adjusted valuation pursuant to subsection (2) of this section, any local
15 system or county official may file with the Tax Commissioner a written
16 request for a nonappealable correction of the adjusted valuation due to
17 changes to the tax list that change the assessed value of taxable
18 property. Upon the filing of the written request, the Tax Commissioner
19 shall require the county assessor to recertify the taxable valuation by
20 school district in the county on forms prescribed by the Tax
21 Commissioner. The recertified valuation shall be the valuation that was
22 certified on the tax list, pursuant to section 77-1613, increased or
23 decreased by changes to the tax list that change the assessed value of
24 taxable property in the school district in the county in the prior
25 assessment year. On or before the following July 31, the Tax Commissioner
26 shall approve or deny the request and, if approved, certify the corrected
27 adjusted valuations resulting from such action to the State Department of
28 Education.

29 (7) No injunction shall be granted restraining the distribution of
30 state aid based upon the adjusted valuations pursuant to this section.

31 (8) A school district whose state aid is to be calculated pursuant
1 to subsection (5) of this section and whose state aid payment is
2 postponed as a result of failure to calculate state aid pursuant to such
3 subsection may apply to the state board for lump-sum payment of such
4 postponed state aid. Such application may be for any amount up to one
5 hundred percent of the postponed state aid. The state board may grant the
6 entire amount applied for or any portion of such amount. The state board
7 shall notify the Director of Administrative Services of the amount of
8 funds to be paid in a lump sum and the reduced amount of the monthly
9 payments. The Director of Administrative Services shall, at the time of
10 the next state aid payment made pursuant to section 79-1022, draw a
11 warrant for the lump-sum amount from appropriated funds and forward such
12 warrant to the district.

13 2. Renumber the remaining sections, correct internal references, and
14 correct the repealer accordingly.

Senator M. Hansen filed the following amendment to [LB939](#):
[AM1869](#)

(Amendments to Standing Committee amendments, AM1780)

- 1 1. On page 4, strike lines 12 through 23 and show as stricken; in
- 2 line 24 strike "(c)", show as stricken, and insert "(a)"; and in line 29
- 3 strike "(d)", show as stricken, and insert "(b)".
- 4 2. On page 5, line 3, strike "(e)" and insert "(c)"; in line 8
- 5 strike "(f)" and insert "(d)"; and in line 13 strike "(g)" and insert
- 6 "(e)".

Senator M. Hansen filed the following amendment to [LB939](#):
[AM1868](#)

(Amendments to Standing Committee amendments, AM1780)

- 1 1. On page 6, strike lines 9 and 10 and show as stricken.

Senator M. Hansen filed the following amendment to [LB939](#):
[AM1870](#)

- 1 1. Insert the following new section:
- 2 Sec. 2. This act becomes operative on January 1, 2023.
- 3 2. Renumber the remaining section accordingly.

NOTICE OF COMMITTEE HEARING(S)

Revenue
Room 1524 1:30 PM

Thursday, February 17, 2022

LB1180
LB1207
LB917
LB1226

(Signed) Lou Ann Linehan, Chairperson

GENERAL FILE

LEGISLATIVE BILL 890. Committee [AM1756](#), found on page 503 and considered on page 527 and in this day's Journal, was renewed.

The Walz amendment, [AM71](#), found on page 527 and considered in this day's Journal, to the committee amendment, was renewed.

Senator Kolterman offered the following motion:

[MO142](#)

Bracket until February 17, 2022.

SPEAKER HILGERS PRESIDING

SENATOR WILLIAMS PRESIDING

Pending.

COMMITTEE REPORT(S)
Appropriations

LEGISLATIVE BILL 971. Placed on General File.

(Signed) John Stinner, Chairperson

AMENDMENT(S) - Print in Journal

Senator Friesen filed the following amendment to LB890:

[AM1848](#)

(Amendments to Standing Committee amendments, AM1756)

- 1 1. On page 3, lines 7, 9, 19, and 21, strike "twenty" and insert
- 2 "thirty".

Senator Friesen filed the following amendment to LB890:

[AM1849](#)

(Amendments to Standing Committee amendments, AM1756)

- 1 1. Insert the following new section:
- 2 Section 1. Section 77-3442, Revised Statutes Supplement, 2021, is
- 3 amended to read:
- 4 77-3442 (1) Property tax levies for the support of local governments
- 5 for fiscal years beginning on or after July 1, 1998, shall be limited to
- 6 the amounts set forth in this section except as provided in section
- 7 77-3444.
- 8 (2)(a) Except as provided in subdivisions (2)(b) and (2)(c) of this
- 9 section, school districts and multiple-district school systems may levy a
- 10 maximum levy of (i) one dollar and five cents per one hundred dollars of
- 11 taxable valuation of property subject to the levy for fiscal years prior
- 12 to fiscal year 2022-23 and (ii) one dollar and fifteen cents per one
- 13 hundred dollars of taxable valuation of property subject to the levy for
- 14 fiscal year 2022-23 and each fiscal year thereafter.
- 15 (b) For each fiscal year prior to fiscal year 2017-18, learning
- 16 communities may levy a maximum levy for the general fund budgets of
- 17 member school districts of ninety-five cents per one hundred dollars of
- 18 taxable valuation of property subject to the levy. The proceeds from the
- 19 levy pursuant to this subdivision shall be distributed pursuant to
- 20 section 79-1073.
- 21 (c) Except as provided in subdivision (2)(e) of this section, for
- 22 each fiscal year prior to fiscal year 2017-18, school districts that are
- 23 members of learning communities may levy for purposes of such districts'
- 24 general fund budget and special building funds a maximum combined levy of
- 25 the difference of one dollar and five cents on each one hundred dollars
- 26 of taxable property subject to the levy minus the learning community levy
- 1 pursuant to subdivision (2)(b) of this section for such learning
- 2 community.
- 3 (d) Excluded from the limitations in subdivisions (2)(a) and (2)(c)
- 4 of this section are (i) amounts levied to pay for current and future sums
- 5 agreed to be paid by a school district to certificated employees in
- 6 exchange for a voluntary termination of employment occurring prior to
- 7 September 1, 2017, (ii) amounts levied by a school district otherwise at
- 8 the maximum levy pursuant to subdivision (2)(a) of this section to pay
- 9 for current and future qualified voluntary termination incentives for
- 10 certificated teachers pursuant to subsection (3) of section 79-8,142 that
- 11 are not otherwise included in an exclusion pursuant to subdivision (2)(d)
- 12 of this section, (iii) amounts levied by a school district otherwise at
- 13 the maximum levy pursuant to subdivision (2)(a) of this section to pay

14 for seventy-five percent of the current and future sums agreed to be paid
15 to certificated employees in exchange for a voluntary termination of
16 employment occurring between September 1, 2017, and August 31, 2018, as a
17 result of a collective-bargaining agreement in force and effect on
18 September 1, 2017, that are not otherwise included in an exclusion
19 pursuant to subdivision (2)(d) of this section, (iv) amounts levied by a
20 school district otherwise at the maximum levy pursuant to subdivision (2)
21 (a) of this section to pay for fifty percent of the current and future
22 sums agreed to be paid to certificated employees in exchange for a
23 voluntary termination of employment occurring between September 1, 2018,
24 and August 31, 2019, as a result of a collective-bargaining agreement in
25 force and effect on September 1, 2017, that are not otherwise included in
26 an exclusion pursuant to subdivision (2)(d) of this section, (v) amounts
27 levied by a school district otherwise at the maximum levy pursuant to
28 subdivision (2)(a) of this section to pay for twenty-five percent of the
29 current and future sums agreed to be paid to certificated employees in
30 exchange for a voluntary termination of employment occurring between
31 September 1, 2019, and August 31, 2020, as a result of a collective-
1 bargaining agreement in force and effect on September 1, 2017, that are
2 not otherwise included in an exclusion pursuant to subdivision (2)(d) of
3 this section, (vi) amounts levied in compliance with sections 79-10.110
4 and 79-10.110.02, and (vii) amounts levied to pay for special building
5 funds and sinking funds established for projects commenced prior to April
6 1, 1996, for construction, expansion, or alteration of school district
7 buildings. For purposes of this subsection, commenced means any action
8 taken by the school board on the record which commits the board to expend
9 district funds in planning, constructing, or carrying out the project.
10 (e) Federal aid school districts may exceed the maximum levy
11 prescribed by subdivision (2)(a) or (2)(c) of this section only to the
12 extent necessary to qualify to receive federal aid pursuant to Title VIII
13 of Public Law 103-382, as such title existed on September 1, 2001. For
14 purposes of this subdivision, federal aid school district means any
15 school district which receives ten percent or more of the revenue for its
16 general fund budget from federal government sources pursuant to Title
17 VIII of Public Law 103-382, as such title existed on September 1, 2001.
18 (f) For each fiscal year, learning communities may levy a maximum
19 levy of one-half cent on each one hundred dollars of taxable property
20 subject to the levy for elementary learning center facility leases, for
21 remodeling of leased elementary learning center facilities, and for up to
22 fifty percent of the estimated cost for focus school or program capital
23 projects approved by the learning community coordinating council pursuant
24 to section 79-2111.
25 (g) For each fiscal year, learning communities may levy a maximum
26 levy of one and one-half cents on each one hundred dollars of taxable
27 property subject to the levy for early childhood education programs for
28 children in poverty, for elementary learning center employees, for
29 contracts with other entities or individuals who are not employees of the
30 learning community for elementary learning center programs and services,
31 and for pilot projects, except that no more than ten percent of such levy
1 may be used for elementary learning center employees.
2 (3) For each fiscal year, community college areas may levy the
3 levies provided in subdivisions (2)(a) through (c) of section 85-1517, in
4 accordance with the provisions of such subdivisions. A community college
5 area may exceed the levy provided in subdivision (2)(b) of section
6 85-1517 by the amount necessary to retire general obligation bonds
7 assumed by the community college area or issued pursuant to section
8 85-1515 according to the terms of such bonds or for any obligation
9 pursuant to section 85-1535 entered into prior to January 1, 1997.
10 (4)(a) Natural resources districts may levy a maximum levy of four
11 and one-half cents per one hundred dollars of taxable valuation of
12 property subject to the levy.
13 (b) Natural resources districts shall also have the power and

14 authority to levy a tax equal to the dollar amount by which their
15 restricted funds budgeted to administer and implement ground water
16 management activities and integrated management activities under the
17 Nebraska Ground Water Management and Protection Act exceed their
18 restricted funds budgeted to administer and implement ground water
19 management activities and integrated management activities for FY2003-04,
20 not to exceed one cent on each one hundred dollars of taxable valuation
21 annually on all of the taxable property within the district.
22 (c) In addition, natural resources districts located in a river
23 basin, subbasin, or reach that has been determined to be fully
24 appropriated pursuant to section 46-714 or designated as overappropriated
25 pursuant to section 46-713 by the Department of Natural Resources shall
26 also have the power and authority to levy a tax equal to the dollar
27 amount by which their restricted funds budgeted to administer and
28 implement ground water management activities and integrated management
29 activities under the Nebraska Ground Water Management and Protection Act
30 exceed their restricted funds budgeted to administer and implement ground
31 water management activities and integrated management activities for
1 FY2005-06, not to exceed three cents on each one hundred dollars of
2 taxable valuation on all of the taxable property within the district for
3 fiscal year 2006-07 and each fiscal year thereafter through fiscal year
4 2017-18.
5 (5) Any educational service unit authorized to levy a property tax
6 pursuant to section 79-1225 may levy a maximum levy of one and one-half
7 cents per one hundred dollars of taxable valuation of property subject to
8 the levy.
9 (6)(a) Incorporated cities and villages which are not within the
10 boundaries of a municipal county may levy a maximum levy of forty-five
11 cents per one hundred dollars of taxable valuation of property subject to
12 the levy plus an additional five cents per one hundred dollars of taxable
13 valuation to provide financing for the municipality's share of revenue
14 required under an agreement or agreements executed pursuant to the
15 Interlocal Cooperation Act or the Joint Public Agency Act. The maximum
16 levy shall include amounts levied to pay for sums to support a library
17 pursuant to section 51-201, museum pursuant to section 51-501, visiting
18 community nurse, home health nurse, or home health agency pursuant to
19 section 71-1637, or statue, memorial, or monument pursuant to section
20 80-202.
21 (b) Incorporated cities and villages which are within the boundaries
22 of a municipal county may levy a maximum levy of ninety cents per one
23 hundred dollars of taxable valuation of property subject to the levy. The
24 maximum levy shall include amounts paid to a municipal county for county
25 services, amounts levied to pay for sums to support a library pursuant to
26 section 51-201, a museum pursuant to section 51-501, a visiting community
27 nurse, home health nurse, or home health agency pursuant to section
28 71-1637, or a statue, memorial, or monument pursuant to section 80-202.
29 (7) Sanitary and improvement districts which have been in existence
30 for more than five years may levy a maximum levy of forty cents per one
31 hundred dollars of taxable valuation of property subject to the levy, and
1 sanitary and improvement districts which have been in existence for five
2 years or less shall not have a maximum levy. Unconsolidated sanitary and
3 improvement districts which have been in existence for more than five
4 years and are located in a municipal county may levy a maximum of eighty-
5 five cents per hundred dollars of taxable valuation of property subject
6 to the levy.
7 (8) Counties may levy or authorize a maximum levy of fifty cents per
8 one hundred dollars of taxable valuation of property subject to the levy,
9 except that five cents per one hundred dollars of taxable valuation of
10 property subject to the levy may only be levied to provide financing for
11 the county's share of revenue required under an agreement or agreements
12 executed pursuant to the Interlocal Cooperation Act or the Joint Public
13 Agency Act. The maximum levy shall include amounts levied to pay for sums

14 to support a library pursuant to section 51-201 or museum pursuant to
15 section 51-501. The county may allocate up to fifteen cents of its
16 authority to other political subdivisions subject to allocation of
17 property tax authority under subsection (1) of section 77-3443 and not
18 specifically covered in this section to levy taxes as authorized by law
19 which do not collectively exceed fifteen cents per one hundred dollars of
20 taxable valuation on any parcel or item of taxable property. The county
21 may allocate to one or more other political subdivisions subject to
22 allocation of property tax authority by the county under subsection (1)
23 of section 77-3443 some or all of the county's five cents per one hundred
24 dollars of valuation authorized for support of an agreement or agreements
25 to be levied by the political subdivision for the purpose of supporting
26 that political subdivision's share of revenue required under an agreement
27 or agreements executed pursuant to the Interlocal Cooperation Act or the
28 Joint Public Agency Act. If an allocation by a county would cause another
29 county to exceed its levy authority under this section, the second county
30 may exceed the levy authority in order to levy the amount allocated.
31 (9) Municipal counties may levy or authorize a maximum levy of one
1 dollar per one hundred dollars of taxable valuation of property subject
2 to the levy. The municipal county may allocate levy authority to any
3 political subdivision or entity subject to allocation under section
4 77-3443.
5 (10) Beginning July 1, 2016, rural and suburban fire protection
6 districts may levy a maximum levy of ten and one-half cents per one
7 hundred dollars of taxable valuation of property subject to the levy if
8 (a) such district is located in a county that had a levy pursuant to
9 subsection (8) of this section in the previous year of at least forty
10 cents per one hundred dollars of taxable valuation of property subject to
11 the levy or (b) such district had a levy request pursuant to section
12 77-3443 in any of the three previous years and the county board of the
13 county in which the greatest portion of the valuation of such district is
14 located did not authorize any levy authority to such district in such
15 year.
16 (11) A regional metropolitan transit authority may levy a maximum
17 levy of ten cents per one hundred dollars of taxable valuation of
18 property subject to the levy for each fiscal year that commences on the
19 January 1 that follows the effective date of the conversion of the
20 transit authority established under the Transit Authority Law into the
21 regional metropolitan transit authority.
22 (12) Property tax levies (a) for judgments, except judgments or
23 orders from the Commission of Industrial Relations, obtained against a
24 political subdivision which require or obligate a political subdivision
25 to pay such judgment, to the extent such judgment is not paid by
26 liability insurance coverage of a political subdivision, (b) for
27 preexisting lease-purchase contracts approved prior to July 1, 1998, (c)
28 for bonds as defined in section 10-134 approved according to law and
29 secured by a levy on property except as provided in section 44-4317 for
30 bonded indebtedness issued by educational service units and school
31 districts, (d) for payments by a public airport to retire interest-free
1 loans from the Division of Aeronautics of the Department of
2 Transportation in lieu of bonded indebtedness at a lower cost to the
3 public airport, and (e) to pay for cancer benefits provided on or after
4 January 1, 2022, pursuant to the Firefighter Cancer Benefits Act are not
5 included in the levy limits established by this section.
6 (13) The limitations on tax levies provided in this section are to
7 include all other general or special levies provided by law.
8 Notwithstanding other provisions of law, the only exceptions to the
9 limits in this section are those provided by or authorized by sections
10 77-3442 to 77-3444.
11 (14) Tax levies in excess of the limitations in this section shall
12 be considered unauthorized levies under section 77-1606 unless approved
13 under section 77-3444.

14 (15) For purposes of sections 77-3442 to 77-3444, political
 15 subdivision means a political subdivision of this state and a county
 16 agricultural society.
 17 (16) For school districts that file a binding resolution on or
 18 before May 9, 2008, with the county assessors, county clerks, and county
 19 treasurers for all counties in which the school district has territory
 20 pursuant to subsection (7) of section 79-458, if the combined levies,
 21 except levies for bonded indebtedness approved by the voters of the
 22 school district and levies for the refinancing of such bonded
 23 indebtedness, are in excess of the greater of (a) one dollar and twenty
 24 cents per one hundred dollars of taxable valuation of property subject to
 25 the levy or (b) the maximum levy authorized by a vote pursuant to section
 26 77-3444, all school district levies, except levies for bonded
 27 indebtedness approved by the voters of the school district and levies for
 28 the refinancing of such bonded indebtedness, shall be considered
 29 unauthorized levies under section 77-1606.
 30 2. Renumber the remaining sections, correct internal references, and
 31 correct the repealer accordingly.

Senator Kolterman filed the following amendment to [LB767](#):
[AM1753](#)

(Amendments to E&R amendments, ER101)

1 1. On page 12, line 19, strike "act" and insert "Pharmacy Benefit
 2 [Manager Licensure and Regulation Act](#)".

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Hilkemann name added to LB698.
 Senator Slama name added to LB1167.
 Senator Slama name added to LB1270.
 Senator Halloran name added to LB1270.
 Senator Morfeld name added to LB1270.

VISITOR(S)

Visitors to the Chamber were Nebraska Non-Profit Lobby Day "Cause Collective"; and fourth-grade students from St. Joseph School, Lincoln.

The Doctor of the Day was Dr. Dave Hoelting of Pender.

ADJOURNMENT

At 11:54 a.m., on a motion by Senator McKinney, the Legislature adjourned until 9:00 a.m., Friday, February 11, 2022.

Patrick J. O'Donnell
 Clerk of the Legislature

TWENTY-FOURTH DAY - FEBRUARY 11, 2022**LEGISLATIVE JOURNAL****ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION****TWENTY-FOURTH DAY**

Legislative Chamber, Lincoln, Nebraska
Friday, February 11, 2022

PRAYER

The prayer was offered by Pastor Kimberly Belken, Lutheran Church - Salem, Ponca.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Lowe.

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 Senator M. Cavanaugh who was excused; and Senators Bostar, Brewer, Day, Friesen, B. Hansen, Hunt, McCollister, Morfeld, Pansing Brooks, and Stinner who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the twenty-third 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 February 10, 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

Amack, Angela K.
 Nebraska Professional Fire Fighters Association (NPPFA)
 Eickholt, Christopher/Spike
 Voices for Children in Nebraska
 Jaylem Drousseau
 Students for Life Action
 Lily Branham
 Students for Life Action
 Moffat, Jared
 Marijuana Policy Project
 Moody, Randall
 Friends of the Nebraska Environmental Trust
 Nowka & Edwards
 Educational Testing Service
 Sharfstein, Daniela
 Jazz Pharmaceuticals, Inc. and its subsidiaries, including Greenwich
 Biosciences, Inc.
 Smoyer, Brent
 Rembolt Ludtke, LLP
 Todd-Harlin, Andrea
 Smart-Fill

ANNOUNCEMENT

The Chair announced the birthday of Senator M. Hansen.

MOTION(S) - Confirmation Report(s)

Senator Bostelman moved the adoption of the Natural Resources Committee report for the confirmation of the following appointment(s) found on page 499 and 500:

Nebraska Game and Parks Commission
 Patrick L. Berggren

Voting in the affirmative, 34:

Aguilar	Cavanaugh, J.	Groene	McCollister	Slama
Albrecht	DeBoer	Hansen, M.	McKinney	Vargas
Arch	Dorn	Hilkemann	Morfeld	Walz
Blood	Flood	Kolterman	Moser	Wayne
Bostelman	Friesen	Lindstrom	Murman	Williams
Brandt	Geist	Linehan	Pahls	Wishart
Briese	Gragert	Low	Sanders	

Voting in the negative, 1:

Erdman

Present and not voting, 6:

Clements	Hilgers	Lathrop
Halloran	Hughes	McDonnell

Excused and not voting, 8:

Bostar	Cavanaugh, M.	Hansen, B.	Pansing Brooks
Brewer	Day	Hunt	Stinner

The appointment was confirmed with 34 ayes, 1 nay, 6 present and not voting, and 8 excused and not voting.

Senator Bostelman moved the adoption of the Natural Resources Committee report for the confirmation of the following appointment(s) found on page 499 and 500:

Nebraska Game and Parks Commission
Douglas A. Zingula

Voting in the affirmative, 33:

Aguilar	Cavanaugh, J.	Hilkemann	McKinney	Vargas
Albrecht	DeBoer	Hughes	Morfeld	Walz
Arch	Dorn	Kolterman	Moser	Wayne
Blood	Flood	Lathrop	Murman	Williams
Bostelman	Gragert	Lindstrom	Pahls	Wishart
Brandt	Groene	Linehan	Sanders	
Briese	Hansen, M.	Lowe	Slama	

Voting in the negative, 1:

Erdman

Present and not voting, 7:

Clements	Geist	Hilgers	McDonnell
Friesen	Halloran	McCollister	

Excused and not voting, 8:

Bostar	Cavanaugh, M.	Hansen, B.	Pansing Brooks
Brewer	Day	Hunt	Stinner

The appointment was confirmed with 33 ayes, 1 nay, 7 present and not voting, and 8 excused and not voting.

Senator Halloran moved the adoption of the Agriculture Committee report for the confirmation of the following appointment(s) found on page 345:

Climate Assessment Response Committee
Ervin L. Portis

Voting in the affirmative, 35:

Aguilar	Clements	Halloran	Linehan	Pahls
Albrecht	DeBoer	Hansen, M.	Lowe	Sanders
Arch	Dorn	Hilkemann	McCollister	Slama
Blood	Erdman	Hughes	McKinney	Vargas
Bostelman	Flood	Kolterman	Morfeld	Walz
Brandt	Gragert	Lathrop	Moser	Williams
Cavanaugh, J.	Groene	Lindstrom	Murman	Wishart

Voting in the negative, 0.

Present and not voting, 6:

Briese	Geist	McDonnell
Friesen	Hilgers	Wayne

Excused and not voting, 8:

Bostar	Cavanaugh, M.	Hansen, B.	Pansing Brooks
Brewer	Day	Hunt	Stinner

The appointment was confirmed with 35 ayes, 0 nays, 6 present and not voting, and 8 excused and not voting.

Senator Walz moved the adoption of the Education Committee report for the confirmation of the following appointment(s) found on page 502:

Nebraska Educational Telecommunications Commission
 Nicholas Baxter
 Darrin Scott Good

Voting in the affirmative, 34:

Aguilar	Cavanaugh, J.	Halloran	Linehan	Sanders
Albrecht	Clements	Hansen, M.	McCollister	Slama
Arch	DeBoer	Hilkemann	McKinney	Vargas
Blood	Dorn	Hughes	Morfeld	Walz
Bostelman	Flood	Kolterman	Moser	Wayne
Brandt	Gragert	Lathrop	Murman	Williams
Briese	Groene	Lindstrom	Pahls	

Voting in the negative, 0.

Present and not voting, 7:

Erdman	Geist	Lowe	Wishart
Friesen	Hilgers	McDonnell	

Excused and not voting, 8:

Bostar	Cavanaugh, M.	Hansen, B.	Pansing Brooks
Brewer	Day	Hunt	Stinner

The appointments were confirmed with 34 ayes, 0 nays, 7 present and not voting, and 8 excused and not voting.

Senator Linehan moved the adoption of the Revenue Committee report for the confirmation of the following appointment(s) found on page 504:

Tax Equalization and Review Commission
Robert W. Hotz

Voting in the affirmative, 33:

Aguilar	Cavanaugh, J.	Halloran	McCollister	Slama
Albrecht	Clements	Hansen, M.	McKinney	Vargas
Arch	DeBoer	Hilkemann	Morfeld	Walz
Blood	Dorn	Kolterman	Moser	Wayne
Bostelman	Flood	Lindstrom	Murman	Williams
Brandt	Gragert	Linehan	Pahls	
Briese	Groene	Lowe	Sanders	

Voting in the negative, 0.

Present and not voting, 8:

Erdman	Geist	Hughes	McDonnell
Friesen	Hilgers	Lathrop	Wishart

Excused and not voting, 8:

Bostar	Cavanaugh, M.	Hansen, B.	Pansing Brooks
Brewer	Day	Hunt	Stinner

The appointment was confirmed with 33 ayes, 0 nays, 8 present and not voting, and 8 excused and not voting.

Senator M. Hansen moved the adoption of the Government, Military and Veterans Affairs Committee report for the confirmation of the following appointment(s) found on page 504:

State Personnel Board
Jerry Lee Jensen

Voting in the affirmative, 31:

Aguilar	Cavanaugh, J.	Hilkemann	McKinney	Walz
Albrecht	DeBoer	Hughes	Morfeld	Wayne
Arch	Flood	Kolterman	Moser	Williams
Blood	Gragert	Lindstrom	Murman	
Bostelman	Groene	Linehan	Pahls	
Brandt	Halloran	McCollister	Sanders	
Briese	Hansen, M.	McDonnell	Slama	

Voting in the negative, 0.

Present and not voting, 10:

Clements	Erdman	Geist	Lathrop	Vargas
Dorn	Friesen	Hilgers	Lowe	Wishart

Excused and not voting, 8:

Bostar	Cavanaugh, M.	Hansen, B.	Pansing Brooks
Brewer	Day	Hunt	Stinner

The appointment was confirmed with 31 ayes, 0 nays, 10 present and not voting, and 8 excused and not voting.

BILL ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 310.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2004, 77-2005, 77-2005.01, and 77-2006, Reissue Revised Statutes of Nebraska; to change inheritance tax rates and exemption amounts as prescribed; to change the individuals who are considered to be relatives of a decedent; to require reports; to harmonize provisions; to provide a duty for the Revisor of Statutes; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 37:

Aguilar	DeBoer	Hansen, M.	Lowe	Vargas
Albrecht	Dorn	Hilgers	McCollister	Walz
Arch	Flood	Hilkemann	McDonnell	Wayne
Blood	Friesen	Hughes	Morfeld	Williams
Bostelman	Geist	Kolterman	Moser	Wishart
Brandt	Gragert	Lathrop	Murman	
Briese	Groene	Lindstrom	Pahls	
Clements	Halloran	Linehan	Slama	

Voting in the negative, 1:

Erdman

Present and not voting, 3:

Cavanaugh, J. McKinney Sanders

Excused and not voting, 8:

Bostar	Cavanaugh, M.	Hansen, B.	Pansing Brooks
Brewer	Day	Hunt	Stinner

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LB310.

GENERAL FILE

LEGISLATIVE BILL 890. Committee [AM1756](#), found on page 503 and considered on pages 527, 532, and 537, was renewed.

The Walz amendment, [FA71](#), found on page 527 and considered on pages 532 and 537, to the committee amendment, was renewed.

The Kolterman motion, [MO142](#), found and considered on page 537, was withdrawn.

Senator Friesen offered the following motion:

[MO143](#)

Bracket until April 1, 2022.

SPEAKER HILGERS PRESIDING

SENATOR HUGHES PRESIDING

Pending.

COMMITTEE REPORT(S)

Appropriations

LEGISLATIVE BILL 937. Placed on General File.**LEGISLATIVE BILL 988.** Placed on General File.**LEGISLATIVE BILL 991.** Placed on General File.

(Signed) John Stinner, Chairperson

Revenue

LEGISLATIVE BILL 776. Placed on General File.**LEGISLATIVE RESOLUTION 283CA.** Placed on General File.

(Signed) Lou Ann Linehan, Chairperson

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 906. Placed on Select File with amendment.**ER 102**

1 1. Strike the original sections and all amendments thereto and

2 insert the following new sections:

3 Section 1. (1) For purposes of this section:4 (a) COVID-19 means the novel coronavirus identified as SARS-CoV-2;5 any disease caused by SARS-CoV-2, its viral fragments, or a virus6 mutation therefrom; and all conditions associated with the disease which7 are caused by SARS-CoV-2, its viral fragments, or a virus mutation8 therefrom;9 (b) Department means the Department of Health and Human Services;10 (c)(i) Employer means a person engaged in an industry who has one or11 more employees;12 (ii) Employer also includes any party whose business is financed in13 whole or in part under the Nebraska Investment Finance Authority Act14 regardless of the number of employees and includes the State of Nebraska,15 governmental agencies, and political subdivisions; and16 (iii) Employer does not include (A) the United States, a corporation17 wholly owned by the government of the United States, or an Indian tribe18 or (B) a bona fide private membership club, other than a labor19 organization, which is exempt from taxation under section 501(c) of the20 Internal Revenue Code;21 (d) Health care practitioner means a person licensed under (i) the22 Medicine and Surgery Practice Act to practice medicine and surgery or23 osteopathic medicine and surgery, (ii) the Medicine and Surgery Practice24 Act to practice as a physician assistant, or (iii) the Advanced Practice25 Registered Nurse Practice Act to practice as an advanced practice26 registered nurse;27 (e) Medicare-certified or medicaid-certified provider or supplier1 means any entity, including, but not limited to, a health care facility2 as defined in section 71-413, that is a medicare-certified or medicaid-3 certified provider or supplier and that is subject to the federal Centers4 for Medicare and Medicaid Services' COVID-19 health care staff5 vaccination requirements; and6 (f) Vaccine exemption form means the form created by the department7 under subsection (2) of this section.

8 (2)(a) The department shall develop a vaccine exemption form for an
9 individual to claim an exemption from receiving a COVID-19 vaccine as
10 provided in this section. The department shall make the form available on
11 the department's website within fifteen days after the effective date of
12 this act.
13 (b) The form shall include a declaration by the individual seeking
14 an exemption that:
15 (i) A health care practitioner has provided the individual with a
16 signed written statement that, in the health care practitioner's opinion,
17 (A) receiving a COVID-19 vaccine is medically contraindicated for the
18 individual or (B) medical necessity requires the individual to delay
19 receiving such vaccine; or
20 (ii) Receiving a COVID-19 vaccine would conflict with the
21 individual's sincerely held religious belief, practice, or observance.
22 (3) Subject to subsection (5) of this section, an employer that
23 requires applicants or employees to be vaccinated against COVID-19 shall
24 allow for an exemption to such requirement for an individual who provides
25 the employer with:
26 (a) A completed vaccine exemption form; and
27 (b) For an individual claiming an exemption based on the statement
28 of a health care practitioner, a copy of such signed written statement.
29 (4) An employer may require an employee granted an exemption under
30 this section to:
31 (a) Be periodically tested for COVID-19 at the employer's expense;
1 and
2 (b) Wear or use personal protective equipment provided by the
3 employer.
4 (5) A medicare-certified or medicaid-certified provider or supplier
5 or a federal contractor may require additional processes, documentation,
6 or accommodations as necessary to be in compliance with federal law and
7 to maintain compliance with the rules and regulations of the federal
8 Centers for Medicare and Medicaid Services.
9 Sec. 2. Since an emergency exists, this act takes effect when
10 passed and approved according to law.
11 2. On page 1, line 1, after the semicolon insert "to define terms";
12 and in line 3 strike "define terms" and insert "provide for conditional
13 requirements".

LEGISLATIVE BILL 700. Placed on Select File with amendment.

ER103

1 1. On page 1, line 1, after the comma insert "79-920,"; in line 3
2 after "79-921," insert "84-1301,"; in line 5 strike "79-9,117" and insert
3 "79-902, 79-978, 79-992.01, 79-9,117,"; in line 9 after the semicolon
4 insert "to define and redefine terms; to change provisions relating to
5 participation in certain plans as prescribed,"; in line 11 after the
6 semicolon insert "to change duties of certain employers,"; and in line 15
7 strike "to define terms,".

(Signed) Terrell McKinney, Chairperson

ANNOUNCEMENT(S)

Priority designation(s) received:

Hughes - LB1015

PRESENTED TO THE GOVERNOR

Presented to the Governor on February 11, 2022, at 9:50 a.m. was the following: LB310.

(Signed) Jamie Leishman
Clerk of the Legislature's Office

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Slama name added to LB1085.
Senator Groene name added to LR284.
Senator Williams name added to LR284.

VISITOR(S)

Visitors to the Chamber were students from Creighton University, Omaha; and Rachel Gibson with the League of Women Voters.

The Doctor of the Day was Dr. David Minnick of Broken Bow.

ADJOURNMENT

At 11:46 a.m., on a motion by Speaker Hilgers, the Legislature adjourned until 10:00 a.m., Monday, February 14, 2022.

Patrick J. O'Donnell
Clerk of the Legislature

TWENTY-FIFTH DAY - FEBRUARY 14, 2022

LEGISLATIVE JOURNAL

**ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION**

TWENTY-FIFTH DAY

Legislative Chamber, Lincoln, Nebraska
Monday, February 14, 2022

PRAYER

The prayer was offered by Pastor Brian Loy, O'Neill United Methodist, O'Neill.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator McDonnell.

ROLL CALL

Pursuant to adjournment, the Legislature met at 10:00 a.m., Speaker Hilgers presiding.

The roll was called and all members were present except Senator M. Cavanaugh who was excused; and Senators Albrecht, Bostar, Briese, and Morfeld who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

Page 549, line 19, insert the following:

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LB310.

The Journal for the twenty-fourth day was approved as corrected.

MESSAGE(S) FROM THE GOVERNOR

February 9, 2022

Mr. President, Speaker Hilgers
and Members of the Legislature

State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Hilgers and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed to the State Board of Health:

Douglas A. Bauer, DO, 21915 Granada St., Gretna, NE 68028

Contingent upon your approval, the following individuals are being reappointed to the State Board of Health:

Douglas Vander Broeck, DC, 6511 Shenandoah Drive, Lincoln, NE 68510

Joshua M. Vest, DPM, 9839 Thornwood Circle, Lincoln, NE 68512

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

February 14, 2022

Mr. President, Speaker Hilgers
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Hilgers and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed to the Commission for the Deaf and Hard of Hearing:

Brooke J. Fitzpatrick, 3605 South 95 Street, Omaha, NE 68124

Contingent upon your approval, the following individuals are being reappointed to the Commission for the Deaf and Hard of Hearing:

Frances Beurivage, 3726 Washington Street, Lincoln, NE 68506
Sandra Shaw, 312 E. Maple Street, Seward, NE 68434

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

February 14, 2022

Mr. President, Speaker Hilgers
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Hilgers and Members of the Legislature:

Contingent upon your approval, the following individual is being reappointed to the Public Employees Retirement Board:

James Schulz, 6601 South 66th Street, Lincoln, NE 68516

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

February 14, 2022

Mr. President, Speaker Hilgers
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Hilgers and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed to the Nebraska Motor Vehicle Industry Licensing Board:

Chad J. Tessman, 125 E. Liberty Drive, Henderson, NE 68371

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

February 14, 2022

Mr. President, Speaker Hilgers
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Hilgers and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed to the Nebraska Rural Health Advisory Commission:

Jeffrey Wallman, M.D., 21470 South 120 Road, Filley, NE 68357

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

February 14, 2022

Mr. President, Speaker Hilgers
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Hilgers and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed to the Board of Public Roads Classifications and Standards:

Brandie S. Neemann, Department of Transportation, 1500 Highway 2,
Lincoln, NE 68509

Contingent upon your approval, the following individuals are being reappointed to the Board of Public Roads Classifications and Standards:

Edward R. Wootton, Sr., 804 W. Mission Avenue, Bellevue, NE 68005
Barbara J. Keegan, 302 Cheyenne Avenue, Hemingford, NE 69348
James A. Litchfield, 201 Highland Street, Wakefield, NE 68784

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
 (Signed) Pete Ricketts
 Governor

Enclosures

AMENDMENT(S) - Print in Journal

Senator Kolterman filed the following amendment to LB838:
AM1889

1 Strike the original section and insert the following new section:
 2 Section 1. (1) For purposes of this section:
 3 (a) Child care or education program means any of the following:
 4 (i) A child care program licensed under the Child Care Licensing Act
 5 which serves children from birth to kindergarten and participates in the
 6 Step Up to Quality Child Care Act;
 7 (ii) A prekindergarten service or program established pursuant to
 8 section 79-1104;
 9 (iii) A Head Start program pursuant to 42 U.S.C. 9831 et seq., as
 10 such sections existed on January 1, 2022; or
 11 (iv) An Early Head Start Program pursuant to 42 U.S.C. 9840a et
 12 seq., as such sections existed on January 1, 2022;
 13 (b) Full-time employee means an individual employed to work thirty
 14 or more hours each week;
 15 (c) Health insurance deductible means the amount required to be paid
 16 out of pocket before the health insurance provider begins to pay the
 17 costs associated with treatment; and
 18 (d) Health insurance premium means all money paid as a condition of
 19 receiving health insurance coverage from a health insurance provider.
 20 (2) The State Department of Education shall create a program to
 21 support the early childhood workforce. Support provided by the program
 22 may include, but is not limited to, paying for all or part of the
 23 following:
 24 (a) Health insurance premiums;
 25 (b) Health insurance deductibles; or
 26 (c) Other expenses related to health insurance.
 27 (3) The following individuals are eligible to receive support from
 1 the program described in subsection (2) of this section:
 2 (a) Any full-time employee at an entity that provides child care or
 3 education programs for children; and
 4 (b) Any self-employed individual who provides a child care or
 5 education program for children.
 6 (4) The department may contract with any third party to carry out
 7 this section.
 8 (5) It is the intent of the Legislature:
 9 (a) To appropriate fifteen million dollars from the General Fund
 10 each fiscal year to the State Department of Education, which shall only
 11 be used for the purpose of carrying out this section;
 12 (b) That any money appropriated to carry out this section that is
 13 not utilized in the fiscal year for which it is appropriated shall lapse
 14 and not be reappropriated for the following fiscal year; and
 15 (c) That any unused appropriation of money from a prior fiscal year
 16 shall not affect the amount appropriated in a subsequent fiscal year.

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LRs 291 and 292 were adopted.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LRs 291 and 292.

GENERAL FILE

LEGISLATIVE BILL 847. Title read. Considered.

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

LEGISLATIVE BILL 567. Title read. Considered.

Committee [AM301](#), found on page 783, First Session, 2021, was adopted with 42 ayes, 0 nays, 5 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 40 ayes, 0 nays, 7 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 749. Title read. Considered.

Advanced to Enrollment and Review Initial with 43 ayes, 0 nays, 4 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 704. Title read. Considered.

SENATOR HUGHES PRESIDING

Advanced to Enrollment and Review Initial with 41 ayes, 0 nays, 6 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 786. Title read. Considered.

Senator Wayne requested a roll call vote on the advancement of the bill.

Advanced to Enrollment and Review Initial with 37 ayes, 0 nays, 9 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 791. Title read. Considered.

SPEAKER HILGERS PRESIDING

Advanced to Enrollment and Review Initial with 38 ayes, 0 nays, 7 present and not voting, and 4 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 592. Considered.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 754. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 758. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 892. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 708. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 685. Senator M. Cavanaugh withdrew her motion, [MO131](#), to bracket.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 767. [ER101](#), found on page 494, was adopted.

Senator Kolterman offered his amendment, [AM1753](#), found on page 542.

The Kolterman amendment was adopted with 39 ayes, 0 nays, 7 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 906. [ER102](#), found on page 550, was offered.

SENATOR HUGHES PRESIDING

Senator Hunt requested a record vote on the adoption of the Enrollment and Review amendment.

Voting in the affirmative, 32:

Albrecht	Dorn	Hilgers	McKinney	Stinner
Arch	Erdman	Hilkemann	Moser	Walz
Bostar	Friesen	Hughes	Murman	Williams
Bostelman	Geist	Lindstrom	Pahls	Wishart
Brandt	Gragert	Linehan	Pansing Brooks	
Brewer	Halloran	Lowe	Sanders	
Clements	Hansen, B.	McDonnell	Slama	

Voting in the negative, 0.

Present and not voting, 12:

Blood	DeBoer	Hunt	McCollister
Cavanaugh, J.	Groene	Kolterman	Vargas
Day	Hansen, M.	Lathrop	Wayne

Excused and not voting, 5:

Aguilar	Briese	Cavanaugh, M.	Flood	Morfeld
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ER102 was adopted with 32 ayes, 0 nays, 12 present and not voting, and 5 excused and not voting.

Pending.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 294. Introduced by Kolterman, 24.

PURPOSE: The purpose of this study is to examine the public employees' retirement systems administered by the Public Employees Retirement Board, including the State Employees Retirement System, the County Employees Retirement System, the School Employees Retirement System, the Nebraska State Patrol Retirement System, and the Judges Retirement System. The study may also examine the retirement system administered under the Class V School Employees Retirement Act. The study shall examine issues as they relate to the funding needs, benefits, contributions, and the administration of each retirement system.

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 295. Introduced by Kolterman, 24.

PURPOSE: The purpose of this study is to carry out the provisions of section 13-2402, which requires the Nebraska Retirement Systems Committee to monitor underfunded defined benefit plans administered by political subdivisions. The study shall include a public hearing for the presentation of reports by political subdivisions with underfunded defined benefit plans.

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

1. That the Nebraska Retirement Systems Committee shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 296. Introduced by Stinner, 48.

WHEREAS, Zac Taylor played the position of quarterback for the Nebraska Cornhuskers in the 2005 and 2006 seasons; and

WHEREAS, during those two seasons, Taylor led the Nebraska Cornhuskers to 17 wins and the 2006 Big 12 North Division title; and

WHEREAS, in 2006, Taylor was named the Big 12 Offensive Player of the Year; and

WHEREAS, Taylor holds the All-Time Nebraska Cornhuskers records for most passes completed in one game (36), pass attempts in a game without an interception (55), passing touchdowns in one season (26), along with many other records; and

WHEREAS, Taylor entered the coaching profession, working as an assistant coach for multiple professional and college teams; and

WHEREAS, on February 4, 2019, Taylor was hired as the head coach of the Cincinnati Bengals football team in the National Football League; and

WHEREAS, Taylor is only the fifth Nebraska Cornhusker football player to be named a head coach in the National Football League; and

WHEREAS, on February 13, 2022, Taylor coached his team in Super Bowl LVI, becoming the first former Nebraska Cornhusker to reach a Super Bowl as a head coach.

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

1. That the Legislature recognizes and appreciates Zac Taylor's dedication and success at the University of Nebraska as a member of the Nebraska Cornhuskers football team.

2. That the Legislature congratulates Zac Taylor on reaching Super Bowl LVI as the head coach of the Cincinnati Bengals.

3. That copies of this resolution be sent to Zac Taylor and the University of Nebraska-Lincoln Athletic Department.

Laid over.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

Bauer, Douglas A. - State Board of Health - Health and Human Services
Beaurivage, Frances - Commission for the Deaf and Hard of Hearing -
Health and Human Services
Fitzpatrick, Brooke J. - Commission for the Deaf and Hard of Hearing -
Health and Human Services
Keegan, Barbara J. - Board of Public Roads Classifications and Standards -
Transportation and Telecommunications
Litchfield, James A. - Board of Public Roads Classifications and Standards -
Transportation and Telecommunications
Neemann, Brandie S. - Board of Public Roads Classifications and Standards
- Transportation and Telecommunications
Schulz, James - Public Employees Retirement Board - Nebraska Retirement
Systems
Shaw, Sandra - Commission for the Deaf and Hard of Hearing - Health and
Human Services
Tessman, Chad J. - Nebraska Motor Vehicle Industry Licensing Board -
Transportation and Telecommunications
Vander Broeck, Douglas - State Board of Health - Health and Human
Services
Vest, Joshua M. - State Board of Health - Health and Human Services
Wallman, Jeffrey - Nebraska Rural Health Advisory Commission - Health
and Human Services
Wootton, Edward R., Sr. - Board of Public Roads Classifications and
Standards - Transportation and Telecommunications

(Signed) Dan Hughes, Chairperson
Executive Board

ANNOUNCEMENT(S)

Priority designation(s) received:

Bostelman - LB1099
Hunt - LB121

AMENDMENT(S) - Print in Journal

Senator Groene filed the following amendment to LB906:

[FA72](#)

Amend ER102:

Strike Sec. 4 lines 29-31 of page 2, lines 1-3 of page 3.

Strike on line 5 page 3 "~~or a federal contractor~~".

Senator Friesen filed the following amendment to LB906:

[AM1902](#)

1 1. Insert the following new section:

2 Sec. 2. (1) For purposes of this section:

3 (a) COVID-19 means the novel coronavirus identified as SARS-CoV-2;

4 any disease caused by SARS-CoV-2, its viral fragments, or a virus

5 mutation therefrom; and all conditions associated with the disease which

6 are caused by SARS-CoV-2, its viral fragments, or a virus mutation

7 therefrom; and

8 (b) Postsecondary institution has the same meaning as in section

9 85-2403.

10 (2) If a postsecondary institution enforces a COVID-19 vaccination

11 requirement, the postsecondary institution shall, for any student who

12 refuses to comply with such requirement:

13 (a) Refund any amount of such student's tuition or fees paid for any

14 credit hours commenced but not yet completed as of the time of the

15 student's refusal; and

16 (b) Transfer such student's earned credit hours to another

17 postsecondary institution as requested by the student.

18 2. Renumber the remaining section accordingly.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Briese name added to LB902.

Senator Sanders name added to LB1006.

Senator Murman name added to LB1270.

ANNOUNCEMENT

Senator Brewer announced the Government, Military and Veterans Affairs Committee will hold an executive session Tuesday, February 15, 2022, at 10:00 a.m., under the South Balcony.

VISITOR(S)

The Doctor of the Day was Dr. Charles Smith of Lincoln.

ADJOURNMENT

At 11:59 a.m., on a motion by Senator Bostar, the Legislature adjourned until 9:00 a.m., Tuesday, February 15, 2022.

Patrick J. O'Donnell
Clerk of the Legislature

TWENTY-SIXTH DAY - FEBRUARY 15, 2022

LEGISLATIVE JOURNAL

**ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION**

TWENTY-SIXTH DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, February 15, 2022

PRAYER

The prayer was offered by Reverend Becky Whitehead, Unity of Omaha, Omaha.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Moser.

ROLL CALL

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

The roll was called and all members were present except Senators Bostar, Bostelman, Briese, M. Cavanaugh, Day, Flood, Lathrop, Linehan, Morfeld, Pansing Brooks, and Wishart who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the twenty-fifth day was approved.

COMMITTEE REPORT(S)
Business and Labor

LEGISLATIVE BILL 717. Placed on General File.

LEGISLATIVE BILL 1137. Placed on General File.

LEGISLATIVE BILL 512. Placed on General File with amendment.

[AM1620](#)

1 1. Strike original section 6.

2 2. On page 2, strike lines 7 through 11 and insert the following new
3 subdivision:

4 "(2) Critical infrastructure utility worker means an essential

5 critical infrastructure worker identified in the Guidance on the

6 Essential Critical Infrastructure Workforce, Version 4.0, as released on

7 August 18, 2020, by the United States Department of Homeland Security
8 Cybersecurity and Infrastructure Security Agency:"
9 3. On page 3, line 16, after the semicolon insert "and"; strike
10 lines 17 through 19; in line 20 strike "(3)" and insert "(2)", and in
11 line 22 after "workers" insert "in accordance with federal law and
12 regulations regarding eligibility".

LEGISLATIVE BILL 780. Placed on General File with amendment.

[AM1645](#)

1 1. On page 3, line 14, strike "county superintendent" and insert
2 "superintendent of the school district in which the child resides".

(Signed) Ben Hansen, Chairperson

NOTICE OF COMMITTEE HEARING(S)

Natural Resources
Room 1525 1:30 PM

Wednesday, February 23, 2022

Paul E. Strommen - Nebraska Oil and Gas Conservation Commission

Dallen R. Juelfs - Nebraska Oil and Gas Conservation Commission

(Signed) Bruce Bostelman, Chairperson

ANNOUNCEMENT(S)

Priority designation(s) received:

Blood - LR263CA

SELECT FILE

LEGISLATIVE BILL 906. Senator Groene offered his amendment, [FA72](#),
found on page 563.

SENATOR HUGHES PRESIDING

Senator M. Hansen offered the following motion:

[MO144](#)

Recommit to Health and Human Services Committee.

Senator Blood offered the following motion:

[MO145](#)

Bracket until April 20, 2022.

SPEAKER HILGERS PRESIDING

Senator Blood withdrew her motion to bracket.

Pending.

ANNOUNCEMENT(S)

Priority designation(s) received:

DeBoer - LB1241

NOTICE OF COMMITTEE HEARING(S)

Government, Military and Veterans Affairs
Room 1507 1:30 PM

Wednesday, February 23, 2022

Ann Ashford - Nebraska Accountability and Disclosure Commission
LB793
LB794

Thursday, February 24, 2022

LB965
LB1077

Friday, February 25, 2022

LB1134
LB1139

Wednesday, March 2, 2022

LB1181
LB1123
LB1121

(Signed) Tom Brewer, Chairperson

Education
Room 1525 1:30 PM

Tuesday, February 22, 2022

AM1889 to LB838
LB1027
LB852
LB1211
LB1212

(Signed) Lynne Walz, Chairperson

BILLS ON FIRST READING

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

LEGISLATIVE BILL 767A. Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 767, One Hundred Seventh Legislature, Second Session, 2022.

LEGISLATIVE BILL 776A. 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 776, One Hundred Seventh Legislature, Second Session, 2022.

SELECT FILE

LEGISLATIVE BILL 906. Senator Groene renewed his amendment, [FA72](#), found on page 563 and considered in this day's Journal.

Senator M. Hansen renewed his motion, [MO144](#), found in this day's Journal, to recommit to Health and Human Services Committee.

Senator M. Hansen withdrew his motion to recommit to committee.

Senator Erdman moved for a call of the house. The motion prevailed with 22 ayes, 3 nays, and 24 not voting.

The Groene amendment lost with 18 ayes, 20 nays, 9 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

Senator Friesen offered his amendment, [AM1902](#), found on page 563.

Senator Friesen withdrew his amendment.

Pending.

ANNOUNCEMENT(S)

Priority designation(s) received:

Appropriations - LB1014
Stinner - LB1068

COMMITTEE REPORT(S)

Natural Resources

LEGISLATIVE BILL 1099. Placed on General File with amendment. [AM1895](#)

- 1 1. Strike the original sections and insert the following new
- 2 sections:
- 3 Section 1. (1) The Department of Economic Development shall create
- 4 the Nebraska Hydrogen Hub Industry Work Group. The Governor shall appoint

5 members to the work group that include, but are not limited to,
6 representatives from the following sectors: (a) Manufacturing or
7 industry, (b) agriculture, (c) transportation, and (d) energy. The work
8 group may include a representative of a clean hydrogen manufacturer.
9 (2) The purpose of the work group is to develop and draft a
10 competitive proposal which may be submitted to the United States
11 Department of Energy to be selected as one of the four regional clean
12 hydrogen hubs authorized under the federal Infrastructure Investment and
13 Jobs Act, Public Law 117-58.
14 (3) The Department of Economic Development may contract with private
15 consultants to create the competitive proposal. Specifically, the work
16 group shall determine how to maximize the state's geographic location to
17 connect a nationwide hydrogen network. Additionally, the work group shall
18 build a plan to make the case for an agricultural-based clean hydrogen
19 hub, expanding the existing eligible purposes.
20 Sec. 2. Since an emergency exists, this act takes effect when
21 passed and approved according to law.

(Signed) Bruce Bostelman, Chairperson

Education

LEGISLATIVE BILL 887. Placed on General File.

The Education 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.

Dennis A. Headrick - Coordinating Commission for Postsecondary Education

Aye: 7. Day, Linehan, Morfeld, Murman, Pansing Brooks, Sanders, Walz.
Nay: 0. Absent: 0. Present and not voting: 1. McKinney.

(Signed) Lynne Walz, Chairperson

NOTICE OF COMMITTEE HEARING(S)

Education
Room 1525 1:30 PM

Monday, February 28, 2022

LB1034
LB1251
LB1179
LB912

Tuesday, March 1, 2022

LB1078
LB711
LB1157
LR278CA
LB1143

(Signed) Lynne Walz, Chairperson

AMENDMENT(S) - Print in Journal

Senator Hunt filed the following amendment to LB906:

[AM1923](#)

(Amendments to E&R amendments, ER102)

1 1. On page 1, line 10, strike "one" and insert "fifteen".

Senator Hunt filed the following amendment to LB906:

[AM1925](#)

(Amendments to E & R amendments, ER102)

1 1. On page 2, line 29, strike "may" and insert "shall".

Senator Hunt filed the following amendment to LB906:

[AM1927](#)

(Amendments to E&R amendments, ER102)

1 1. On page 2, line 22, strike "(3)" and insert "(3)(a)"; in line 26
 2 strike "(a)" and insert "(i)"; in line 27 strike "(b)" and insert "(ii)";
 3 and after line 28 insert the following new subdivision:
 4 "(b) If such exemption is granted, the employer shall provide hazard
 5 pay in addition to regular wages to all employees who are in compliance
 6 with the requirement to be vaccinated against COVID-19 in compensation
 7 for the health risk of forced exposure to the unvaccinated individual.".

Senator Hunt filed the following amendment to LB906:

[AM1926](#)

(Amendments to E&R amendments, ER102)

1 1. On page 2, line 22, after the comma insert "and except as
 2 provided in subsection (6) of this section.".
 3 2. On page 3, after line 8 insert the following new subsection:
 4 "(6) An employer is not required to grant an exemption under
 5 subsection (3) of this section if it would pose an undue hardship upon
 6 the employer.".

COMMITTEE REPORT(S)

Government, Military and Veterans Affairs

LEGISLATIVE BILL 691. Placed on General File.

LEGISLATIVE BILL 742. Placed on General File.

LEGISLATIVE BILL 765. Placed on General File.

LEGISLATIVE BILL 787. Placed on General File.

LEGISLATIVE BILL 983. Placed on General File.

LEGISLATIVE BILL 1122. Placed on General File.

LEGISLATIVE BILL 1178. Placed on General File.

LEGISLATIVE BILL 1037. Placed on General File with amendment.

[AM1887](#)

1 1. Insert the following new sections:
 2 Sec. 2. Section 81-153, Reissue Revised Statutes of Nebraska, is
 3 amended to read:
 4 81-153 The materiel division shall have the power and duty to:

5 (1) Purchase or contract for, in the name of the state, the personal
6 property required by the using agencies and the state;
7 (2) Promulgate, apply, and enforce standard specifications
8 established as provided in section 81-154;
9 (3) Sell and dispose of personal property that is not needed by the
10 state or its using agencies as provided in section 81-161.04 or initiate
11 trade-ins when determined to be in the best interest of the state;
12 (4) Determine the utility, quality, fitness, and suitability of all
13 personal property tendered or furnished;
14 (5) Make rules and regulations consistent with sections 81-145 to
15 81-171 and 81-1118 to 81-1118.06 to carry into effect the provisions
16 thereof. Such rules and regulations shall include provisions for
17 modifying and terminating purchase contracts and the cost principles to
18 be used in such modification or termination;
19 (6) Employ such clerical, technical, and other assistants as may be
20 necessary to properly administer such sections, fix their compensation,
21 and prescribe their duties in connection therewith, subject to existing
22 laws and appropriations;
23 (7) Allow the purchase of personal property without competitive
24 bidding when the price has been established by the federal General
25 Services Administration or to allow the purchase of personal property by
26 participation in a contract competitively bid by another state or group
27 of states, a group of states and any political subdivision of any other
1 state, or a cooperative purchasing organization on behalf of a group of
2 states. The division may also give consideration to a sheltered workshop
3 pursuant to section 48-1503 in making such purchases;
4 (8) Enter into any personal property lease agreement when it appears
5 to be in the best interest of the state; ~~and~~
6 (9) Negotiate purchases and contracts when conditions exist to
7 defeat the purpose and principles of public competitive bidding; ~~and~~ -
8 (10) Obtain an electronic procurement system, which shall be funded
9 or paid for by providing the system provider with, as determined by the
10 materiel administrator, a percentage or portion of identified
11 transactions. Such percentage or portion may be collected by the system
12 provider from contractors and bidders.
13 Sec. 3. Section 81-1120, Reissue Revised Statutes of Nebraska, is
14 amended to read:
15 81-1120 (1) There is hereby created the Materiel Division Revolving
16 Fund. The fund shall be administered by the materiel division of the
17 Department of Administrative Services. The fund shall consist of (a) fees
18 paid for printing, copying, central supply, and mailing services provided
19 to state agencies and local subdivisions by the division, ~~and~~ (b)
20 assessments charged by the materiel administrator to state agencies,
21 boards, and commissions for purchasing services provided by the division,
22 ~~and~~ (c) any money collected pursuant to subdivision (10) of section
23 81-153. Such assessments shall be adequate to cover actual and necessary
24 expenses that are associated with providing the service and not otherwise
25 covered by the money collected pursuant to subdivision (10) of section
26 81-153. The fund shall be used to pay for expenses incurred by the
27 division to provide such services.
28 (2) State agencies, boards, and commissions shall make the materiel
29 division assessment payments to the fund no later than August 1 of each
30 year, or in four equal payments to be made no later than August 1,
31 October 1, February 1, and April 1 of each year, at the discretion of the
1 materiel administrator.
2 (3) Any money in the fund available for investment shall be invested
3 by the state investment officer pursuant to the Nebraska Capital
4 Expansion Act and the Nebraska State Funds Investment Act.
5 Sec. 4. Sections 2, 3, and 5 of this act become operative three
6 calendar months after the adjournment of this legislative session. The

7 other sections of this act become operative on their effective date.

8 Sec. 5. Original sections 81-153 and 81-1120, Reissue Revised

9 Statutes of Nebraska, are repealed.

10 2. Renumber the remaining section accordingly.

(Signed) Tom Brewer, Chairperson

ANNOUNCEMENT(S)

Senator Bostelman announced the Natural Resources Committee will hold an executive session Wednesday, February 16, 2022, following the hearing in Room 1525.

Senator B. Hansen announced the Business and Labor Committee will hold an executive session Thursday, February 17, 2022, at 12:00 p.m., in Room 1524.

VISITOR(S)

Visitors to the Chamber were a group of high school students from Blair; and a group from the League of Women Voters of Nebraska.

The Doctor of the Day was Dr. Brett Copley of Syracuse.

ADJOURNMENT

At 11:57 a.m., on a motion by Senator Geist, the Legislature adjourned until 9:00 a.m., Wednesday, February 16, 2022.

Patrick J. O'Donnell
Clerk of the Legislature

TWENTY-SEVENTH DAY - FEBRUARY 16, 2022**LEGISLATIVE JOURNAL****ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION****TWENTY-SEVENTH DAY**

Legislative Chamber, Lincoln, Nebraska
Wednesday, February 16, 2022

PRAYER

The prayer was offered by Father Ryan Lewis, St. Elizabeth Ann Seton Church, Omaha.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Murman.

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 Senator Walz who was excused; and Senators Bostar, Briese, M. Cavanaugh, Lathrop, McDonnell, Morfeld, Stinner, and Vargas who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the twenty-sixth day was approved.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 847. Placed on Select File with amendment.

[ER104](#)

1 1. On page 1, line 4, after the first "and" insert "public".

LEGISLATIVE BILL 567. Placed on Select File with amendment.

[ER107](#)

1 1. Strike the original sections and all amendments thereto and

2 insert the following new sections:

3 Section 1. Section 48-625, Reissue Revised Statutes of Nebraska, is

4 amended to read:

5 48-625 (1) Except as provided in subsection (4) of this section,
 6 ~~each~~ Each eligible individual who is unemployed in any week shall be paid
 7 with respect to such week a benefit in an amount equal to his or her full
 8 weekly benefit amount if he or she has wages payable to him or her with
 9 respect to such week equal to one-fourth of such benefit amount or less.
 10 In the event he or she has wages payable to him or her with respect to
 11 such week greater than one-fourth of such benefit amount, he or she shall
 12 be paid with respect to that week an amount equal to the individual's
 13 weekly benefit amount less that part of wages payable to the individual
 14 with respect to that week in excess of one-fourth of the individual's
 15 weekly benefit amount. In the event there is any deduction from such
 16 individual's weekly benefit amount because of earned wages pursuant to
 17 this subsection or as a result of the application of section 48-628.02,
 18 the resulting benefit payment, if not an exact dollar amount, shall be
 19 computed to the next lower dollar amount.

20 (2) Any amount of unemployment compensation payable to any
 21 individual for any week, if not an even dollar amount, shall be rounded
 22 to the next lower full dollar amount.

23 (3) The percentage of benefits and the percentage of extended
 24 benefits which are federally funded may be adjusted in accordance with
 25 the Balanced Budget and Emergency Deficit Control Act of 1985, Public Law
 26 99-177.

27 (4) To the extent authorized under federal law, if an individual is
 1 eligible for an equal or greater weekly benefit amount under a federal
 2 unemployment program than the weekly benefit amount which the individual
 3 is eligible for under the Employment Security Law, the commissioner shall
 4 suspend the payment of state unemployment benefits to such individual
 5 while such individual is receiving the federal unemployment benefit. Such
 6 suspension shall terminate upon the individual's exhaustion of benefits
 7 available under the federal unemployment program. An individual shall not
 8 be eligible to receive the federal weekly benefit and the state
 9 unemployment weekly benefit during the same week. This subsection shall
 10 not apply to any federal unemployment benefit which is paid in addition
 11 to the state weekly benefit amount.

12 Sec. 2. Section 48-626, Reissue Revised Statutes of Nebraska, is
 13 amended to read:

14 48-626 (1) For any benefit year beginning before October 1, 2018,
 15 any otherwise eligible individual shall be entitled during any benefit
 16 year to a total amount of benefits equal to whichever is the lesser of
 17 (a) twenty-six times his or her benefit amount or (b) one-third of his or
 18 her wages in the employment of each employer per calendar quarter of his
 19 or her base period; except that when any individual has been separated
 20 from his or her employment with a base period employer under the
 21 circumstances under which he or she was or could have been determined
 22 disqualified under section 48-628.10 or 48-628.12, the total benefit
 23 amount based on the employment from which he or she was so separated
 24 shall be reduced by an amount equal to the number of weeks for which he
 25 or she is or would have been disqualified had he or she filed a claim
 26 immediately after the separation, multiplied by his or her weekly benefit
 27 amount, but not more than one reduction may be made for each separation.
 28 In no event shall the benefit amount based on employment for any employer
 29 be reduced to less than one benefit week when the individual was or could
 30 have been determined disqualified under section 48-628.12.

31 (1) (2) For any benefit year beginning before ~~on~~ or after October 1,
 1 2021 2018, any otherwise eligible individual shall be entitled during any
 2 benefit year to a total amount of benefits equal to whichever is the
 3 lesser of (a) twenty-six times his or her weekly benefit amount or (b)
 4 one-third of his or her wages in the employment of each employer per
 5 calendar quarter of his or her base period; except that when any
 6 individual has been separated from his or her employment with a base

7 period employer under circumstances under which he or she was or could
8 have been determined disqualified under section 48-628.10 or 48-628.12,
9 the total benefit amount based on the employment from which he or she was
10 so separated shall be reduced by an amount determined pursuant to
11 subsection ~~(2)~~ ~~(3)~~ of this section, but not more than one reduction may
12 be made for each separation. In no event shall the benefit amount based
13 on employment for any employer be reduced to less than one benefit week
14 when the individual was or could have been determined disqualified under
15 section 48-628.12.

16 ~~(2)~~ ~~(3)~~ For purposes of determining the reduction of benefits
17 described in subsection ~~(1)~~ ~~(2)~~ of this section:

18 (a) If the claimant has been separated from his or her employment
19 under circumstances under which he or she was or could have been
20 determined disqualified under section 48-628.12, his or her total benefit
21 amount shall be reduced by:

22 (i) Two times his or her weekly benefit amount if he or she left
23 work voluntarily for the sole purpose of accepting previously secured,
24 permanent, full-time, insured work, which he or she does accept, which
25 offers a reasonable expectation of betterment of wages or working
26 conditions, or both, and for which he or she earns wages payable to him
27 or her; or

28 (ii) Thirteen times his or her weekly benefit amount if he or she
29 left work voluntarily without good cause for any reason other than that
30 described in subdivision ~~(2)(a)(i)~~ ~~(3)(a)(i)~~ of this section; and

31 (b) If the claimant has been separated from his or her employment
1 under circumstances under which he or she was or could have been
2 determined disqualified under section 48-628.10, his or her total benefit
3 amount shall be reduced by fourteen times his or her weekly benefit
4 amount.

5 ~~(3) For any benefit year beginning on or after October 1, 2021, any~~
6 ~~otherwise eligible individual shall be entitled during any benefit year~~
7 ~~to a total amount of benefits equal to whichever is the lesser of (a)~~
8 ~~twenty-six times his or her weekly benefit amount or (b) one-third of his~~
9 ~~or her wages in the employment of each employer per calendar quarter of~~
10 ~~his or her base period; except that when any individual has been~~
11 ~~separated from his or her employment with the most recent insured~~
12 ~~employer under circumstances under which he or she was or could have been~~
13 ~~determined disqualified under section 48-628.10 or 48-628.12, the total~~
14 ~~benefit amount based on the employment from which he or she was so~~
15 ~~separated shall be reduced by an amount determined pursuant to subsection~~
16 ~~(4) of this section, but not more than one reduction may be made for such~~
17 ~~separation. In no event shall the benefit amount based on employment for~~
18 ~~any employer be reduced to less than one benefit week when the individual~~
19 ~~was or could have been determined disqualified under section 48-628.12.~~

20 ~~(4) For purposes of determining the reduction of benefits described~~
21 ~~in subsection (3) of this section:~~

22 ~~(a) If the claimant has been separated from his or her employment~~
23 ~~under circumstances under which he or she was or could have been~~
24 ~~determined disqualified under section 48-628.12, his or her total benefit~~
25 ~~amount shall be reduced by thirteen times his or her weekly benefit~~
26 ~~amount if he or she left work voluntarily without good cause; and~~

27 ~~(b) If the claimant has been separated from his or her employment~~
28 ~~under circumstances under which he or she was or could have been~~
29 ~~determined disqualified under section 48-628.10, his or her total benefit~~
30 ~~amount shall be reduced by fourteen times his or her weekly benefit~~
31 ~~amount.~~

1 ~~(5) (4) For purposes of sections 48-623 to 48-626, wages shall be~~
2 ~~counted as wages for insured work for benefit purposes with respect to~~
3 ~~any benefit year only if such benefit year begins subsequent to the date~~
4 ~~on which the employer by whom such wages were paid has satisfied the~~

5 conditions of section 48-603 or subsection (3) of section 48-661 with
 6 respect to becoming an employer.
 7 (6) (5) In order to determine the benefits due under this section
 8 and sections 48-624 and 48-625, each employer shall make reports, in
 9 conformity with reasonable rules and regulations adopted and promulgated
 10 by the commissioner, of the wages of any claimant. If any employer fails
 11 to make such a report within the time prescribed, the commissioner may
 12 accept the statement of such claimant as to his or her wages, and any
 13 benefit payments based on such statement of earnings, in the absence of
 14 fraud or collusion, shall be final as to the amount.
 15 Sec. 3. Original sections 48-625 and 48-626, Reissue Revised
 16 Statutes of Nebraska, are repealed.
 17 2. On page 1, strike lines 2 through 4 and insert "sections 48-625
 18 and 48-626, Reissue Revised Statutes of Nebraska; to change provisions
 19 relating to payment of weekly benefits and maximum annual benefit
 20 amounts; to harmonize provisions; and to repeal the original sections."

LEGISLATIVE BILL 749. Placed on Select File.

LEGISLATIVE BILL 704. Placed on Select File with amendment.

[ER106](#)

1 1. On page 1, line 3, after "embalming" insert "and apprentice"; and
 2 in line 5 strike "to harmonize provisions;"

LEGISLATIVE BILL 786. Placed on Select File.

LEGISLATIVE BILL 791. Placed on Select File.

(Signed) Terrell McKinney, Chairperson

COMMITTEE REPORT(S)
 Judiciary

LEGISLATIVE BILL 102. Placed on General File.

LEGISLATIVE BILL 748. Placed on General File.

LEGISLATIVE BILL 808. Placed on General File.

LEGISLATIVE BILL 810. Placed on General File.

LEGISLATIVE BILL 870. Placed on General File.

LEGISLATIVE BILL 879. Placed on General File.

LEGISLATIVE BILL 1244. Placed on General File.

LEGISLATIVE BILL 896. Placed on General File with amendment.
[AM1930](#)

1 1. Strike the original sections and insert the following new
2 sections:
3 Section 1. Section 83-182.01, Revised Statutes Cumulative
4 Supplement, 2020, is amended to read:
5 83-182.01 (1) Structured programming shall be planned for all adult
6 persons committed to the department. The structured programming shall
7 include any of the following: Work programs, vocational training,
8 behavior management and modification, money management, and substance
9 abuse awareness, counseling, or treatment. Programs and treatment
10 services shall address:
11 (a) Behavioral impairments, severe emotional disturbances, and other
12 mental health or psychiatric disorders;
13 (b) Drug and alcohol use and addiction;
14 (c) Health and medical needs;
15 (d) Education and related services;
16 (e) Counseling services for persons committed to the department who
17 have been physically or sexually abused;
18 (f) Work ethic and structured work programs;
19 (g) The development and enhancement of job acquisition skills and
20 job performance skills; and
21 (h) Cognitive behavioral intervention.
22 Structured programming may also include classes and activities
23 organized by inmate self-betterment clubs, cultural clubs, and other
24 inmate-led or volunteer-led groups.
25 (2) The goal of such structured programming is to provide the skills
26 necessary for the person committed to the department to successfully
27 return to his or her home or community or to a suitable alternative
28 community upon his or her release from the adult correctional facility.
29 The Legislature recognizes that many inmate self-betterment clubs and
30 cultural clubs help achieve this goal by providing constructive
31 opportunities for personal growth.
32 (3) If a person committed to the department refuses to participate
33 in the structured programming described in subsection (1) of this
34 section, he or she ~~may~~ shall be subject to disciplinary action, except
35 that a person committed to the department who refuses to participate in
36 structured programming consisting of classes and activities organized by
37 inmate self-betterment clubs, cultural clubs, or other inmate-led or
38 volunteer-led groups shall not be subject to disciplinary action.
39 (4) Any person committed to the department who is qualified by
40 reason of education, training, or experience to teach academic or
41 vocational classes may be given the opportunity to teach such classes to
42 committed offenders as part of the structured programming described in
43 this section.
44 ~~(5)(a) (5) The department shall evaluate the quality of programs~~
45 ~~funded by the department, including -The evaluation shall focus on~~
46 ~~whether program participation reduces recidivism. The Subject to the~~
47 ~~availability of funding, the department shall may contract with an~~
48 ~~independent contractor or academic institution for each program~~
49 ~~evaluation. Each program evaluation shall be standardized and shall~~
50 ~~include a site visit, interviews with key staff, interviews with~~
51 ~~offenders, group observation, if applicable, and review of materials used~~
52 ~~for the program. The evaluation shall include adherence to concepts that~~
53 ~~are linked with program effectiveness, such as program procedures, staff~~
54 ~~qualifications, and fidelity to the program model of delivering offender~~
55 ~~assessment and treatment. Each program evaluation shall also include a~~
56 ~~rating on the effectiveness of the program and feedback to the department~~
57 ~~and the office of Inspector General of the Nebraska Correctional System~~

31 concerning program strengths and weaknesses and recommendations for
 1 better adherence to evidence-based programming, if applicable.
 2 (b) The evaluation shall also make recommendations regarding the
 3 availability of programs throughout the correctional system, the ability
 4 to deliver the programs in a timely manner, and the therapeutic
 5 environment in which such programs are delivered at each facility and
 6 shall include a cost-benefit analysis of each program, if applicable.
 7 Program evaluations shall be prioritized in the following order: (i)
 8 Clinical treatment programs; (ii) nonclinical treatment programs; and
 9 (iii) other structured programs. Clinical treatment programs shall be
 10 evaluated at least once every three years and nonclinical treatment and
 11 structured programs shall be evaluated on a regular basis.
 12 (c) For purposes of this subsection:
 13 (i) Clinical treatment program means a program designed to address
 14 specific behavioral health needs delivered by a licensed behavioral
 15 health professional; and
 16 (ii) Nonclinical treatment program means a cognitive behavioral
 17 intervention program delivered by volunteers or department staff.
 18 Sec. 2. Original section 83-182.01, Revised Statutes Cumulative
 19 Supplement, 2020, is repealed.

LEGISLATIVE BILL 1241. Placed on General File with amendment.

[AM1898](#)

1 1. On page 8, lines 9-12, strike the new matter; in line 12 after
 2 the period insert "A law enforcement officer may retire from service in
 3 good standing without meeting the continuing education requirements in
 4 the calendar year of the officer's retirement.".
 5 2. On page 10, strike lines 2 through 8 and insert the following new
 6 subdivision:
 7 "(c) Provide proof that the applicant was awarded a certificate or
 8 diploma attesting to satisfactory completion of a training program
 9 determined by the council to be equivalent to the curriculum in
 10 subdivision (2)(a) of section 81-1414; and"; in line 16 after the period
 11 insert "The council shall take action on an application within forty-five
 12 days after an applicant has completed all requirements under this
 13 section."; and in line 30 strike "and provide it" and insert "by July 1,
 14 2022. The council shall provide such study guide".

LEGISLATIVE BILL 1246. Placed on General File with amendment.

[AM1842](#)

1 1. On page 2, line 15 after "shared" insert "by such criminal
 2 justice agencies and".
 3 2. On page 3, line 3, strike the second "or"; after line 3 insert
 4 the following new subdivision:
 5 "(h) To communication with an individual that an educational entity,
 6 as defined in section 79-1201.01, has designated:
 7 (i) As a Title IX coordinator; or
 8 (ii) To receive reports related to sexual assault or sex trafficking
 9 or to provide supportive measures related to such reports; or"; and in
 10 line 4 strike "(h)" and insert "(i)".

(Signed) Steve Lathrop, Chairperson

Education

LEGISLATIVE BILL 888. Placed on General File.

(Signed) Lynne Walz, Chairperson

ANNOUNCEMENT(S)

Priority designation(s) received:

General Affairs - LB876
General Affairs - LB1236

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LR293 was adopted.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LR293.

SELECT FILE

LEGISLATIVE BILL 906. Senator Hunt offered her amendment, [AM1923](#), found on page 570.

Senator B. Hansen offered the following motion:

[MO146](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator B. Hansen moved for a call of the house. The motion prevailed with 31 ayes, 0 nays, and 18 not voting.

Senator B. Hansen requested a roll call vote on the motion to invoke cloture.

Voting in the affirmative, 38:

Aguilar	Day	Halloran	Linehan	Sanders
Albrecht	DeBoer	Hansen, B.	Lowe	Slama
Arch	Dorn	Hilgers	McCollister	Stinner
Bostelman	Erdman	Hilkemann	McDonnell	Wayne
Brandt	Flood	Hughes	Moser	Williams
Brewer	Friesen	Kolterman	Murman	Wishart
Briese	Geist	Lathrop	Pahls	
Clements	Gragert	Lindstrom	Pansing Brooks	

Voting in the negative, 3:

Blood Cavanaugh, J. Hunt

Present and not voting, 4:

Cavanaugh, M. Groene Hansen, M. McKinney

Excused and not voting, 4:

Bostar Morfeld Vargas Walz

The B. Hansen motion to invoke cloture prevailed with 38 ayes, 3 nays, 4 present and not voting, and 4 excused and not voting.

The Hunt amendment lost with 7 ayes, 28 nays, 10 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Engrossment with 36 ayes, 2 nays, 7 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

SENATOR HUGHES PRESIDING

COMMITTEE REPORT(S) Banking, Commerce and Insurance

LEGISLATIVE BILL 1092. Placed on General File.

LEGISLATIVE BILL 1215. Placed on General File.

(Signed) Matt Williams, Chairperson

Urban Affairs

LEGISLATIVE BILL 915. Placed on General File with amendment.

[AM1860](#)

- 1 1. On page 2, line 11, strike the first "one", show as stricken, and insert "five"; and in line 13 strike "two million five hundred thousand",
- 3 show as stricken, and insert "ten million".
- 4 2. On page 3, line 20, strike "seventy-five" and insert "fifty".

LEGISLATIVE BILL 998. Placed on General File with amendment.

[AM1939](#)

- 1 1. Strike original section 6.
- 2 2. Renumber the remaining sections and correct the repealer
- 3 accordingly.

LEGISLATIVE BILL 1189. Placed on General File with amendment.

[AM1953](#)

- 1 1. Insert the following new section:
- 2 Sec. 9. Since an emergency exists, this act takes effect when
- 3 passed and approved according to law.

LEGISLATIVE BILL 1253. Placed on General File with amendment.

[AM1858](#)

- 1 1. Strike the original sections and insert the following new

2 sections:

3 Section 1. The Department of Economic Development shall use at
4 least fifty percent of any money received from the federal Coronavirus
5 Capital Projects Fund under the federal American Rescue Plan Act of 2021
6 for eligible projects located in qualified census tracts as defined in 26
7 U.S.C. 42(d)(5)(B)(ii)(I), as such section existed on January 1, 2022.
8 Sec. 2. Since an emergency exists, this act takes effect when
9 passed and approved according to law.

(Signed) Justin Wayne, Chairperson

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE BILL 592. Placed on Final Reading.

[ST42](#)

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

1. On page 1, line 4, "to change provisions relating to emergency doses and prescription requirements;" has been inserted after the semicolon.

LEGISLATIVE BILL 685. Placed on Final Reading.

LEGISLATIVE BILL 708. Placed on Final Reading.

LEGISLATIVE BILL 754. Placed on Final Reading.

LEGISLATIVE BILL 758. Placed on Final Reading.

LEGISLATIVE BILL 892. Placed on Final Reading.

(Signed) Terrell McKinney, Chairperson

NOTICE OF COMMITTEE HEARING(S)
Revenue
Room 1524 1:30 PM

Wednesday, February 23, 2022

LB1264

LB827

LB936

LB984

LB1005

LB1168

(Signed) Lou Ann Linehan, Chairperson

AMENDMENT(S) - Print in Journal

Senator Friesen filed the following amendment to [LB1149](#):

[AM1903](#)

1 1. Strike the original sections and insert the following new

2 sections:

3 Section 1. Section 60-3,191, Reissue Revised Statutes of Nebraska,

4 is amended to read:

5 60-3,191 (1) In addition to any other fee required under the Motor

6 Vehicle Registration Act, a fee for registration of each motor vehicle

7 powered by an alternative fuel shall be charged. The fee shall be
 8 seventy-five dollars. The fee shall be collected by the county treasurer
 9 and remitted to the State Treasurer for credit to the Highway Trust Fund.
 10 (2) Beginning January 1, 2027, this section shall not apply to any
 11 motor vehicle powered exclusively by electric energy.
 12 Sec. 2. On or before October 1, 2025, the Department of
 13 Transportation and the Department of Revenue shall jointly report to the
 14 Transportation and Telecommunications Committee of the Legislature and
 15 the Revenue Committee of the Legislature the recommendations and proposed
 16 legislation of the departments for the purpose of administering a
 17 kilowatt-hour excise tax to be assessed on electric energy used to charge
 18 and power electric motor vehicles used on public highways in Nebraska.
 19 Sec. 3. Nothing in Chapter 70 shall preclude or prevent any entity
 20 doing business in the State of Nebraska from selling electric power at
 21 retail solely for the purpose of charging electric motor vehicles. Any
 22 entity engaged in the retail sale of electric power for such purpose
 23 shall collect a per-kilowatt-hour excise tax on the electric energy used
 24 in charging electric motor vehicles and remit such tax to the Department
 25 of Revenue for credit to the Highway Trust Fund.
 26 Sec. 4. Section 3 of this act becomes operative on July 1, 2026.
 27 The other sections of this act become operative on their effective date.
 1 Sec. 5. Original section 60-3,191, Reissue Revised Statutes of
 2 Nebraska, is repealed.

SELECT FILE

LEGISLATIVE BILL 700. [ER103](#), found on page 551, was adopted.

Advanced to Enrollment and Review for Engrossment.

GENERAL FILE

LEGISLATIVE BILL 939. Title read. Considered.

Committee [AM1780](#), found on page 506, was offered.

Senator Linehan offered her amendment, [AM1820](#), found on page 517, to the committee amendment.

SENATOR ARCH PRESIDING

Senator Hunt offered the following motion:

[MO147](#)

Recommit to Revenue.

SENATOR HUGHES PRESIDING

Pending.

COMMITTEE REPORT(S)

Banking, Commerce and Insurance

LEGISLATIVE BILL 707. Placed on General File with amendment.

[AM1859](#) is available in the Bill Room.

LEGISLATIVE BILL 863. Placed on General File with amendment.
[AM1913](#) is available in the Bill Room.

(Signed) Matt Williams, Chairperson

ANNOUNCEMENT(S)

Priority designation(s) received:

Agriculture - LB848

Agriculture - LB805

Banking, Commerce and Insurance - LB863

Banking, Commerce and Insurance - LB707

AMENDMENT(S) - Print in Journal

Senator Geist filed the following amendment to [LB450](#):
[AM1943](#)

(Amendments to AM1600)

- 1 1. Insert the following new sections:
- 2 Sec. 11. Sections 11 to 16 of this act shall be known and may be
- 3 cited as the Small Business Assistance Act.
- 4 Sec. 12. For purposes of the Small Business Assistance Act:
- 5 (1) Department means the Department of Economic Development; and
- 6 (2) Small business means a business with five or fewer employees.
- 7 Sec. 13. (1) The department shall create and administer a grant
- 8 program to:
- 9 (a) Provide grants of up to twenty-five thousand dollars to
- 10 individuals looking to start a small business. An individual shall be
- 11 eligible for a grant under this subdivision if the following requirements
- 12 are met:
- 13 (i) The individual earned no more than fifty-five thousand dollars
- 14 in the most recently completed calendar year;
- 15 (ii) The individual has a personal net worth of no more than two
- 16 hundred thousand dollars, excluding the individual's primary residence;
- 17 and
- 18 (iii) The individual does not have an ownership interest in any
- 19 other business; and
- 20 (b) Provide grants of up to twelve thousand five hundred dollars to
- 21 individuals who own a small business that has been in existence for no
- 22 more than five years. An individual shall be eligible for a grant under
- 23 this subdivision if the following requirements are met:
- 24 (i) The gross revenue of the small business has grown by no more
- 25 than twenty-five percent over the most recently completed calendar year;
- 26 (ii) The individual has a personal net worth of no more than two
- 1 hundred thousand dollars, excluding the individual's primary residence;
- 2 and
- 3 (iii) The individual does not have an ownership interest in any
- 4 other business.
- 5 (2) The department shall contract with a private entity to provide
- 6 professional counseling services to individuals who are looking to start
- 7 a small business or who have started a small business within the previous
- 8 five years. Such counseling services shall be in the following areas:
- 9 (i) Accounting and budgeting;
- 10 (ii) Tax return preparation;

11 (iii) Human resources;
 12 (iv) How to write a business plan;
 13 (v) Payroll processes;
 14 (vi) Financial planning and investments;
 15 (vii) Debt management;
 16 (viii) Strategic planning;
 17 (ix) Technology coaching; and
 18 (x) Financial statement review.
 19 (3) The private entity with which the department contracts under
 20 subsection (2) of this section shall not have any other contracts with
 21 the state that involve the provision of services described in subsection
 22 (2) of this section.
 23 Sec. 14. (1) On or before October 1, 2024, and on or before October
 24 1 of each even-numbered year thereafter, the department shall submit a
 25 report to the Governor and the Legislature that includes, but is not
 26 limited to:
 27 (a) A description of the demand for grants and counseling services
 28 under the Small Business Assistance Act from all geographic regions in
 29 Nebraska;
 30 (b) A listing of the grant recipients and the amounts of grants
 31 awarded pursuant to the act in the previous two fiscal years;
 1 (c) A listing of the recipients of counseling services under the act
 2 in the previous two fiscal years;
 3 (d) The impact of the grants provided under the act, including
 4 information on:
 5 (i) The number of jobs created;
 6 (ii) The economic impact on the area where the grant recipient is
 7 located;
 8 (iii) The impact on state and local tax revenues; and
 9 (iv) The types of businesses created, listed by industry.
 10 (2) The report submitted to the Legislature shall be submitted
 11 electronically.
 12 (3) The department may require the private entity described in
 13 section 13 of this act and any recipients of grants or counseling
 14 services to provide periodic reports and information to enable the
 15 department to fulfill the requirements of this section.
 16 (4) The report shall contain no information that is protected by
 17 state or federal confidentiality laws.
 18 Sec. 15. The department may adopt and promulgate rules and
 19 regulations to carry out the Small Business Assistance Act.
 20 Sec. 16. It is the intent of the Legislature to appropriate five
 21 million dollars to the department each fiscal year to carry out the Small
 22 Business Assistance Act.

Senator M. Cavanaugh filed the following amendment to [LB939](#):
[AM1856](#) is available in the Bill Room.

Senator Brewer filed the following amendment to [LB777](#):
[AM1973](#)

1 1. Strike original sections 2 and 3 and insert the following new
 2 sections:
 3 Section 1. The records of all floor debate and committee hearings as
 4 prepared and permanently maintained by the Clerk of the Legislature are
 5 the only official records of the Legislature.
 6 Sec. 3. Section 79-1313, Reissue Revised Statutes of Nebraska, is
 7 amended to read:
 8 79-1313 The Nebraska Educational Telecommunications Act creates the
 9 Nebraska Educational Telecommunications Commission for the purpose of (1)
 10 promoting and establishing noncommercial educational telecommunications

11 facilities within the State of Nebraska, (2) providing noncommercial
12 educational telecommunications programs throughout the State of Nebraska
13 by digital broadcast, by closed-circuit transmission, by Internet-based
14 delivery, or by other telecommunications technology distribution systems,
15 ~~and~~ (3) operating statewide educational and public radio and television
16 networks, facilities, and services, and (4) developing and maintaining a
17 publicly accessible, indexed, digital Internet archive of Nebraska
18 Legislature video coverage as provided in section 79-1316. The commission
19 shall seek funding from federal, state, foundation, and private sources
20 for capital construction and annual operations.
21 Sec. 4. Section 79-1316, Reissue Revised Statutes of Nebraska, is
22 amended to read:
23 79-1316 The powers and duties of the Nebraska Educational
24 Telecommunications Commission are:
25 (1) To promote and sponsor a noncommercial educational television
26 network to serve a series of interconnecting units throughout the State
27 of Nebraska;
28 (2) To promote and support locally operated or state-operated
29 noncommercial educational radio stations with satellite receiving
30 capabilities and improved transmitter coverage;
31 (3) To apply for and to receive and hold such authorizations,
32 licenses, and assignments of channels from the Federal Communications
33 Commission as may be necessary to conduct such educational
34 telecommunications programs by standard radio and television broadcast or
35 by other telecommunications technology broadcast systems and to prepare,
36 file, and prosecute before the Federal Communications Commission all
37 applications, reports, or other documents or requests for authorization
38 of any kind necessary or appropriate to achieve the purposes set forth in
39 the Nebraska Educational Telecommunications Act;
40 (4) To receive gifts and contributions from public and private
41 sources to be expended in providing educational telecommunications
42 facilities and programs;
43 (5) To acquire real estate and other property as an agency of the
44 State of Nebraska and to hold and use the same for educational
45 telecommunications purposes;
46 (6) To contract for the construction, repair, maintenance, and
47 operation of telecommunications facilities;
48 (7) To contract with common carriers, qualified under the laws of
49 the State of Nebraska, to provide interconnecting channels or satellite
50 facilities in support of radio, television, and other telecommunications
51 technology services unless it is first determined by the Nebraska
52 Educational Telecommunications Commission that state-owned
53 interconnecting channels can be constructed and operated that would
54 furnish a comparable quality of service at a cost to the state that would
55 be less than if such channels were provided by qualified common carriers;
56 (8) To provide for programming for the visually impaired, other
57 print-handicapped persons, and the deaf and hard of hearing as authorized
58 by the Federal Communications Commission under subsidiary communications
59 authority rules, through contracts with appropriate nonprofit
60 corporations or organizations which have been created for such purpose;
61 (9) To arrange for the operation of statewide educational
62 telecommunications networks, as directed by the Nebraska Educational
63 Telecommunications Commission, consistent with the provisions of the
64 federal Communications Act of 1934, as amended, and applicable rules and
65 regulations, with policies of the Federal Communications Commission, in
66 cooperation with the State Board of Education insofar as elementary and
67 secondary education programs are concerned, and in cooperation with the
68 Coordinating Commission for Postsecondary Education insofar as
69 postsecondary education programs are concerned;
70 (10) After taking into consideration the needs of the entire state,

13 to establish and maintain general policies relating to the nature and
14 character of educational telecommunications broadcasts or transmissions;
15 (11) To review, or cause to be reviewed by a person designated by
16 the commission, all programs presented on the network prior to broadcast
17 or transmission to insure that the programs are suitable for viewing and
18 listening. Such suitability shall be determined by evaluating the content
19 of the program, and screening the programs if necessary, as to their
20 educational value and whether they enhance the cultural appreciation of
21 the viewer and listener and do not appeal to his or her prurient
22 interest. When it is obvious from an examination of the descriptive
23 program materials that a program is suitable for presenting on the
24 network, no further review shall be required;

25 (12) To cooperate with federal or state agencies for the purpose of
26 obtaining matching federal or state funds and providing educational
27 telecommunications facilities of all types throughout the state and to
28 make such reports as may be required of recipients of matching funds;
29 (13) To arrange for and provide digital radio and television

30 broadcast and other telecommunications technology transmissions of
31 noncommercial educational telecommunications programs to Nebraska
1 citizens and institutions, but no tax funds shall be used for program
2 advertising which may only be financed out of funds received from
3 foundations or individual gifts;

4 (14) To coordinate with Nebraska agencies that deal with
5 telecommunications activities and are supported in whole or in part by
6 public funds;

7 (15) To adopt bylaws for the conduct of its affairs;

8 (16) To make certain that the facilities are not used for any
9 purpose which is contrary to the United States Constitution or the
10 Constitution of Nebraska or for broadcasting propaganda or attempting to
11 influence legislation;

12 (17) To publish such informational material as it deems necessary
13 and it may, at its discretion, charge appropriate fees therefor. The
14 proceeds of all such fees shall be remitted to the State Treasurer for
15 credit to the State Educational Telecommunications Fund and shall be used
16 by the commission solely for publishing such informational material. The
17 commission shall provide to newspapers, radio stations, and other news
18 media program schedules informing the public of programs approved by the
19 commission; ~~and~~

20 (18) To maintain a digital archive of programs and educational
21 content containing stories, events, individuals, and performances which
22 are significant or prominent in Nebraska history; ~~and -~~

23 (19) To develop and maintain a publicly accessible, indexed, digital
24 Internet archive of Nebraska Legislature video coverage, including all
25 floor debate and public committee hearings, beginning with the coverage
26 of the One Hundred Eighth Legislature in January of 2023. All previous
27 applicable historical video coverage of the Nebraska Legislature shall be
28 collected and added to the digital archive as available. As provided in
29 section 1 of this act, the records of all floor debate and committee
30 hearings as prepared and permanently maintained by the Clerk of the
31 Legislature are the only official records of the Legislature, and such
1 archive is intended solely for educational and informational purposes and
2 to enhance access for the public in keeping with the Legislature's
3 commitment to transparency in state government. The commission may
4 determine and utilize the best formatting and file management methods for
5 such digital archive.

6 Sec. 7. The Revisor of Statutes shall assign section 1 of this act
7 to Chapter 50.

8 2. Renumber the remaining sections and correct internal references
9 accordingly.

VISITOR(S)

Visitors to the Chamber were Leadership Beatrice; Nebraska Early Childhood Policy Leadership Academy, Omaha; and Leadership York.

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

ADJOURNMENT

At 11:59 a.m., on a motion by Senator M. Cavanaugh the Legislature adjourned until 9:00 a.m., Thursday, February 17, 2022.

Patrick J. O'Donnell
Clerk of the Legislature

TWENTY-EIGHTH DAY - FEBRUARY 17, 2022**LEGISLATIVE JOURNAL****ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION****TWENTY-EIGHTH DAY**

Legislative Chamber, Lincoln, Nebraska
Thursday, February 17, 2022

PRAYER

The prayer was offered by Pastor Nathan Metzger, American Lutheran Church of Adams, Adams.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Sanders.

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 Walz and Wishart who were excused; and Senators Bostar, M. Cavanaugh, Day, B. Hansen, Hunt, Morfeld, and Wayne who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

Page 582, line 26, strike "AM" and insert "ER".
The Journal for the twenty-seventh day was approved as corrected.

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of February 16, 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

Christensen, Graham
GC Resolve, LLC
Humphrey, Hailey

Nebraska Association of Service Providers
 Jensen Rogert Associates, Inc.
 All Lines Interlocal Cooperative Aggregate Pool (ALICAP)
 Karbo, Michael
 American Petroleum Institute
 Kelley Plucker, LLC
 City of Omaha
 Lindahl, Leah
 Healthcare Distribution Alliance
 McDonald, Edison
 GC Resolve, LLC
 Nebraska Strategies
 Western Irrigation District
 Schrag, Wendy
 Fresenius Medical Care North America
 Thomas, Laura
 GC Resolve, LLC

REPORTS

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

ANNOUNCEMENT(S)

Priority designation(s) received:

Health and Human Services - LB752
 Health and Human Services - LB1173

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 767. Placed on Final Reading.

(Signed) Terrell McKinney, Chairperson

COMMITTEE REPORT(S)

Agriculture

LEGISLATIVE BILL 744. Placed on General File with amendment.

[AM1932](#)

1 1. Strike the original sections and insert the following new
 2 sections:
 3 Section 1. Section 54-199, Reissue Revised Statutes of Nebraska, is
 4 amended to read:
 5 54-199 (1) To record a brand, a person shall forward to the Nebraska
 6 Brand Committee a facsimile or description of the brand desired to be
 7 recorded, a written application, and a recording fee and research fee
 8 established by the brand committee. Such recording fee may vary according
 9 to the number of locations and methods of brand requested but shall not

10 be more than one hundred fifty dollars per application. Such research fee
11 shall be charged on all applications and shall not be more than fifty
12 dollars per application.

13 (2) For recording of visual brands, upon receipt of a facsimile of
14 the brand, an application, and the required fee, the brand committee
15 shall determine compliance with the following requirements:

16 (a) The brand shall be an identification mark that is applied to the
17 hide of a live animal by hot iron branding or by either hot iron branding
18 or freeze branding. The brand shall be on either side of the animal in
19 any one of three locations, the shoulder, ribs, or hip;

20 (b) The brand is not recorded under the name of any other person and
21 does not conflict with or closely resemble a prior recorded brand;

22 (c) The brand application specifies the left or right side of the
23 animal and the location on that side of the animal where the brand is to
24 be placed;

25 (d) The brand is not recorded as a trade name nor as the name of any
26 profit or nonprofit corporation, unless such trade name or corporation is
27 of record, in current good standing, with the Secretary of State; and

1 (e) The brand is, in the judgment of the brand committee, legible,
2 adequate, and of such a nature that the brand when applied can be
3 properly read and identified by employees of the brand committee.

4 (3) All visual brands shall be recorded as a hot iron brand only
5 unless a co-recording as a freeze brand or other approved method of
6 branding is requested by the applicant. The brand committee shall approve
7 co-recording a brand as a freeze brand unless the brand would not be
8 distinguishable from in-herd identification applied by freeze branding.

9 (4) If the facsimile, the description, or the application does not
10 comply with the requirements of this section, the brand committee shall
11 not record such brand as requested but shall return the recording fee to
12 the forwarding person. The power of examination and rejection is vested
13 in the brand committee, and if the brand committee determines that the
14 application for a visual brand falls within the category set out in
15 subdivision (2)(e) of this section, it shall decide whether or not a
16 recorded brand shall be issued. The brand committee shall make such
17 examination as promptly as possible. If the brand is recorded, the
18 ownership vests from the date of filing of the application.

19 (5) The brand committee may by rule and regulation provide for the
20 use of approved nonvisual identifiers for purposes of enrolling cattle
21 identified by such method of livestock identification. Such method of
22 livestock identification shall be approved only if it functions as
23 satisfactory evidence of ownership for the purpose of enrollment of
24 cattle and for electronic inspection authorized under section 54-1,108.
25 Before approving any nonvisual identifier, the brand committee shall
26 consider the degree to which such method may be susceptible to error,
27 failure, or fraudulent alteration. Any rule or regulation shall be
28 adopted and promulgated only after public hearing conducted in compliance
29 with the Administrative Procedure Act.

30 (6) Any information that a person provides to the brand committee
31 for the purpose of inspection is not a public record subject to
1 disclosure under sections 84-712 to 84-712.09.

2 Sec. 2. Original section 54-199, Reissue Revised Statutes of
3 Nebraska, is repealed.

4 Sec. 3. Since an emergency exists, this act takes effect when
5 passed and approved according to law.

LEGISLATIVE RESOLUTION 284. Reported to the Legislature for
further consideration.

(Signed) Steve Halloran, Chairperson

GENERAL FILE

LEGISLATIVE BILL 939. The Hunt motion, [MO147](#), found on page 582, to recommit to Revenue, was renewed.

PRESIDENT FOLEY PRESIDING

Pending.

COMMITTEE REPORT(S)

General Affairs

LEGISLATIVE BILL 866. Placed on General File.

(Signed) Tom Briese, Chairperson

Health and Human Services

LEGISLATIVE BILL 752. Placed on General File with amendment. [AM1918](#) is available in the Bill Room.

LEGISLATIVE BILL 901. Placed on General File with amendment.

[AM1748](#)

1 1. On page 2, lines 16 and 17, strike "upon request"; in lines 19
2 and 25 strike "shall" and insert "may"; and in line 26 strike "in basic
3 form".

4 2. On page 3, line 3, strike "shall" and insert "may"; and in lines
5 4 and 5 strike "Such audiology appointment shall take place within
6 twenty-one days after the newborn infant's birth".

LEGISLATIVE BILL 1173. Placed on General File with amendment. [AM1959](#) is available in the Bill Room.

(Signed) John Arch, Chairperson

COMMITTEE REPORT(S)

Natural Resources

The Natural Resources 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.

Scott L. Cassels - Nebraska Game and Parks Commission

Aye: 8. Aguilar, Bostelman, Cavanaugh, J., Gragert, Groene, Hughes, Moser, Wayne. Nay: 0. Absent: 0. Present and not voting: 0.

The Natural Resources 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.

Scott B. McPheeters - Nebraska Ethanol Board
Taylor D. Nelson - Nebraska Ethanol Board

Aye: 8. Aguilar, Bostelman, Cavanaugh, J., Gragert, Groene, Hughes, Moser, Wayne. Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) Bruce Bostelman, Chairperson

AMENDMENT(S) - Print in Journal

Senator Friesen filed the following amendment to LB344:
AM1880

(Amendments to Standing Committee amendments, AM83)

1 1. Strike amendment 1 and insert the following new amendment:
2 1. Strike the original sections and all amendments thereto and
3 insert the following new sections:
4 Section 1. Section 76-2325, Revised Statutes Cumulative Supplement,
5 2020, is amended to read:
6 76-2325 (1)(a)(i) When the State Fire Marshal has reason to believe
7 that any person has committed any violation described in subsection (2)
8 of this section, the State Fire Marshal shall give notice of
9 investigation to such person and perform an investigation to determine
10 the nature and extent, if any, of such alleged violation.
11 (ii) When any person other than the State Fire Marshal has reason to
12 believe that any violation described in subsection (2) of this section
13 has occurred, such person may submit information to the State Fire
14 Marshal regarding such violation on a form prescribed by the State Fire
15 Marshal. Upon receipt of such information, the State Fire Marshal shall
16 determine whether such information requires investigation, and if the
17 State Fire Marshal has reason to believe an investigation is warranted,
18 the State Fire Marshal shall give notice of investigation to the person
19 being investigated and perform an investigation to determine the nature
20 and extent, if any, of such alleged violation.
21 (b) If after investigation the State Fire Marshal finds that such
22 person has committed any violation as described in subsection (2) of this
23 section, the State Fire Marshal shall issue a written determination
24 stating findings of fact, conclusions of law, and the civil penalty, if
25 any, to be assessed for such violation and serve a copy of the written
26 determination by personal service or by certified mail, return receipt
1 requested, upon such person. If the State Fire Marshal's investigation
2 was commenced based on information provided pursuant to subdivision (1)
3 (a)(ii) of this section, a copy of the written determination shall also
4 be delivered by regular mail to the person providing such information.
5 (c) Not later than thirty days after the date of the written
6 determination, any party may submit a written request for hearing on the
7 matter. The State Fire Marshal shall then appoint a hearing officer to
8 conduct such hearing and set a hearing date and provide written notice of
9 hearing to the parties at least thirty days prior to the date of the
10 hearing. Such notice shall contain the name, address, and telephone
11 number of the hearing officer, a copy of the written determination upon
12 which the hearing shall be held, and the date, time, and place of
13 hearing. The notice of hearing may be made by personal service or by
14 certified mail. If no hearing is requested in answer to the written

15 determination by the person found to have committed any violation as
16 described in subsection (2) of this section, such person shall pay any
17 civil penalty assessed within thirty days after receipt of the written
18 determination.

19 (d) In the preparation and conduct of the hearing, the hearing
20 officer shall have the power, on the hearing officer's own motion or upon
21 the request of any party, to compel the attendance of any witness and the
22 production of any documents by subpoena to ensure a fair hearing. The
23 hearing officer may administer oaths and examine witnesses and receive
24 any evidence pertinent to the determination of the matter. Any witnesses
25 so subpoenaed shall be entitled to the same fees as prescribed by law in
26 judicial proceedings in the district court of this state in a civil
27 action and mileage at the same rate provided in section 81-1176 for state
28 employees.

29 (e) Any party may appear at the hearing with or without the
30 assistance of counsel to present testimony, examine witnesses, and offer
31 evidence. At the discretion of the hearing officer, other interested
1 parties may be allowed to intervene and present testimony and offer
2 evidence in person or by counsel. A stenographic record of all testimony
3 and other evidence received at the hearing shall be made and preserved
4 pending final disposition of the matter.

5 (f) Unless all requests for hearing are withdrawn, following the
6 hearing the hearing officer shall prepare written findings of fact and
7 conclusions of law, and based on such findings of fact and conclusions of
8 law the State Fire Marshal shall affirm, modify, or reverse the written
9 determination issued under subdivision (1)(b) of this section and issue a
10 final order. The State Fire Marshal's final order may include an
11 assessment of costs incurred in conducting the hearing, including the
12 costs of the hearing officer and compelling the attendance of witnesses
13 and assess such costs against the parties. Any party aggrieved by the
14 final order of the State Fire Marshal may appeal the decision and such
15 appeal shall be in accordance with the Administrative Procedure Act.

16 (2) Except as provided in subsection (3) of this section, any (+)
17 Any person who violates section 76-2320, 76-2320.01, 76-2320.02, 76-2321,
18 76-2322, 76-2323, 76-2326, 76-2330, or 76-2331 or any rule or regulation
19 adopted and promulgated by the State Fire Marshal pursuant to section
20 76-2319 shall be subject to a civil penalty assessed by the State Fire
21 Marshal as follows:

22 (a) For a violation by an excavator or an operator related to a gas
23 or hazardous liquid underground pipeline facility or a fiber optic
24 telecommunications facility, an amount not to exceed ten thousand dollars
25 for each violation for each day the violation persists, up to a maximum
26 of five hundred thousand dollars; and

27 (b) For a violation by an excavator or an operator related to any
28 other underground facility, an amount not to exceed five thousand dollars
29 for each day the violation persists, up to a maximum of fifty thousand
30 dollars.

31 (3) In addition to or in lieu of assessing a civil penalty as
1 provided in subsection (2) of this section, the State Fire Marshal may
2 order that a violator take and complete continuing education regarding
3 compliance with the One-Call Notification System Act. Such continuing
4 education shall be approved by the State Fire Marshal. When imposing a
5 civil penalty, the State Fire Marshal shall consider the appropriateness
6 of such penalty in relation to the size of the excavator's or operator's
7 business operation, the gravity of the violation, and any good faith
8 attempt by the excavator or operator to achieve compliance.

9 (4) (2) An action to recover a civil penalty shall be brought by the
10 Attorney General or a prosecuting attorney on behalf of the State of
11 Nebraska in any court of competent jurisdiction of this state. The trial
12 shall be before the court, which shall consider the nature,

13 circumstances, and gravity of the violation and, with respect to the
 14 person found to have committed the violation, the degree of culpability,
 15 the absence or existence of prior violations, whether the violation was a
 16 willful act, any good faith attempt to achieve compliance, and such other
 17 matters as justice may require in determining the amount of penalty
 18 imposed. All penalties shall be remitted to the State Treasurer for
 19 distribution in accordance with Article VII, section 5, of the
 20 Constitution of Nebraska.

21 (5) The State Fire Marshal shall adopt and promulgate rules and
 22 regulations to establish rules of procedure to carry out this section.
 23 Sec. 2. Section 81-502.03, Reissue Revised Statutes of Nebraska, is
 24 amended to read:

25 81-502.03 In case of disagreement concerning the propriety of any
 26 action taken or proposed to be taken by the State Fire Marshal or the
 27 application of any statute, rule, or regulation of his or her office with
 28 respect to any establishment or installation, the State Fire Marshal may,
 29 and upon application of any party in interest, shall provide for a
 30 hearing before the Nebraska Fire Safety Appeals Board in the county of
 31 the establishment or installation which is the subject of the
 1 disagreement. At least ten days' written notice shall be given to the
 2 governing body responsible for the establishment or installation involved
 3 and to any public official having jurisdiction. The board shall make a
 4 decision based upon the evidence brought forth in the hearing and issue
 5 its order accordingly. Prior to ordering any political or governmental
 6 subdivision of the State of Nebraska to make any modification in the
 7 design or construction of any public building or any modification in the
 8 location, installation, or operation of any existing equipment in any
 9 public building or to replace such equipment, the State Fire Marshal, his
 10 or her first assistant, or one of his or her deputies shall personally
 11 appear at a regular meeting of the governing board of such subdivision
 12 and present a written report stating the condition of such building or
 13 equipment and the reason why such building should be modified or such
 14 equipment should be modified or replaced, and a copy of such report shall
 15 be attached to the order. Nothing in this section shall prevent the State
 16 Fire Marshal from ordering necessary repairs, and nothing in sections
 17 81-502.01 to 81-502.03 shall prevent the State Fire Marshal, when actual
 18 and immediate danger to life exists, from ordering and requiring the
 19 occupants to vacate a building or structure subject to his or her
 20 jurisdiction. This section shall not apply to any decision,
 21 determination, or other action taken or made by the State Fire Marshal
 22 under the One-Call Notification System Act.
 23 Sec. 3. Original section 81-502.03, Reissue Revised Statutes of
 24 Nebraska, and section 76-2325, Revised Statutes Cumulative Supplement,
 25 2020, are repealed.
 26 Sec. 4. The following section is outright repealed: Section
 27 76-2325.02, Revised Statutes Cumulative Supplement, 2020.

UNANIMOUS CONSENT - Room Change

Senator Stinner asked unanimous consent that the Appropriations Committee conduct its hearing on Thursday, February 17, 2022, in Room 1525 instead of Room 1003 and Natural Resources Committee to meet in Room 1003 instead of Room 1525. No objections. So ordered.

GENERAL FILE

LEGISLATIVE BILL 939. The Hunt motion, [MO147](#), found on page 582 and considered in this day's Journal, to recommit to Revenue, was renewed.

Senator Linehan moved for a call of the house. The motion prevailed with 14 ayes, 1 nay, and 34 not voting.

Senator Linehan requested a roll call vote on the Hunt motion to recommit to committee.

Voting in the affirmative, 2:

Cavanaugh, J. Cavanaugh, M.

Voting in the negative, 39:

Aguilar	Clements	Hansen, B.	Linehan	Pansing Brooks
Albrecht	Day	Hansen, M.	Lowe	Sanders
Arch	Erdman	Hilgers	McCollister	Slama
Blood	Flood	Hilkemann	McDonnell	Stinner
Bostelman	Friesen	Hughes	McKinney	Vargas
Brandt	Geist	Kolterman	Moser	Wayne
Brewer	Gragert	Lathrop	Murman	Williams
Briese	Halloran	Lindstrom	Pahls	

Present and not voting, 2:

DeBoer Morfeld

Excused and not voting, 6:

Bostar	Groene	Walz
Dorn	Hunt	Wishart

The Hunt motion to recommit to committee failed with 2 ayes, 39 nays, 2 present and not voting, and 6 excused and not voting.

The Chair declared the call raised.

Pending.

MESSAGE(S) FROM THE GOVERNOR

February 17, 2022

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

Dear Clerk O'Donnell:

Engrossed Legislative 310 was received in my office on February 11, 2022.

This bill was signed and delivered to the Secretary of State on February 17, 2022.

Sincerely,
(Signed) Pete Ricketts
Governor

ANNOUNCEMENT(S)

Priority designation(s) received:

Vargas - LB741
Urban Affairs - LB800
Urban Affairs - LB1024

NOTICE OF COMMITTEE HEARING(S)

Revenue
Room 1524 1:30 PM

Thursday, February 24, 2022

LB687
LB784
LB1020
LB1080
LB995

Friday, February 25, 2022

LB881
LB941
LB944
LB1097
LB1225
LB1209

(Signed) Lou Ann Linehan, Chairperson

Executive Board
Room 1525 12:00 PM

Thursday, February 24, 2022

LR159

(Signed) Dan Hughes, Chairperson

COMMITTEE REPORT(S)

Health and Human Services

LEGISLATIVE BILL 698. Placed on General File.**LEGISLATIVE BILL 1068.** Placed on General File.

(Signed) John Arch, Chairperson

RESOLUTION(S)**LEGISLATIVE RESOLUTION 297.** Introduced by McDonnell, 5.

WHEREAS, Mr. Marlin John Petermann will be remembered as a loving husband, a devoted father, and a steadfast public servant; and

WHEREAS, Mr. Petermann attended the University of Nebraska-Lincoln, where he received Bachelor of Science degrees in civil and agricultural engineering; and

WHEREAS, Mr. Petermann served as Assistant General Manager for the Papio-Missouri River Natural Resources District for almost 48 years and was regarded as an institution in flood fighting efforts to protect the public; and

WHEREAS, Mr. Petermann, his team, and various emergency management partners made critical decisions before, during, and after the 2019 flood that not only minimized the immediate destruction, but put in motion strategies that further reduced damage to vital infrastructure and communities, such as Offutt Air Force Base and the city of Bellevue; and

WHEREAS, Mr. Petermann was a father of four children and grandfather to nine grandchildren; and

WHEREAS, Mr. Petermann passed away on December 22, 2021, at the age of 72; and

WHEREAS, Mr. Petermann will be greatly missed by his family and by the many friends and colleagues to whom he made great contributions.

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

1. That the Legislature honors Mr. Marlin John Petermann for his dedication to the practice of engineering, passion for natural resource management, and role in public safety.

2. That the Legislature offers its condolences to the family of Mr. Petermann.

3. That a copy of this resolution be sent to the family of Mr. Petermann.

Laid over.

GENERAL FILE

LEGISLATIVE BILL 939. Senator Linehan withdrew her amendment, [AM1820](#), found on page 517.

Senator Friesen offered his amendment, [AM1815](#), found on page 522, to the committee amendment.

Pending.

NOTICE OF COMMITTEE HEARING(S)

Revenue
Room 1524 1:30 PM

Thursday, March 3, 2022

LB979
LB982
LB1039
LB1261

Wednesday, March 2, 2022

LB972
LB1115
LB1250

(Signed) Lou Ann Linehan, Chairperson

COMMITTEE REPORT(S)

General Affairs

LEGISLATIVE BILL 840. Placed on General File with amendment.

[AM1915](#)

1 1. On page 2, line 3, after "25-2228" insert "(1)"; in line 21 after
2 the period insert paragraphing and "(2)"; in line 27 after the period
3 insert "A website posting or a failure to make such website posting under
4 this subsection shall not affect the validity of the publication or
5 notice published under subsection (1) of this section.".

LEGISLATIVE BILL 1204. Placed on General File with amendment.

[AM1894](#)

1 1. Strike original section 6 and insert the following new section:
2 Sec. 6. Section 53-132, Reissue Revised Statutes of Nebraska, is
3 amended to read:
4 53-132 (1) If no hearing is required pursuant to subdivision (1)(a)
5 or (b) of section 53-133 and the commission has no objections pursuant to
6 subdivision (1)(c) of such section, the commission may waive the forty-
7 five-day objection period and, if not otherwise prohibited by law, cause
8 a retail license, bottle club license, craft brewery license, or
9 microdistillery license to be signed by its chairperson, attested by its
10 executive director over the seal of the commission, and issued in the
11 manner provided in subsection (4) of this section as a matter of course.
12 (2) A retail license, bottle club license, craft brewery license, or
13 microdistillery license may be issued to any qualified applicant if the
14 commission finds that (a) the applicant is fit, willing, and able to
15 properly provide the service proposed within the city, village, or county
16 where the premises described in the application are located, (b) the
17 applicant can conform to all provisions and requirements of and rules and
18 regulations adopted pursuant to the Nebraska Liquor Control Act, (c) the

19 applicant has demonstrated that the type of management and control to be
 20 exercised over the premises described in the application will be
 21 sufficient to insure that the licensed business can conform to all
 22 provisions and requirements of and rules and regulations adopted pursuant
 23 to the act, and (d) the issuance of the license is or will be required by
 24 the present or future public convenience and necessity.

25 (3) In making its determination pursuant to subsection (2) of this
 26 section the commission shall consider:

27 (a) The recommendation of the local governing body;

1 (b) The existence of a citizens' protest made in accordance with
 2 section 53-133;

3 (c) The existing population of the city, village, or county and its
 4 projected growth;

5 (d) The nature of the neighborhood or community of the location of
 6 the proposed licensed premises;

7 (e) The existence or absence of other retail licenses, bottle club
 8 licenses, craft brewery licenses, or microdistillery licenses with
 9 similar privileges within the neighborhood or community of the location
 10 of the proposed licensed premises and whether, as evidenced by
 11 substantive, corroborative documentation, the issuance of such license
 12 would result in or add to an undue concentration of licenses with similar
 13 privileges and, as a result, require the use of additional law
 14 enforcement resources;

15 (f) The existing motor vehicle and pedestrian traffic flow in the
 16 vicinity of the proposed licensed premises;

17 (g) The adequacy of existing law enforcement;

18 (h) Zoning restrictions;

19 (i) The sanitation or sanitary conditions on or about the proposed
 20 licensed premises; and

21 (j) Whether the type of business or activity proposed to be operated
 22 in conjunction with the proposed license is and will be consistent with
 23 the public interest.

24 (4) Retail licenses, bottle club licenses, craft brewery licenses,
 25 or microdistillery licenses issued or renewed by the commission shall be
 26 mailed or delivered electronically to:

27 (a) ~~The~~ the clerk of the city, village, or county who shall deliver
 28 the same to the licensee upon receipt from the licensee of proof of
 29 payment of (i) ~~(a)~~ the license fee if by the terms of subsection (6) of
 30 section 53-124 the fee is payable to the treasurer of such city, village,
 31 or county, (ii) ~~(b)~~ any fee for publication of notice of hearing before
 1 the local governing body upon the application for the license, (iii) ~~(c)~~
 2 the fee for publication of notice of renewal as provided in section
 3 53-135.01, and (iv) ~~(d)~~ occupation taxes, if any, imposed by such city,
 4 village, or county except as otherwise provided in subsection (7) ~~(6)~~ of
 5 this section; or -

6 (b) The licensee, upon confirmation from the clerk of the city,
 7 village, or county that the necessary fees and taxes described in
 8 subdivision (4)(a) of this section have been received by the clerk of
 9 such city, village, or county.

10 (5) Notwithstanding any ordinance or charter power to the contrary,
 11 no city, village, or county shall impose an occupation tax on the
 12 business of any person, firm, or corporation licensed under the act and
 13 doing business within the corporate limits of such city or village or
 14 within the boundaries of such county in any sum which exceeds two times
 15 the amount of the license fee required to be paid under the act to obtain
 16 such license.

17 (6) ~~(5)~~ Each license shall designate the name of the licensee, the
 18 place of business licensed, and the type of license issued.

19 (7) ~~(6)~~ Class J retail licensees shall not be subject to occupation
 20 taxes under subsection (4) of this section.

(Signed) Tom Briese, Chairperson

Revenue

LEGISLATIVE BILL 1176. Placed on General File.

(Signed) Lou Ann Linehan, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 298. Introduced by Hilgers, 21.

WHEREAS, on February 26, 2022, the NEBRASKAland Foundation will present the Distinguished NEBRASKAlander Award, recognizing Nebraskans who have distinguished themselves and the state, to Anne Burkholder at the annual Statehood Day Dinner held in the Nebraska State Capitol; and

WHEREAS, Anne has had her paintings accepted in many national and regional juried shows and won first place awards for her oil and watercolors; and

WHEREAS, Anne's works are included in many private, public, and corporate collections in the United States as well as many foreign countries, including England, Austria, Switzerland, Germany, France, Australia, Morocco, and Japan; and

WHEREAS, Anne exhibited in several galleries in the country of Colombia during 1989-1990 and as part of a cultural exchange in 1991 she was invited to Tajikistan where she had exhibitions in both Dushanbe and Khujand; and

WHEREAS, Anne's development of the Burkholder Project at 719 P Street in Lincoln has inspired other artists and entrepreneurs and, through resurrecting an old, rundown building, helped transform the Haymarket into the vibrant area it is today.

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

1. That the Legislature congratulates Anne Burkholder as a recipient of the Distinguished NEBRASKAlander Award and extends its appreciation for her service to the State of Nebraska.

2. That a copy of this resolution be sent to Anne Burkholder.

Laid over.

LEGISLATIVE RESOLUTION 299. Introduced by Hilgers, 21.

WHEREAS, on February 26, 2022, the NEBRASKAland Foundation will present the Distinguished NEBRASKAlander Award, recognizing Nebraskans who have distinguished themselves and the state, to Jane Miller at the annual Statehood Day Dinner held in the Nebraska State Capitol; and

WHEREAS, Jane Miller serves as President and Chief Operating Officer of Gallup, Inc., overseeing worldwide operations at the global analytics and advice firm; and

WHEREAS, Jane is responsible for creating a high performing culture that drives customer experience, employee engagement, and financial outcomes for sustainable growth; and

WHEREAS, Jane is joined by all three of her siblings as owners and directors of the forward-thinking research, consulting, and education organization business; and

WHEREAS, over her career Jane has helped revolutionize how to think about the workplace through a strong performance orientation that emphasizes strength as the lens through which organizations can select, manage, motivate, develop, and ultimately engage employees; and

WHEREAS, Jane is particularly committed to creating strong communities that begin with strong businesses and workplaces.

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

1. That the Legislature congratulates Jane Miller as a recipient of the Distinguished NEBRASKAlander Award and extends its appreciation for her service to the State of Nebraska.

2. That a copy of this resolution be sent to Jane Miller.

Laid over.

LEGISLATIVE RESOLUTION 300. Introduced by Hilgers, 21.

WHEREAS, on February 26, 2022, the NEBRASKAland Foundation will present the Distinguished NEBRASKAlander Award, recognizing Nebraskans who have distinguished themselves and the state, to Homer and Darla Buell at the annual Statehood Day Dinner held in the Nebraska State Capitol; and

WHEREAS, Homer and Darla Buell's partnership began with their marriage in 1971, the same year they returned to the family ranch, the Shovel Dot, south of Bassett, Nebraska; and

WHEREAS, the Shovel Dot, which was established in 1882, has always been a multi-enterprise ranch maintaining a cow-calf operation, backgrounding calves and yearling cattle, raising hay and other crops, and operating a seedstock division; and

WHEREAS, both Homer and Darla have been active in the Nebraska Hereford Association, with Homer serving as President of the organization and Darla serving as President of the Hereford Women of Nebraska group. Their experience in these positions led to Homer assuming leadership at a national level in the American Hereford Association; and

WHEREAS, Homer and Darla have worked closely with and supported the University of Nebraska. They have been very involved in the university's Institute for Agriculture and Natural Resources.

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

1. That the Legislature congratulates Homer and Darla Buell as recipients of the Distinguished NEBRASKAlander Award and extends its appreciation for their service to the State of Nebraska.
2. That a copy of this resolution be sent to Homer and Darla Buell.

Laid over.

GENERAL FILE

LEGISLATIVE BILL 939. Senator Friesen renewed his amendment, [AM1815](#), found on page 522 and considered in this day's Journal, to the committee amendment.

Senator Friesen withdrew his amendment.

Senator Friesen offered his amendment, [AM1818](#), found on page 522, to the committee amendment.

Senator Friesen withdrew his amendment.

Senator M. Hansen offered his amendment, [AM1869](#), found on page 537, to the committee amendment.

Pending.

ANNOUNCEMENT(S)

Priority designation(s) received:

Appropriations - LB340
State-Tribal Relations - LB872

COMMITTEE REPORT(S)

Revenue

LEGISLATIVE BILL 864. Placed on General File.

LEGISLATIVE BILL 1116. Placed on General File with amendment.

[AM1970](#)

- 1 1. On page 3, strike lines 4 through 6 and insert the following new
- 2 subdivision:
- 3 "(a) Twenty-five percent of the funds requested if the applicant's
- 4 principal residence or principal place of business is located in an
- 5 economic redevelopment area within a city of the metropolitan class; or".

(Signed) Lou Ann Linehan, Chairperson

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Vargas name added to LB779.

Senator Brewer name added to LB906.

Senator M. Hansen name added to LB930.

Senator M. Hansen name added to LB935.

Senator Flood name added to LB964.

Senator Groene name added to LB1015.

Senator Murman name added to LB1074.

Senator Slama name added to LB1086.

Senator M. Hansen name added to LB1137.

Senator Blood name added to LB1233.

Senator Flood name added to LB1273.

Senator Murman name added to LR284.

Senator Gragert name added to LR284.

Senator Pahl's name added to LR296.

VISITOR(S)

Visitors to the Chamber were members of the Nebraska State Bar Association Leadership Academy from across the state.

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

ADJOURNMENT

At 11:59 a.m., on a motion by Senator Murman, the Legislature adjourned until 10:00 a.m., Tuesday, February 22, 2022.

Patrick J. O'Donnell
Clerk of the Legislature

TWENTY-NINTH DAY - FEBRUARY 22, 2022

LEGISLATIVE JOURNAL

**ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION**

TWENTY-NINTH DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, February 22, 2022

PRAYER

The prayer was offered by Pastor Wilson Metz, Word of Hope Lutheran Church, Ashland.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered.

ROLL CALL

Pursuant to adjournment, the Legislature met at 10:00 a.m., President Foley presiding.

The roll was called and all members were present except Senator Wishart who was excused; and Senators Bostar, Day, DeBoer, Morfeld, Walz, and Wayne who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the twenty-eighth day was approved.

RESIGNATION

February 20, 2022

Governor Ricketts,

I write to notify you that I resign the office of State Senator for the 42nd Legislative District effective at 11:59 p.m. Monday, February 21, 2022.

Sincerely,
(Signed) Michael Groene

COMMUNICATION(S)

February 20, 2022

Senator Mike Groene
 District 42
 State Capitol
 Lincoln, NE 68509

Dear Senator Groene,

Pursuant to Nebraska Revised Statutes §32-562, I hereby acknowledge receipt of your February 20, 2022 letter resigning your seat as a member of the Nebraska Unicameral Legislature representing Legislative District 42, effective February 21, 2022 at 11:59 p.m.

Sincerely,
 (Signed) Mike Hilgers
 Speaker

cc: Patrick J. O'Donnell, Clerk of the Nebraska Legislature
 Pete Ricketts, Governor of the State of Nebraska

enc

COMMITTEE REPORT(S)

Judiciary

LEGISLATIVE BILL 1184. Placed on General File with amendment.

[AM1962](#)

1 1. Strike original section 1 and insert the following new section:
 2 Section 1. Section 81-2009, Reissue Revised Statutes of Nebraska, is
 3 amended to read:
 4 81-2009 (1) The Attorney General, or a member of his or her staff,
 5 ~~or a practicing attorney designated by the Attorney General,~~ shall defend
 6 all civil and criminal actions instituted against the Superintendent of
 7 ~~Law Enforcement and Public Safety superintendent~~ or any subordinate
 8 officer or employee of the Nebraska State Patrol arising from their
 9 employment by the patrol.
 10 (2) In any instance in which the actions or omissions of an officer
 11 or employee of the patrol are the subject of an inquiry by a grand jury
 12 or prosecutor, the officer or employee of the patrol shall be defended by
 13 the Attorney General or a member of his or her staff or, in the event of
 14 a conflict of interest for the Attorney General, a private practice
 15 attorney chosen by the officer or employee of the patrol. Reasonable
 16 attorney's fees and costs shall be paid pursuant to section 81-8.239.02.
 17 (3) (2) The superintendent shall provide not less than three agency
 18 legal counsels stationed with the Nebraska State Patrol to assist county
 19 attorneys in the preparation of cases involving drug abuse and to advise
 20 the patrol on all legal matters. Agency counsel shall not represent
 21 individual officers or employees of the patrol whose actions or omissions
 22 are the subject of inquiry by a grand jury or prosecutor. Agency counsel
 23 may advise officers or employees of the patrol who are serving as

24 investigators for a grand jury or a prosecutor.

(Signed) Steve Lathrop, Chairperson

Agriculture

LEGISLATIVE BILL 802. Placed on General File.

LEGISLATIVE BILL 235. Placed on General File with amendment.

[AM799](#)

1 1. Strike the original sections and insert the following new
 2 sections:
 3 Section 1. Section 54-1901, Reissue Revised Statutes of Nebraska, is
 4 amended to read:
 5 54-1901 Sections 54-1901 to 54-1915 and section 2 of this act may be
 6 cited as the Nebraska Meat and Poultry Inspection Law.
 7 Sec. 2. (1) It is the intent of the Legislature to appropriate one
 8 million dollars each fiscal year from the General Fund for fiscal years
 9 2022-23 and 2023-24 to the department for purposes of a pilot program for
 10 establishing a cooperative state inspection program under 21 U.S.C. 661,
 11 and 21 U.S.C. 454, as such sections existed on January 1, 2021. The
 12 unexpended and unobligated balance of the funds appropriated for the
 13 pilot program shall lapse to the General Fund at the end of each fiscal
 14 year.
 15 (2) For purposes of the pilot program, the administrator shall be a
 16 licensed veterinarian employed by the department. The department shall
 17 provide staff support for the administrator. The administrator shall
 18 provide for certification of inspectors for the pilot program, including
 19 a program of instruction, an examination, and fees. In order to be
 20 eligible to be certified as an inspector for the pilot program, an
 21 individual shall be a licensed veterinarian who has experience with large
 22 animals.
 23 (3) Up to ten licensed establishments may participate in the pilot
 24 program. A licensed establishment which chooses to participate in the
 25 pilot program shall contract with one or more certified inspectors for
 26 inspections under the pilot program. A certified inspector contracting
 27 with a licensed establishment shall not be considered an employee,
 1 official, or agent of the department.
 2 (4) The department may adopt and promulgate rules and regulations
 3 for the pilot program.
 4 Sec. 3. Original section 54-1901, Reissue Revised Statutes of
 5 Nebraska, is repealed.

(Signed) Steve Halloran, Chairperson

Judiciary

The Judiciary 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.

Gerald Randall (Rand) Hansen - Crime Victim's Reparations Committee

Aye: 7. Brandt, DeBoer, Geist, Lathrop, Morfeld, Pansing Brooks, Slama.
Nay: 0. Absent: 0. Present and not voting: 1. McKinney.

(Signed) Steve Lathrop, Chairperson

ANNOUNCEMENT(S)

Priority designation(s) received:

Natural Resources - LB1045
Natural Resources - LB809
Cavanaugh, J. - LB921
Day - LB853
Hilkemann - LB981
Flood - LB927
Government, Military and Veterans Affairs - LB843
Government, Military and Veterans Affairs - LR268CA
Pahls - LB833

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LR296 was adopted.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LR296.

MOTION(S) - Confirmation Report(s)

Senator Walz moved the adoption of the Education Committee report for the confirmation of the following appointment(s) found on page 569:

Coordinating Commission for Postsecondary Education
Dennis A. Headrick

Senator M. Cavanaugh offered the following motion:
Recommit to Education Committee.

Senator M. Cavanaugh moved for a call of the house. The motion prevailed with 14 ayes, 6 nays, and 28 not voting.

Senator M. Cavanaugh withdrew her motion to recommit to committee.

Voting in the affirmative, 42:

Aguilar	Cavanaugh, J.	Halloran	Lindstrom	Slama
Albrecht	Clements	Hansen, B.	Linehan	Stinner
Arch	Day	Hansen, M.	McDonnell	Vargas
Blood	DeBoer	Hilgers	Morfeld	Walz
Bostar	Dorn	Hilkemann	Moser	Wayne
Bostelman	Flood	Hughes	Murman	Williams
Brandt	Friesen	Hunt	Pahls	
Brewer	Geist	Kolterman	Pansing Brooks	
Briese	Gragert	Lathrop	Sanders	

Voting in the negative, 0.

Present and not voting, 5:

Cavanaugh, M.	Lowe	McKinney
Erdman	McCollister	

Excused and not voting, 1:

Wishart

The appointment was confirmed with 42 ayes, 0 nays, 5 present and not voting, and 1 excused and not voting.

The Chair declared the call raised.

COMMITTEE REPORT(S)
Government, Military and Veterans Affairs

LEGISLATIVE BILL 964. Placed on General File.

LEGISLATIVE BILL 1165. Placed on General File.

LEGISLATIVE BILL 908. Placed on General File with amendment.

[AM1950](#)

1 1. On page 6, line 21, strike "A" and insert "In addition to any
2 other statutory authorization for virtual conferencing, any" and after
3 "body" insert "not listed in subdivision (2)(a) of this section".

(Signed) Tom Brewer, Chairperson

Urban Affairs

LEGISLATIVE BILL 724. Placed on General File.

LEGISLATIVE BILL 799. Placed on General File.

LEGISLATIVE BILL 1024. Placed on General File with amendment.

[AM1920](#)

1 1. Strike the original sections and insert the following new
2 sections:

3 Section 1. Sections 1 to 6 of this act shall be known and may be
4 cited as the Economic Recovery Act.

5 Sec. 2. The Legislature finds that:

6 (1) The COVID-19 public health emergency has caused widespread
7 economic, social, and public health-related turmoil that deepened
8 existing disparities;

9 (2) The social and economic challenges caused and exacerbated by the
10 COVID-19 public health emergency include high unemployment, wage
11 decreases, increased homelessness, and food insecurity;

12 (3) The impact of the COVID-19 public health emergency and related
13 challenges were disproportionately felt in low-income and minority
14 communities such as North Omaha and South Omaha;

15 (4) The social and economic challenges in North Omaha and South
16 Omaha have persisted for multiple generations, partially fueled by past
17 racial segregation and the historical practice known as redlining;

18 (5) Funding under the federal American Rescue Plan Act of 2021
19 presents a once-in-a-lifetime opportunity to respond to the challenges
20 facing North Omaha and South Omaha that have been worsened by the
21 COVID-19 public health emergency; and

22 (6) Federal guidance issued by the United States Department of the
23 Treasury has identified qualified census tracts as areas in which certain
24 activities and investments will be deemed presumptively eligible for the
25 use of funds under the federal American Rescue Plan Act of 2021.

26 Sec. 3. For purposes of the Economic Recovery Act, qualified census
27 tract means a qualified census tract as defined in 26 U.S.C. 42(d)(5)(B)
1 (ii)(I), as such section existed on January 1, 2022.

2 Sec. 4. (1) The primary responsibility of the Economic Recovery
3 Division of the Department of Economic Development shall be to utilize
4 federal funding to award grants as provided in this section. The division
5 shall, with the assistance of the Economic Recovery Advisory Committee,
6 develop a coordinated plan and a grant application and scoring process to
7 award grants under the Economic Recovery Act.

8 (2) The coordinated plan developed pursuant to this section shall
9 direct and prioritize the use of grants toward the economic recovery of
10 those communities and neighborhoods within qualified census tracts
11 located within the boundaries of a city of the metropolitan class that
12 were disproportionately impacted by the COVID-19 public health emergency
13 and related challenges, with an emphasis on housing needs, job training,
14 and business development within such communities and neighborhoods. Not
15 later than January 1, 2023, the Economic Recovery Division shall submit a
16 copy of such coordinated plan to the Urban Affairs Committee of the
17 Legislature.

18 (3) All grants made by the Economic Recovery Division shall meet the
19 eligible uses under the federal American Rescue Plan Act of 2021 and any
20 relevant guidance on the use of such funds by the United States
21 Department of the Treasury.

22 Sec. 5. (1) The Economic Recovery Advisory Committee is created. The
23 committee shall assist the Economic Recovery Division of the Department
24 of Economic Development in developing a coordinated plan for the use of
25 grant funds awarded under the Economic Recovery Act.

26 (2) The committee members shall include:

27 (a) The Director of Economic Development or the director's designee;

28 (b) A representative of a chamber of commerce for a city of the
29 metropolitan class, who shall be appointed by the Governor and confirmed
30 by the Legislature; and

31 (c) A community member representing communities and neighborhoods
1 within qualified census tracts located within the boundaries of a city of
2 the metropolitan class that were disproportionately impacted by the
3 COVID-19 public health emergency, who shall be appointed by the Governor
4 and confirmed by the Legislature.

5 (3) In addition to the members listed in subsection (2) of this
6 section, the committee shall also include two members of the Legislature
7 representing legislative districts containing one or more qualified
8 census tracts located within the boundaries of a city of the metropolitan
9 class. Such members shall be appointed by the chairperson of the
10 Executive Board of the Legislative Council and serve as non-voting, ex
11 officio members of the committee.
12 Sec. 6. It is the intent of the Legislature to appropriate four
13 hundred fifty million dollars from federal funds for FY2022-23 to the
14 Economic Recovery Division of the Department of Economic Development to
15 carry out the Economic Recovery Act. The federal funds appropriated in
16 this section shall be from the funds allocated to the State of Nebraska
17 from the federal Coronavirus State Fiscal Recovery Fund pursuant to the
18 federal American Rescue Plan Act of 2021, Public Law 117-2, Subtitle M,
19 Sec. 9901.
20 Sec. 7. Section 81-1201.07, Reissue Revised Statutes of Nebraska, is
21 amended to read:
22 81-1201.07 The department may have the divisions and program listed
23 in this section to aid in the discharge of its duties but shall not be
24 limited to such divisions and program: (1) An Existing Business
25 Assistance Division; (2) a Business Recruitment Division; (3) a Community
26 and Rural Development Division; ~~(4) an Economic Recovery Division;~~ and
27 ~~(5) (4)~~ a Community Development Block Grant Program. Each division and
28 program, when deemed appropriate by the director, is encouraged to
29 establish advisory committees and programs to insure public participation
30 and input.
31 Sec. 8. Original section 81-1201.07, Reissue Revised Statutes of
1 Nebraska, is repealed.
2 Sec. 9. Since an emergency exists, this act takes effect when
3 passed and approved according to law.

LEGISLATIVE BILL 1065. Placed on General File with amendment.

[AM1964](#)

1 1. Insert the following new section:
2 Sec. 2. Section 18-2109, Revised Statutes Cumulative Supplement,
3 2020, is amended to read:
4 18-2109 (1) A redevelopment plan for a redevelopment project area
5 shall not be prepared and the governing body of the city in which such
6 area is located shall not approve a redevelopment plan unless the
7 governing body has, by resolution adopted after the public hearings
8 required under this section, declared such area to be a substandard and
9 blighted area in need of redevelopment.
10 (2) Prior to making such declaration, the governing body of the city
11 shall conduct or cause to be conducted a study or an analysis on whether
12 the area is substandard and blighted and shall submit the question of
13 whether such area is substandard and blighted to the planning commission
14 or board of the city for its review and recommendation. The planning
15 commission or board shall hold a public hearing on the question after
16 giving notice of the hearing as provided in section 18-2115.01. The
17 planning commission or board shall submit its written recommendations to
18 the governing body of the city within thirty days after the public
19 hearing.
20 (3) Upon receipt of the recommendations of the planning commission
21 or board, or if no recommendations are received within thirty days after
22 the public hearing required under subsection (2) of this section, the
23 governing body shall hold a public hearing on the question of whether the
24 area is substandard and blighted after giving notice of the hearing as
25 provided in section 18-2115.01. At the public hearing, all interested
26 parties shall be afforded a reasonable opportunity to express their views
27 respecting the proposed declaration. After such hearing, the governing

1 body of the city may ~~declare such area or any portion of such area to be~~
 2 a substandard and blighted area ~~make its declaration.~~
 3 (4) Copies of each substandard and blighted study or analysis
 4 conducted pursuant to subsection (2) of this section shall be posted on
 5 the city's public website or made available for public inspection at a
 6 location designated by the city.
 7 2. On page 7, line 10, strike the new matter and reinstate the
 8 stricken matter and after "million" insert "five hundred thousand"; and
 9 in line 12 strike the new matter and reinstate the stricken matter.
 10 3. Renumber the remaining sections and correct the repealer
 11 accordingly.

LEGISLATIVE BILL 1073. Placed on General File with amendment.

AM1969

1 1. Strike the original sections and insert the following new
 2 sections:
 3 Section 1. The Governor shall apply for all federal funds available
 4 to this state for emergency rental assistance under section 3201 of the
 5 federal American Rescue Plan Act of 2021, Public Law 117-2, and shall
 6 disburse any such funds received under such section. The Governor may
 7 coordinate with other governmental entities to establish eligibility
 8 guidelines for recipients of such funds.
 9 Sec. 2. Since an emergency exists, this act takes effect when
 10 passed and approved according to law.

(Signed) Justin Wayne, Chairperson

Education

LEGISLATIVE BILL 1112. Placed on General File with amendment.

AM1942

1 1. Strike original sections 4 and 6 and insert the following new
 2 sections:
 3 Sec. 4. Beginning with school year 2024-25, each school district,
 4 in consultation with the State Department of Education, shall include
 5 computer science and technology education in the instructional program of
 6 its elementary and middle schools, as appropriate, and require each
 7 student attending a public school to complete at least one five-credit
 8 high school course in computer science and technology prior to
 9 graduation. Such computer science and technology education course offered
 10 by a school district may be made available in a traditional classroom
 11 setting, a blended-learning environment, or an online-based or other
 12 technology-based format that is tailored to meet the need of each
 13 participating student.
 14 Sec. 6. Section 79-729, Revised Statutes Supplement, 2021, is
 15 amended to read:
 16 79-729 The Legislature recognizes the importance of assuring that
 17 all persons who graduate from Nebraska high schools possess certain
 18 minimum levels of knowledge, skills, and understanding. Each high school
 19 student shall complete a minimum of two hundred high school credit hours
 20 prior to graduation. At least eighty percent of the minimum credit hours
 21 shall be core curriculum courses prescribed by the State Board of
 22 Education. For students attending a public school, beginning ~~Beginning~~ in
 23 school year 2023-24, at least five of the minimum credit hours shall be a
 24 high school course in personal finance or financial literacy, and
 25 beginning in school year 2024-25, at least five of the minimum credit
 26 hours shall be a high school course in computer science and technology.
 27 The State Board of Education may establish recommended statewide

1 graduation guidelines. This section does not apply to high school
 2 students whose individualized education programs prescribe a different
 3 course of instruction. This section does not prohibit the governing board
 4 of any high school from prescribing specific graduation guidelines as
 5 long as such guidelines do not conflict with this section. For purposes
 6 of this section, high school means grades nine through twelve and credit
 7 hour shall be defined by appropriate rules and regulations of the State
 8 Board of Education but shall not be less than the amount of credit given
 9 for successful completion of a course which meets at least one period per
 10 week for at least one semester.
 11 Sec. 8. Section 79-3003, Revised Statutes Supplement, 2021, is
 12 amended to read:
 13 79-3003 Beginning with school year 2023-24, each school district, in
 14 consultation with the State Department of Education, shall include
 15 financial literacy instruction, as appropriate, in the instructional
 16 program of its elementary and middle schools and require each student
 17 attending a public school to complete at least one five-credit high
 18 school course in personal finance or financial literacy prior to
 19 graduation.
 20 2. On page 4, strike beginning with "or" in line 2 through
 21 "standards" in line 3 and insert ", science, or career and technical
 22 education standards".
 23 3. Renumber the remaining section and correct the repealer
 24 accordingly.

(Signed) Lynne Walz, Chairperson

Natural Resources

The Natural Resources 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.

Bridget Troxel Peck - Nebraska Power Review Board

Aye: 7. Aguilar, Bostelman, Cavanaugh, J., Gragert, Hughes, Moser, Wayne.
 Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) Bruce Bostelman, Chairperson

AMENDMENT(S) - Print in Journal

Senator Friesen filed the following amendment to [LB1147](#):

[AM1997](#)

1 1. Insert the following new section:
 2 Sec. 3. Since an emergency exists, this act takes effect when
 3 passed and approved according to law.

Senator B. Hansen filed the following amendment to [LB567](#):

[AM1958](#)

(Amendments to E & R amendments, ER107)

1 1. On page 2, line 31, strike "October 1," show as stricken, and
 2 insert "the effective date of this act".
 3 2. On page 3, line 1, strike the new matter.
 4 3. On page 4, line 5, strike "October 1, 2021" and insert "the
 5 effective date of this act".

RESOLUTION(S)**LEGISLATIVE RESOLUTION 301.** Introduced by Gragert, 40.

WHEREAS, Daniel "Dan" J. Gillespie was born on October 30, 1954, in Norfolk, Nebraska, to Leo and Martha (Kubes) Gillespie; and

WHEREAS, Dan operated a family farm near Battle Creek, Nebraska and received several awards and honors for his soil health practices; and

WHEREAS, Dan "The Tree Man" positively influenced hundreds of Battle Creek students while educating them about trees and other plant life; and

WHEREAS, Dan was employed by the Natural Resources Conservation Service for thirty years and served as a No-Till Specialist; and

WHEREAS, Dan helped develop the Lower Elkhorn Natural Resources District's No-Till Incentive Program that received a No-Till Innovator Award at the 2004 National No-Tillage Conference; and

WHEREAS, in 2019, Dan was awarded the Master Conservationist Award in recognition of his lifelong leadership and achievements in managing and conserving Nebraska's water and soil; and

WHEREAS, Dan had five children, Amber, Brooke, Cassidy, Chloe, and Cora and five grandchildren, Bennett, Zavannah, Hollis, Everleigh, and Noah; and

WHEREAS, Dan passed away on Sunday, February 13, 2022, at the age of 67.

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

1. That the Legislature honors Daniel J. Gillespie for his contributions to conservation and soil health.

2. That the Legislature offers its condolences to the family of Daniel J. Gillespie.

3. That a copy of this resolution be sent to the family of Daniel J. Gillespie.

Laid over.

LEGISLATIVE RESOLUTION 302. Introduced by Cavanaugh, J., 9; Cavanaugh, M., 6; McDonnell, 5.

WHEREAS, for the first time ever, the Ambassador of Ireland to the United States of America, Mr. Daniel Mulhall, will visit Nebraska from February 26, 2022, through March 1, 2022; and

WHEREAS, Ambassador Mulhall and his wife, Greta Mulhall, will be the honored guests at the Nebraska Statehood Dinner celebrating the admission of the Great State of Nebraska to the United States on March 1, 1867; and

WHEREAS, immigrants from Ireland played a prominent role in the establishment of the State of Nebraska and communities throughout the state; and

WHEREAS, Irish-American Heritage Month was first celebrated by proclamation of the President in 1991; and

WHEREAS, Ambassador and Mrs. Mulhall will be the guests of honor for the Douglas County Irish-American community for the launch of Irish-American Heritage Month on March 1, 2022; and

WHEREAS, Irish-American Heritage Month peaks with St. Patrick's Day on March 17 and celebrates the many significant Irish-American contributions to our community, state, and nation; and

WHEREAS, 2022 is the one hundredth anniversary of Irish independence.

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

1. That the Legislature recognizes March 2022 as Irish-American Heritage Month and March 1, 2022, as Daniel and Greta Mulhall Day.

2. That a copy of this resolution be sent to Mr. Daniel Mulhall, the Ambassador of Ireland to the United States of America.

Laid over.

ANNOUNCEMENT(S)

Priority designation(s) received:

Geist - LB1010
Hansen, M. - LB1073
Revenue - LB730
Executive Board - LB686
Executive Board - LB897
Slama - LB977
Transportation and Telecommunications - LB750
Transportation and Telecommunications - LB1144
Wishart - LB598
Dorn - LB1261
Pansing Brooks - LB717
Lathrop - LB353
Judiciary - LB920
Judiciary - LB922
Aguilar - LB919
Business and Labor - LB780
Business and Labor - LB512
Walz - LB852
Lowe - LB1086
Bostar - LB964
Moser - LB984
Friesen - LB873
Wayne - LB917
Legislature's Planning - LB792

ANNOUNCEMENT

Senator Bostelman announced the Natural Resources Committee will meet Wednesday, February 23, 2022, following the hearing in Room 1525.

MOTION(S) - Print in Journal

Senator M. Cavanaugh filed the following motion to LB685:

[MO148](#)

Bracket until April 20, 2022.

Senator M. Cavanaugh filed the following motion to LB708:

[MO149](#)

Bracket until April 20, 2022.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Slama name added to LB933.

VISITOR(S)

Visitors to the Chamber were Commander Dan Benes and Senior Vice Commander Don Suchy of Valparaiso, Assistant Adjutant Brent Hagel-Pitt from Eagle, National Executive Committeeman Fred Craigie all of the American Legion; and 120 students and practitioners from Creighton, Southeast Community College, Northeast Community College, the College of St. Mary and Clarkson College, all representing the Nebraska Chapter of the American Physical Therapy Association.

The Doctor of the Day was Dr. David Hoelting of Pender.

ADJOURNMENT

At 12:02 p.m., on a motion by Senator Halloran, the Legislature adjourned until 9:00 a.m., Wednesday, February 23, 2022.

Patrick J. O'Donnell
Clerk of the Legislature

THIRTIETH DAY - FEBRUARY 23, 2022**LEGISLATIVE JOURNAL****ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION****THIRTIETH DAY**

Legislative Chamber, Lincoln, Nebraska
Wednesday, February 23, 2022

PRAYER

The prayer was offered by Reverend Gregg Gahan, Craig-Alder Grove Parish, Craig.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Wayne.

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 Senator Wishart who was excused; and Senators Bostar, Bostelman, M. Cavanaugh, Day, Hilkemann, McCollister, Morfeld, Pansing Brooks, Slama, Stinner, and Walz who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the twenty-ninth day was approved.

GENERAL FILE

LEGISLATIVE BILL 939. Committee [AM1780](#), found on page 506 and considered on page 582, was renewed.

The M. Hansen amendment, [AM1869](#), found on page 537 and considered on page 603, to the committee amendment, was renewed.

Pending.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 700. Placed on Final Reading.

LEGISLATIVE BILL 906. Placed on Final Reading.

(Signed) Terrell McKinney, Chairperson

COMMITTEE REPORT(S)
Natural Resources

LEGISLATIVE BILL 806. Placed on General File with amendment.

[AM1979](#)

1 1. Strike the original sections and insert the following new
2 sections:
3 Section 1. Section 31-201, Reissue Revised Statutes of Nebraska, is
4 amended to read:
5 31-201 (1) ~~A landowner Owners of land~~ may drain such landowner's
6 ~~land the same~~ in the general course of natural drainage by constructing
7 an open ditch or tile drain system wholly on the landowner's land to
8 ~~discharge, discharging~~ the water therefrom into any natural watercourse
9 or into any natural depression or draw; whereby such water may be carried
10 into some natural watercourse; ~~and when such drain or ditch is wholly on~~
11 ~~the owner's land, he shall not be liable in damages therefor to any~~
12 ~~person or corporation.~~
13 (2) A landowner shall not drain such landowner's land using any type
14 of pump or powered system if such drainage system would cause injury or
15 harm to any other person.
16 Sec. 2. Original section 31-201, Reissue Revised Statutes of
17 Nebraska, is repealed.

LEGISLATIVE BILL 981. Placed on General File with amendment.

[AM1993](#)

1 1. Strike the original sections and insert the following new
2 section:
3 Section 1. There is hereby appropriated (1) \$750,000 from the
4 General Fund for FY2022-23 and (2) \$750,000 from the General Fund for
5 FY2023-24 to the Game and Parks Commission, for Program 550.
6 There is included in the appropriation to this program for FY2022-23
7 \$750,000 for ongoing maintenance of the Cowboy Trail, which shall only be
8 used for such purpose. There is included in the appropriation to this
9 program for FY2023-24 \$750,000 for ongoing maintenance of the Cowboy
10 Trail, which shall only be used for such purpose.
11 Total expenditures for permanent and temporary salaries and per
12 diems from funds appropriated in this section shall not exceed \$91,140
13 for FY2022-23 or \$91,140 for FY2023-24.

LEGISLATIVE BILL 1102. Placed on General File with amendment.

[AM1893](#)

1 1. On page 2, line 7, after "release" insert "in conformance with
2 applicable federal and state environmental standards and substantive
3 requirements"; and in line 22 after "to" insert "plant or animal life,"
4 and after "property" insert an underscored comma.
5 2. On page 3, line 9, after the period insert "On or before June 30,
6 2023, the State Treasurer shall transfer three hundred thousand dollars
7 from the General Fund to the Nebraska Environmental Response Cash Fund on
8 such date as directed by the budget administrator of the budget division
9 of the Department of Administrative Services."; and in line 27 strike
10 "assess" and insert "pay" and after "costs" insert "assessed".
11 3. On page 5, lines 12 and 17, strike "party" and insert "person";

12 and in line 15 strike "unless waived by the director" and insert "of such
13 section".

(Signed) Bruce Bostelman, Chairperson

General Affairs

LEGISLATIVE BILL 1236. Placed on General File with amendment.
[AM1986](#) is available in the Bill Room.

(Signed) Tom Briese, Chairperson

Urban Affairs

LEGISLATIVE BILL 727. Placed on General File.

(Signed) Justin Wayne, Chairperson

Revenue

LEGISLATIVE BILL 165. Placed on General File with amendment.

[AM2003](#)

- 1 1. Strike original section 6 and insert the following new section:
- 2 Sec. 7. Since an emergency exists, this act takes effect when passed
- 3 and approved according to law.
- 4 2. On page 3, lines 9 and 12, strike "twenty", show as stricken, and
- 5 insert "fifty".
- 6 3. Renumber the remaining section accordingly.

LEGISLATIVE BILL 853. Placed on General File with amendment.

[AM1601](#)

- 1 1. Strike the original sections and insert the following new
- 2 sections:
- 3 Section 1. Section 77-3506, Revised Statutes Cumulative Supplement,
- 4 2020, is amended to read:
- 5 77-3506 (1) All homesteads in this state shall be assessed for
- 6 taxation the same as other property, except that:
- 7 (a) ~~There there~~ shall be exempt from taxation, on any homestead
- 8 described in subdivision (2)(a), (b), (c), or (d) subsection (2) of this
- 9 section, one hundred percent of the exempt amount; and -
- 10 (b) There shall be exempt from taxation, on any homestead described
- 11 in subdivision (2)(e) of this section, an amount equal to the exempt
- 12 amount multiplied by the applicable percentage from subsection (3) of
- 13 this section. Such percentage shall be based on the disability percentage
- 14 of the veteran.
- 15 (2) The exemption described in subsection (1) of this section shall
- 16 apply to homesteads of:
- 17 (a) A veteran who was discharged or otherwise separated with a
- 18 characterization of honorable or general (under honorable conditions),
- 19 who is drawing compensation from the United States Department of Veterans
- 20 Affairs because of a one hundred percent service-connected disability,
- 21 and who is not eligible for total exemption under sections 77-3526 to
- 22 77-3528, an unremarried surviving spouse of such a veteran, or a
- 23 surviving spouse of such a veteran who remarries after attaining the age
- 24 of fifty-seven years;

25 (b) An unremarried surviving spouse of any veteran, including a
 26 veteran other than a veteran described in section 80-401.01, who was
 27 discharged or otherwise separated with a characterization of honorable or
 1 general (under honorable conditions) and who died because of a service-
 2 connected disability or a surviving spouse of such a veteran who
 3 remarries after attaining the age of fifty-seven years;
 4 (c) An unremarried surviving spouse of a serviceman or servicewoman,
 5 including a veteran other than a veteran described in section 80-401.01,
 6 whose death while on active duty was service-connected or a surviving
 7 spouse of such a serviceman or servicewoman who remarries after attaining
 8 the age of fifty-seven years; ~~and~~
 9 (d) An unremarried surviving spouse of a serviceman or servicewoman
 10 who died while on active duty during the periods described in section
 11 80-401.01 or a surviving spouse of such a serviceman or servicewoman who
 12 remarries after attaining the age of fifty-seven years; ~~and~~ -
 13 (e) Beginning January 1, 2023, a veteran who was discharged or
 14 otherwise separated with a characterization of honorable or general
 15 (under honorable conditions), who is drawing compensation from the United
 16 States Department of Veterans Affairs because the veteran is at least
 17 fifty percent disabled but less than one hundred percent disabled due to
 18 a service-connected disability, and who is not eligible for total
 19 exemption under sections 77-3526 to 77-3528, an unremarried surviving
 20 spouse of such a veteran, or a surviving spouse of such a veteran who
 21 remarries after attaining the age of fifty-seven years.
 22 (3) For a claimant described in subdivision (2)(e) of this section,
 23 the exempt amount shall be multiplied by the percentage in Column B which
 24 corresponds with the veteran's disability percentage in Column A in the
 25 table found in this subsection.

26	Column A	Column B
27	Disability Percentage	Percentage To Apply To
28	Of Veteran	Exempt Amount
29	At least 90% but less than 100% disabled	90
30	At least 80% but less than 90% disabled	80
1	At least 70% but less than 80% disabled	70
2	At least 60% but less than 70% disabled	60
3	At least 50% but less than 60% disabled	50

4 (4) (3) Application for exemption under this section shall include
 5 certification of the status set forth in subsection (2) of this section
 6 from the United States Department of Veterans Affairs. Such certification
 7 shall not be required in succeeding years if no change in status has
 8 occurred, except that the county assessor or the Tax Commissioner may
 9 request such certification to verify that no change in status has
 10 occurred.

11 Sec. 2. Original section 77-3506, Revised Statutes Cumulative
 12 Supplement, 2020, is repealed.

LEGISLATIVE BILL 1273. Placed on General File with amendment.
[AM2005](#)

1 1. Insert the following new section:
 2 Sec. 2. Section 85-2603, Revised Statutes Cumulative Supplement,
 3 2020, is amended to read:
 4 85-2603 (1) A law enforcement officer shall be entitled to a waiver
 5 of one hundred ~~thirty~~ percent of the resident tuition charges of any
 6 state university, state college, or community college if the officer:
 7 (a) Maintains satisfactory performance with his or her law
 8 enforcement agency;
 9 (b) Meets all admission requirements of the state university, state
 10 college, or community college; and
 11 (c) Pursues studies leading to a degree that relates to a career in
 12 law enforcement from an associate degree program or a baccalaureate

13 degree program.

14 The officer may receive the tuition waiver for up to five years if
15 he or she otherwise continues to be eligible for participation.

16 (2) The state university, state college, or community college shall
17 waive one hundred thirty percent of the officer's tuition remaining due
18 after subtracting awarded federal financial aid grants and state
19 scholarships and grants for an eligible law enforcement officer during
20 the time the officer is enrolled. To remain eligible, the officer must
21 comply with all requirements of the institution for continued attendance
22 and award of an associate degree or a baccalaureate degree.

23 (3) An application for the tuition waiver shall include a
24 verification of the law enforcement officer's satisfactory performance as
25 a law enforcement officer. It shall be the responsibility of the officer
26 to obtain a certificate of verification from his or her superior officer
27 in such officer's law enforcement agency attesting to such officer's
1 satisfactory performance. The officer shall include the certificate of
2 verification when applying to the state university, state college, or
3 community college in order to obtain tuition waiver upon initial
4 enrollment.

5 (4) Within forty-five days after receipt of a completed application,
6 the state university, state college, or community college shall send
7 written notice of the law enforcement officer's eligibility or
8 ineligibility for the tuition waiver. If the officer is determined not to
9 be eligible for the tuition waiver, the notice shall include the reason
10 or reasons for such determination and an indication that an appeal of the
11 determination may be made pursuant to the Administrative Procedure Act.
12 2. Renumber the remaining section and correct the repealer
13 accordingly.

(Signed) Lou Ann Linehan, Chairperson

AMENDMENT(S) - Print in Journal

Senator Wayne filed the following amendment to LB1024:
AM1989

(Amendments to Standing Committee amendments, AM1920)

1 1. On page 3, line 6, strike "two" and insert "three".

GENERAL FILE

LEGISLATIVE BILL 939. Committee AM1780, found on page 506 and
considered on page 582 and in this day's Journal, was renewed.

The M. Hansen amendment, AM1869, found on page 537 and considered on
page 603 and in this day's Journal, to the committee amendment, was
renewed.

SENATOR WILLIAMS PRESIDING

Senator M. Hansen moved for a call of the house. The motion prevailed
with 20 ayes, 7 nays, and 21 not voting.

Senator Linehan requested a roll call vote on the M. Hansen amendment.

Voting in the affirmative, 2:

Hansen, M. Hunt

Voting in the negative, 42:

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

Present and not voting, 1:

Morfeld

Excused and not voting, 3:

Bostar Lindstrom Wishart

The M. Hansen amendment lost with 2 ayes, 42 nays, 1 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

Senator M. Hansen offered his amendment, [AM1868](#), found on page 537, to the committee amendment.

Pending.

UNANIMOUS CONSENT - Room Change

Senator Bostelman asked unanimous consent that the Natural Resources Committee conduct its hearing on Wednesday, February 23, 2022, in Room 1003 instead of Room 1525. No objections. So ordered.

MOTION - Suspend Rules

Speaker Hilgers offered the following motion:

Suspend Rule 3, Sec. 14, to permit cancellation of public hearings on the following bills: LB784 and LB1179 in less than seven days.

The Hilgers motion to suspend the rules prevailed with 34 ayes, 1 nay, 10 present and not voting, and 3 excused and not voting.

NOTICE OF COMMITTEE HEARING(S)

Education
Room 1525 1:30 PM

Monday, February 28, 2022
LB1179 (cancel)

(Signed) Lynne Walz, Chairperson

Revenue
Room 1524 1:30 PM

Thursday, February 24, 2022
LB784 (cancel)

(Signed) Lou Ann Linehan, Chairperson

ANNOUNCEMENT(S)

Speaker priority bill/resolution designations are as follows:
LBs 344, 436, 596, 661, 698, 729, 769, 777, 804, 820, 840, 864, 887, 888,
896, 902, 998, 1016, 1065, 1102, 1112, 1130, 1246, 1273, and LR283CA.

NOTICE OF COMMITTEE HEARING(S)

Health and Human Services
Room 1510 1:30 PM

Thursday, March 3, 2022
Alysson Muotri - Stem Cell Research Advisory Committee
Roger D. Wells - Nebraska Rural Health Advisory Commission
Claire C. Bazata - Nebraska Child Abuse Prevention Fund Board
Rebecca A. Schroeder - Nebraska Rural Health Advisory Commission
Cherlyn Hunt - Nebraska Rural Health Advisory Commission
Jeffrey D. Harrison - Nebraska Rural Health Advisory Commission

(Signed) John Arch, Chairperson

COMMITTEE REPORT(S)

Agriculture

LEGISLATIVE BILL 805. Placed on General File with amendment.
[AM1976](#) is available in the Bill Room.

(Signed) Steve Halloran, Chairperson

Revenue

LEGISLATIVE BILL 1150. Placed on General File with amendment.
[AM2009](#) is available in the Bill Room.

(Signed) Lou Ann Linehan, Chairperson

AMENDMENT(S) - Print in Journal

Senator M. Cavanaugh filed the following amendment to LB1216:
AM1949

1 1. Strike the original sections and insert the following new
2 sections:
3 Section 1. Section 30-2627, Reissue Revised Statutes of Nebraska, is
4 amended to read:
5 30-2627 (a) Except as provided in subsection (b) of this section,
6 any ~~Any~~ competent person or the Public Guardian may be appointed guardian
7 of a person alleged to be incapacitated, ~~except that~~
8 (b) Except as provided in subsection (c) of this section, it shall
9 be unlawful for any agency providing residential care in an institution
10 or community-based program, or any owner, part owner, manager,
11 administrator, employee, or spouse of an owner, part owner, manager,
12 administrator, or employee of any nursing home, room and board home,
13 assisted-living facility, or institution engaged in the care, treatment,
14 or housing of any person physically or mentally handicapped, infirm, or
15 aged to be appointed guardian of any such person residing, being under
16 care, receiving treatment, or being housed in any such home, facility, or
17 institution within the State of Nebraska.
18 (c)(1) Nothing in this subsection (b) of this section shall prevent:
19 (i) The ~~the~~ spouse, adult child, parent, or other relative of the
20 person alleged to be incapacitated from being appointed guardian; or
21 (ii) The ~~prevent the~~ guardian officer for one of the Nebraska
22 veterans homes as provided in section 80-327 from being appointed
23 guardian or conservator for the person alleged to be incapacitated.
24 (2)(i) Nothing in subsection (b) of this section shall prevent an
25 individual from being employed by, or an independent provider at, an
26 institution, program, home, or facility described in subsection (b) of
27 this section if such individual is:
28 (A) A guardian or if such individual has a power of attorney for a
29 person who is alleged to be incapacitated and who is residing, being
30 under care, receiving treatment, or being housed in such institution,
31 program, home, or facility; and
32 (B) The spouse, adult child, parent, or other relative of the
33 allegedly incapacitated person.
34 (ii) An employee or independent provider described in this
35 subdivision (c)(2) may be subject to increased monitoring and checks by
36 the Office of the Public Guardian.
37 (d) It shall be unlawful for any county attorney or deputy county
38 attorney appointed as guardian for a person alleged to be incapacitated
39 to circumvent his or her duties or the rights of the ward pursuant to the
40 Nebraska Mental Health Commitment Act by consenting to inpatient or
41 outpatient psychiatric treatment over the objection of the ward.
42 (e) (f) Persons who are not disqualified under subsection (b) (f) of
43 this section and who exhibit the ability to exercise the powers to be
44 assigned by the court have priority for appointment as guardian in the
45 following order:
46 (1) A person nominated most recently by one of the following
47 methods:
48 (i) A person nominated by the incapacitated person in a power of
49 attorney or a durable power of attorney;
50 (ii) A person acting under a power of attorney or durable power of
51 attorney; or
52 (iii) A person nominated by an attorney in fact who is given power
53 to nominate in a power of attorney or a durable power of attorney

27 executed by the incapacitated person;
 28 (2) The spouse of the incapacitated person;
 29 (3) An adult child of the incapacitated person;
 30 (4) A parent of the incapacitated person, including a person
 31 nominated by will or other writing signed by a deceased parent;
 1 (5) Any relative of the incapacitated person with whom he or she has
 2 resided for more than six months prior to the filing of the petition;
 3 (6) A person nominated by the person who is caring for him or her or
 4 paying benefits to him or her;
 5 (7) The Public Guardian.
 6 (f) ~~(e)~~ When appointing a guardian, the court shall take into
 7 consideration the expressed wishes of the allegedly incapacitated person.
 8 The court, acting in the best interest of the incapacitated person, may
 9 pass over a person having priority and appoint a person having lower
 10 priority or no priority. With respect to persons having equal priority,
 11 the court shall select the person it deems best qualified to serve.
 12 (g) ~~(d)~~ In its order of appointment, unless waived by the court, the
 13 court shall require any person appointed as guardian to successfully
 14 complete within three months of such appointment a training program
 15 approved by the Public Guardian. If the person appointed as guardian does
 16 not complete the training program, the court shall issue an order to show
 17 cause why such person should not be removed as guardian.
 18 (h) ~~(e)~~ The court may require a guardian to furnish a bond in an
 19 amount and conditioned in accordance with the provisions of sections
 20 30-2640 and 30-2641. The Public Guardian shall not be required to post
 21 bond.
 22 Sec. 2. Section 30-2639, Reissue Revised Statutes of Nebraska, is
 23 amended to read:
 24 30-2639 (a) Except as provided in subsection (b) of this section,
 25 the court may appoint an individual, a corporation with general power
 26 to serve as trustee, or the Public Guardian as conservator of the estate
 27 of a protected person, ~~except that~~
 28 (b) Except as provided in subsection (c) of this section, it shall
 29 be unlawful for any agency providing residential care in an institution
 30 or community-based program or any owner, part owner, manager,
 31 administrator, employee, or spouse of an owner, part owner, manager,
 1 administrator, or employee of any nursing home, room and board home,
 2 assisted-living facility, or institution engaged in the care, treatment,
 3 or housing of any person physically or mentally handicapped, infirm, or
 4 aged to be appointed conservator of any such person residing, being under
 5 care, receiving treatment, or being housed in any such home, facility, or
 6 institution within the State of Nebraska.
 7 (1) Nothing in subsection (b) of this section ~~subsection~~ shall
 8 prevent the spouse, adult child, parent, or other relative of the person
 9 in need of protection from being appointed conservator.
 10 (2)(i) Nothing in subsection (b) of this section shall prevent an
 11 individual from being employed by, or an independent provider at, an
 12 institution, program, home, or facility described in subsection (b) of
 13 this section if such individual is:
 14 (A) A conservator or such individual has a power of attorney for a
 15 person who is alleged to be incapacitated and who is residing, being
 16 under care, receiving treatment, or being housed in such institution,
 17 program, home, or facility; and
 18 (B) The spouse, adult child, parent, or other relative of the
 19 allegedly incapacitated person.
 20 (ii) An employee or independent provider described in this
 21 subdivision (c)(2) may be subject to increased monitoring and checks by
 22 the Office of the Public Guardian.
 23 (d) ~~(b)~~ Persons who are not disqualified under subsection (b) ~~(a)~~ of
 24 this section and who exhibit the ability to exercise the powers to be

25 assigned by the court have priority for appointment as conservator in the
26 following order:

27 (1) A person nominated most recently by one of the following
28 methods:

29 (i) A person nominated by the protected person in a power of
30 attorney or durable power of attorney;

31 (ii) A person acting under a power of attorney or durable power of
1 attorney; or

2 (iii) A person nominated by an attorney in fact who is given power
3 to nominate in a power of attorney or a durable power of attorney
4 executed by the protected person;

5 (2) A conservator, guardian of property, or other like fiduciary
6 appointed or recognized by the appropriate court of any other
7 jurisdiction in which the protected person resides;

8 (3) An individual or corporation nominated by the protected person
9 if he or she is fourteen or more years of age and has, in the opinion of
10 the court, sufficient mental capacity to make an intelligent choice;

11 (4) The spouse of the protected person;

12 (5) An adult child of the protected person;

13 (6) A parent of the protected person or a person nominated by the
14 will of a deceased parent;

15 (7) Any relative of the protected person with whom he or she has
16 resided for more than six months prior to the filing of the petition;

17 (8) A person nominated by the person who is caring for him or her or
18 paying benefits to him or her;

19 (9) The Public Guardian.

20 ~~(e)~~ (e) When appointing a conservator, the court shall take into
21 consideration the expressed wishes of the person to be protected. A
22 person having priority listed in subdivision (2), (4), (5), (6), or (7)
23 of subsection ~~(d)~~ (b) of this section may nominate in writing a person to
24 serve in his or her stead. With respect to persons having equal priority,
25 the court shall select the person it deems best qualified of those
26 willing to serve. The court, acting in the best interest of the protected
27 person, may pass over a person having priority and appoint a person
28 having lower priority or no priority.

29 ~~(f)~~ (f) In its order of appointment, unless waived by the court, the
30 court shall require any person appointed as conservator to successfully
31 complete within three months of such appointment a training program
1 approved by the Public Guardian. If the person appointed as conservator
2 does not complete the training program, the court shall issue an order to
3 show cause why such person should not be removed as conservator.

4 Sec. 3. Original sections 30-2627 and 30-2639, Reissue Revised
5 Statutes of Nebraska, are repealed.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Halloran name added to LB933.

Senator Wayne name added to LB1065.

Senator Wishart name added to LB1275.

VISITOR(S)

Visitors to the Chamber were Elkhorn Rural Public Power District Board of Director, Battle Creek.

ADJOURNMENT

At 11:59 a.m., on a motion by Senator Pansing Brooks, the Legislature adjourned until 9:00 a.m., Thursday, February 24, 2022.

Patrick J. O'Donnell
Clerk of the Legislature

THIRTY-FIRST DAY - FEBRUARY 24, 2022

LEGISLATIVE JOURNAL

**ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION**

THIRTY-FIRST DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, February 24, 2022

PRAYER

The prayer was offered by Pastor Jim Haack, Beautiful Savior Lutheran Church, La Vista.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Aguilar.

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 Bostar, Day, DeBoer, B. Hansen, Hunt, McCollister, McKinney, Morfeld, and Pansing Brooks who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

Page 621, line 39, Strike "AM1896" and insert "AM1869".
The Journal for the thirtieth day was approved as corrected.

MESSAGE FROM THE GOVERNOR

February 23, 2022

Michael B. Jacobson
3020 West Leota
North Platte, NE 69101

Dear Mr. Jacobson:

It is my pleasure to appoint you as a member of the Nebraska Legislature representing District 42 effective February 23, 2022. Your knowledge and

input are valuable and your willingness to serve in this important position is appreciated. Working together we can make wise decisions while keeping the best interests of our citizens in mind.

Congratulations and best wishes.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosure

GUBERNATORIAL APPOINTMENT

Greetings To All Who Shall See These Presents Know Ye, that I, Pete Ricketts, on behalf of the State of Nebraska and as Governor, do hereby appoint Michael B. Jacobson as a member of the Nebraska Legislature - District 42.

Reposing special trust in your ability, integrity and patriotism, I do authorize and empower you to discharge the duties of said appointment, according to law.

This appointment shall take effect on February 23, 2022, and continue until January 3, 2023, provided you shall satisfactorily perform all the duties imposed by law.

(Signed) Pete Ricketts
Governor

(Signed) Robert B. Evnen
Secretary of State

OFFICIAL OATH

STATE OF NEBRASKA)
) ss.
County of Lancaster)

"I, Michael B. Jacobson, do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the State of Nebraska, and will faithfully discharge the duties of Member of the Legislature, District 42 according to the best of my ability, and that at the election at which I was chosen to fill said office, I have not improperly influenced in any way the vote of any elector, and have not accepted, nor will I accept or receive, directly or indirectly, any money or other valuable thing from any corporation, company or person, or any promise of office, for any official act or influence (for any vote may give or withhold on any bill, resolution, or appropriation)."*

(Signed) Michael B. Jacobson

Subscribed in my presence and sworn to before me this 23rd day of February, 2022.

(SEAL) (Signed) Robert B. Evnen
Secretary of State

*Constitution of the State of Nebraska, Article XV, Section One.
For Executive, Judicial Officers and Members of the Legislature.

COMMITTEE REPORT(S)
Natural Resources

The Natural Resources 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.

Paul E. Strommen - Nebraska Oil and Gas Conservation Commission

Aye: 5. Aguilar, Bostelman, Gragert, Hughes, Moser. Nay: 1. Wayne.
Absent: 0. Present and not voting: 1. Cavanaugh, J.

The Natural Resources 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.

Dallen R. Juelfs - Nebraska Oil and Gas Conservation Commission

Aye: 7. Aguilar, Bostelman, Cavanaugh, J., Gragert, Hughes, Moser, Wayne.
Nay: 0. Absent: 0. Present and not voting: 0.

LEGISLATIVE BILL 809. Placed on General File with amendment.
[AM2004](#) is available in the Bill Room.

(Signed) Bruce Bostelman, Chairperson

UNANIMOUS CONSENT - Room Change

Senator Stinner asked unanimous consent that the Appropriations Committee conduct its hearing on Thursday, February 24, 2022, and Friday, February 25, 2022, and Wednesday, March 2, 2022, and Thursday, March 3, 2022, in Room 1525 instead of Room 1003. No objections. So ordered.

GENERAL FILE

LEGISLATIVE BILL 939. Committee [AM1780](#), found on page 506 and considered on pages 582 and 617, was renewed.

The M. Hansen amendment, [AM1868](#), found on page 537, was withdrawn.

The M. Cavanaugh amendment, [AM1856](#), found on page 584, to the committee amendment, was offered.

PRESIDENT FOLEY PRESIDING

Senator Linehan offered the following motion:

[MO150](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Linehan moved for a call of the house. The motion prevailed with 27 ayes, 0 nays, and 22 not voting.

Senator Linehan requested a roll call vote on the motion to invoke cloture.

Voting in the affirmative, 41:

Aguilar	Day	Hansen, B.	McCollister	Vargas
Albrecht	DeBoer	Hilgers	McDonnell	Walz
Arch	Dorn	Hilkemann	Moser	Wayne
Blood	Erdman	Hughes	Murman	Williams
Bostelman	Flood	Jacobson	Pahls	Wishart
Brandt	Friesen	Kolterman	Pansing Brooks	
Brewer	Geist	Lindstrom	Sanders	
Briese	Gragert	Linehan	Slama	
Clements	Halloran	Low	Stinner	

Voting in the negative, 1:

Hunt

Present and not voting, 5:

Cavanaugh, J. Cavanaugh, M. Hansen, M. Lathrop McKinney

Excused and not voting, 2:

Bostar Morfeld

The Linehan motion to invoke cloture prevailed with 41 ayes, 1 nay, 5 present and not voting, and 2 excused and not voting.

Senator M. Cavanaugh requested a roll call vote on her amendment.

Voting in the affirmative, 8:

Blood	Cavanaugh, M.	Hunt	Vargas
Cavanaugh, J.	Day	McKinney	Wayne

Voting in the negative, 34:

Aguilar	Clements	Groene	Lindstrom	Pahls
Albrecht	Dorn	Halloran	Linehan	Pansing Brooks
Arch	Erdman	Hansen, B.	Lowe	Sanders
Bostelman	Flood	Hilgers	McCollister	Slama
Brandt	Friesen	Hilkemann	McDonnell	Stinner
Brewer	Geist	Hughes	Moser	Williams
Briese	Gragert	Kolterman	Murman	

Present and not voting, 5:

DeBoer	Hansen, M.	Lathrop	Walz	Wishart
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Excused and not voting, 2:

Bostar	Morfeld
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The M. Cavanaugh amendment lost with 8 ayes, 34 nays, 5 present and not voting, and 2 excused and not voting.

The committee amendment was adopted with 39 ayes, 2 nays, 6 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 40 ayes, 1 nay, 6 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

COMMITTEE REPORT(S)

Business and Labor

LEGISLATIVE BILL 1040. Placed on General File.

LEGISLATIVE BILL 1069. Placed on General File.

(Signed) Ben Hansen, Chairperson

Transportation and Telecommunications

LEGISLATIVE BILL 750. Placed on General File with amendment.

[AM1966](#) is available in the Bill Room.

(Signed) Curt Friesen, Chairperson

COMMITTEE ON COMMITTEES REPORT

Committee on Committees reported the following committee assignments made due to the resignation of Senator Groene:

Senator Jacobson has been appointed to the Agriculture Committee, General Affairs Committee, and Natural Resources Committee.

GENERAL FILE

LEGISLATIVE BILL 925. Title read. Considered.

Senator Gragert offered his amendment, [AM1836](#), found on page 528.

SENATOR HUGHES PRESIDING

The Gragert amendment was adopted with 37 ayes, 1 nay, 8 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review Initial with 34 ayes, 7 nays, 5 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 925A. Title read. Considered.

Advanced to Enrollment and Review Initial with 32 ayes, 5 nays, 8 present and not voting, and 4 excused and not voting.

CORRECTED COMMITTEE REPORT

Agriculture

LEGISLATIVE BILL 235. Corrected Amendment:

[AM2045](#)

1 1. Strike the original sections and insert the following new
2 sections:
3 Section 1. Section 54-1901, Reissue Revised Statutes of Nebraska, is
4 amended to read:
5 54-1901 Sections 54-1901 to 54-1915 and section 2 of this act may be
6 cited as the Nebraska Meat and Poultry Inspection Law.
7 Sec. 2. (1) It is the intent of the Legislature to appropriate one
8 million dollars each fiscal year from the General Fund for fiscal years
9 2022-23 and 2023-24 to the department for purposes of a pilot program for
10 establishing a cooperative state inspection program under 21 U.S.C. 661,
11 and 21 U.S.C. 454, as such sections existed on January 1, 2021. The
12 unexpended and unobligated balance of the funds appropriated for the
13 pilot program shall lapse to the General Fund at the end of each fiscal
14 year.
15 (2) For purposes of the pilot program, the administrator shall be a
16 licensed veterinarian employed by the department. The department shall
17 provide staff support for the administrator. The administrator shall
18 provide for certification of inspectors for the pilot program, including
19 a program of instruction, an examination, and fees. In order to be
20 eligible to be certified as an inspector for the pilot program, an
21 individual shall be a licensed veterinarian who has experience with large

22 animals.
 23 (3) Up to ten licensed establishments may participate in the pilot
 24 program. A licensed establishment which chooses to participate in the
 25 pilot program shall contract with one or more certified inspectors for
 26 inspections under the pilot program. A certified inspector contracting
 27 with a licensed establishment shall not be considered an employee,
 1 official, or agent of the department.
 2 (4) The department may adopt and promulgate rules and regulations
 3 for the pilot program.
 4 Sec. 3. Original section 54-1901, Reissue Revised Statutes of
 5 Nebraska, is repealed.

(Signed) Steve Halloran, Chairperson

Revenue

LEGISLATIVE RESOLUTION 264CA. Placed on General File.

LEGISLATIVE BILL 927. Placed on General File with amendment.
[AM2023](#) is available in the Bill Room.

(Signed) Lou Ann Linehan, Chairperson

AMENDMENT(S) - Print in Journal

Senator Friesen filed the following amendment to [LB750](#):
[AM2038](#)

(Amendments to Standing Committee amendments, AM1966)

1 1. On page 19, line 17, strike "twenty-five" and reinstate the
 2 stricken "fifty"; and in line 19 strike "Five dollars" and insert "Four
 3 dollars and twenty-five cents".

Senator Day filed the following amendment to [LB888](#):
[AM1995](#)

1 1. Strike the original sections and insert the following new
 2 sections:
 3 Section 1. Section 79-760.01, Revised Statutes Supplement, 2021, is
 4 amended to read:
 5 79-760.01 (1) The State Board of Education shall adopt measurable
 6 academic content standards for at least the grade levels required for
 7 statewide assessment pursuant to section 79-760.03. The standards shall
 8 cover the subject areas of reading, writing, mathematics, science, and
 9 social studies.
 10 (2) The board shall also adopt measurable academic content standards
 11 for the following financial literacy as part of the social studies
 12 standards; -
 13 (a) Financial literacy; and
 14 (b) Education on the Holocaust and other acts of genocide.
 15 (3) Academic content standards adopted or recommended pursuant to
 16 this section shall be sufficiently clear and measurable to be used for
 17 testing student performance with respect to mastery of the content
 18 described in the state standards.
 19 (4) The State Board of Education shall develop a plan to review and
 20 update standards for each subject area every seven years. The state board
 21 plan shall include a review of commonly accepted standards adopted by
 22 school districts.

23 Sec. 2. Original section 79-760.01, Revised Statutes Supplement, 24 2021, is repealed.

BILL ON FIRST READING

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

LEGISLATIVE BILL 1173A. Introduced by Arch, 14.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1173, One Hundred Seventh Legislature, Second Session, 2022; and to declare an emergency.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 303. Introduced by Sanders, 45; McKinney, 11.

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

WHEREAS, senior Garrett Grice wrestled for the Bellevue East High School wrestling team coached by Todd Porter; and

WHEREAS, Garrett won the Class A 138-pound state championship match during the 2022 Nebraska State Wrestling Tournament; and

WHEREAS, during Garrett's time at Bellevue East, he achieved a record of 196-1 and won four straight state championships; and

WHEREAS, Garrett is the first wrestler from Bellevue East, and only the thirty-fifth wrestler in Nebraska wrestling history, to win four straight state championships; 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 Garrett Grice on winning the 2022 Class A 138-pound State Wrestling Championship and on winning four straight Class A State Wrestling Championships during his time at Bellevue East.

2. That copies of this resolution be sent to Bellevue East High School, Garrett Grice, and coach Todd Porter.

Laid over.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Halloran name added to LB597.
Senator McDonnell name added to LB933.
Senator McDonnell name added to LB1086.
Senator Sanders name added to LB1086.
Senator DeBoer name added to LB1241.

VISITOR(S)

Visitors to the Chamber were Benjamin Blowers and Janai Blowers with Ratio Christi; Nebraska State AFL-CIO Union Members; student delegates of UNMC Omaha; and twelfth graders from Elkhorn North High School and their sponsor.

The Doctor of the Day was Dr. Dale Michels of Walton.

ADJOURNMENT

At 11:57 a.m., on a motion by Senator Albrecht, the Legislature adjourned until 9:00 a.m., Friday, February 25, 2022.

Patrick J. O'Donnell
Clerk of the Legislature

THIRTY-SECOND DAY - FEBRUARY 25, 2022

LEGISLATIVE JOURNAL

**ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION**

THIRTY-SECOND DAY

Legislative Chamber, Lincoln, Nebraska
Friday, February 25, 2022

PRAYER

The prayer was offered by Pastor JJ Jackson, Flatland Church, Omaha.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Lowe.

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 Bostar, Bostelman, Day, B. Hansen, Linehan, McKinney, Morfeld, Pansing Brooks, Walz, and Wishart who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the thirty-first day was approved.

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of February 24, 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

Chaney, Chelsea
National Association of Mutual Insurance Companies (NAMIC)
CP Strategies LLC
Scientific Games Corporation (Withdrawn 02/18/2022)
Gottschalk, Kristen

Nebraska Electric Generation and Transmission Cooperative, Inc.
 Greene, Steven
 Opportunity Solutions Project
 Houghton Bradford Whitted PC, LLO
 Avenue Scholars Foundation
 Husch Blackwell Strategies
 EBSCO
 Kelley Plucker, LLC
 Daily Record, The
 Mahoney, Maureen
 Consumer Reports, Inc.
 Russell, Daniel
 Stand for Schools
 Todd-Harlin, Andrea
 Smart-Fill (Withdrawn 02/21/2022)

REPORTS

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

COMMITTEE ON COMMITTEES FINAL REPORT

Senator Robert Hilkemann offered the following Committee on Committees report:

Agriculture- Senator Jacobson
 General Affairs- Senator Jacobson
 Natural Resources- Senator Jacobson

Senator Robert Hilkemann moved to approve the Committee on Committees report found in this day's Journal.

The Committee on Committees report was approved with 39 ayes, 0 nays, 5 present and not voting, and 5 excused and not voting.

GENERAL FILE

LEGISLATIVE BILL 767A. Title read. Considered.

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

MOTION(S) - Bracket LB685

LEGISLATIVE BILL 685. Senator M. Cavanaugh offered her motion, [MO148](#), found on page 616, to bracket until April 20, 2022.

The M. Cavanaugh motion to bracket failed with 1 aye, 39 nays, 4 present

and not voting, and 5 excused and not voting.

BILLS ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 685.

A BILL FOR AN ACT relating to appropriations; to eliminate obsolete provisions appropriating funds for FY2017-18 and FY2018-19; and to outright repeal section 90-561, Revised Statutes Cumulative Supplement, 2020.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 44:

Aguilar	Cavanaugh, M.	Halloran	Lathrop	Pahls
Albrecht	Clements	Hansen, B.	Lindstrom	Pansing Brooks
Arch	DeBoer	Hansen, M.	Linehan	Sanders
Blood	Dorn	Hilgers	Lowe	Slama
Bostelman	Erdman	Hilkemann	McCollister	Stinner
Brandt	Flood	Hughes	McDonnell	Vargas
Brewer	Friesen	Hunt	McKinney	Wayne
Briese	Geist	Jacobson	Moser	Williams
Cavanaugh, J.	Gragert	Kolterman	Murman	

Voting in the negative, 0.

Excused and not voting, 5:

Bostar	Day	Morfeld	Walz	Wishart
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB700 with 34 ayes, 5 nays, 6 present and not voting, and 4 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 700. With Emergency Clause.

A BILL FOR AN ACT relating to retirement; to amend sections 23-2317.01, 79-920, 84-1319.01, and 84-1511, Reissue Revised Statutes of

Nebraska, sections 23-2309.01, 23-2310.05, 72-1243, 79-921, 84-1301, 84-1310.01, 84-1311.03, and 84-1322, Revised Statutes Cumulative Supplement, 2020, and sections 79-902, 79-978, 79-992.01, 79-9,117, and 84-1503, Revised Statutes Supplement, 2021; to eliminate obsolete provisions relating to investment options under certain acts, the state investment officer, and the Public Employees Retirement Board; to change provisions relating to certain funds; to define and redefine terms; to change provisions relating to participation in certain plans as prescribed; to eliminate provisions relating to termination of employment and early retirement inducement notification; to change duties of certain employers; to change provisions relating to preretirement planning and repayment of a distribution after reemployment; to change duties of and provide duties for the Public Employees Retirement Board; to provide a deadline for a certain compliance audit; to provide for retirement training sessions; to eliminate a retirement education and financial planning program; to harmonize provisions; to repeal the original sections; to outright repeal section 84-1511.01, Reissue Revised Statutes of Nebraska; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 45:

Aguilar	Cavanaugh, M.	Halloran	Lathrop	Pahls
Albrecht	Clements	Hansen, B.	Lindstrom	Pansing Brooks
Arch	DeBoer	Hansen, M.	Linehan	Sanders
Blood	Dorn	Hilgers	McCollister	Slama
Bostelman	Erdman	Hilkemann	McDonnell	Stinner
Brandt	Flood	Hughes	McKinney	Vargas
Brewer	Friesen	Hunt	Morfeld	Walz
Briese	Geist	Jacobson	Moser	Wayne
Cavanaugh, J.	Gragert	Kolterman	Murman	Williams

Voting in the negative, 0.

Present and not voting, 1:

Lowe

Excused and not voting, 3:

Bostar Day Wishart

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

MOTION(S) - Return LB906 to Select File

Senator Hunt moved to return LB906 to Select File for her specific amendment, [AM1925](#), found on page 570.

The Hunt motion to return failed with 4 ayes, 34 nays, 9 present and not voting, and 2 excused and not voting.

The Hunt amendment, [AM1925](#), was not considered.

WITHDRAW - Amendment(s) to LB906

Senator Hunt withdrew her amendments, [AM1927](#) and [AM1926](#), found on page 570, to LB906.

BILL ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 906. With Emergency Clause.

A BILL FOR AN ACT relating to public health; to define terms; to provide duties for the Department of Health and Human Services; to require employers to provide for a vaccine exemption; to provide for conditional requirements; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 37:

Aguilar	Dorn	Hilgers	McDonnell	Stinner
Albrecht	Erdman	Hilkemann	Morfeld	Walz
Arch	Flood	Hughes	Moser	Wayne
Bostelman	Friesen	Jacobson	Murman	Williams
Brandt	Geist	Kolterman	Pahls	Wishart
Brewer	Gragert	Lindstrom	Pansing Brooks	
Briese	Halloran	Linehan	Sanders	
Clements	Hansen, B.	Lowe	Slama	

Voting in the negative, 5:

Cavanaugh, J.	Cavanaugh, M.	Hansen, M.	Hunt	Lathrop
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Present and not voting, 5:

Blood	DeBoer	McCollister	McKinney	Vargas
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Excused and not voting, 2:

Bostar Day

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

GENERAL FILE

LEGISLATIVE BILL 848. Title read. Considered.

Committee [AM1626](#), found on page 531, was adopted with 43 ayes, 0 nays, 4 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 43 ayes, 0 nays, 4 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 1037. Title read. Considered.

Committee [AM1887](#), found on page 570, was adopted with 40 ayes, 0 nays, 7 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 42 ayes, 0 nays, 6 present and not voting, and 1 excused and not voting.

SPEAKER HILGERS PRESIDING

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LBs 685, 700e, and 906e.

SENATOR HUGHES PRESIDING

GENERAL FILE

LEGISLATIVE BILL 717. Title read. Considered.

PRESIDENT FOLEY PRESIDING

Pending.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 304. Introduced by Murman, 38.

WHEREAS, the Nebraska State Association of Secondary School Principals annually selects a High School Principal of the Year; and

WHEREAS, Patrick Moore, principal of Blue Hill High School in Blue Hill, Nebraska, has been commended by his peers and students for demonstrating outstanding leadership in his school, region, and state; and

WHEREAS, Patrick has been selected as the 2021 High School Principal of the Year by the Nebraska State Association of Secondary School Principals; and

WHEREAS, Patrick was presented this award in a special assembly of students, teachers, and staff at Blue Hill High School on October 15, 2021; and

WHEREAS, the Legislature recognizes the value and hard work of educators in the State of Nebraska.

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

1. That the Legislature congratulates Patrick Moore on being selected as the 2021 High School Principal of the Year.

2. That copies of this resolution be sent to Blue Hill High School and Patrick Moore.

Laid over.

LEGISLATIVE RESOLUTION 305. Introduced by DeBoer, 10; Hilgers, 21; Hughes, 44.

PURPOSE: The purpose of this resolution is to examine issues related to the personnel policies of the Legislature. This study shall include, but not be limited to, an examination and review of any policies governing personnel and conduct.

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

1. That the Executive Board of the Legislative Council 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.

BILL ON FIRST READING

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

LEGISLATIVE BILL 1273A. Introduced by Bostar, 29.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1273, One Hundred Seventh Legislature, Second Session, 2022.

AMENDMENT(S) - Print in Journal

Senator Geist filed the following amendment to [LB750](#):
[AM1967](#) is available in the Bill Room.

Senator Wayne filed the following amendment to [LB1037](#):
[AM2047](#)

(Amendments to Standing Committee amendments, AM1887)

- 1 1. Insert the following new amendment:
- 2 2. On page 2, strike lines 7 through 10 and insert the following new
- 3 subsection:
- 4 "(2) Within sixty days after the effective date of this act:
- 5 (a) The Executive Board of the Legislative Council shall select an
- 6 outside consultant with expertise in government procurement for the
- 7 purpose of conducting such evaluation; and
- 8 (b) The department shall enter into a contract with such consultant
- 9 to conduct such evaluation. Such contract shall not be subject to any
- 10 competitive bidding requirement."
- 11 2. Renumber the remaining amendment accordingly.

EXPLANATION(S) OF VOTE(S)

Had I been present, I would have voted "aye" on final passage of LBs 685, 700e, and 906e.

(Signed) Jen Day

PRESENTED TO THE GOVERNOR

Presented to the Governor on February 25, 2022, at 10:24 a.m. were the following: LBs 685, 700e, and 906e.

(Signed) Jamie Leishman
 Clerk of the Legislature's Office

GENERAL FILE

LEGISLATIVE BILL 717. Considered.

Advanced to Enrollment and Review Initial with 32 ayes, 6 nays, 8 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 1241. Title read. Considered.

Committee [AM1898](#), found on page 578, was adopted with 46 ayes, 0 nays, 1 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 45 ayes, 0 nays, 2 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 1173. Title read. Considered.

Committee [AM1959](#), found on page 592, was offered.

Senator Arch offered the following amendment to the committee amendment:

[AM2058](#)

(Amendments to Standing Committee amendments, AM1959)

- 1 1. On page 1, line 27, after the semicolon insert "and".
- 2 2. On page 2, strike line 1; in line 2 strike "(h)" and insert
- 3 "(g)"; and in line 28 strike "Supreme Court" and insert "state judicial
- 4 branch to be".

The Arch amendment was adopted with 45 ayes, 0 nays, 2 present and not voting, and 2 excused and not voting.

Committee [AM1959](#), as amended, was adopted with 45 ayes, 0 nays, 2 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 45 ayes, 0 nays, 2 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 1173A. Title read. Considered.

Senator Arch offered the following amendment:

[AM2051](#)

- 1 1. Strike the original sections and insert the following new
- 2 sections:
- 3 Section 1. There is hereby appropriated (1) \$250,000 from the
- 4 Federal Funds for FY2022-23 and (2) \$250,000 from the Federal Funds for
- 5 FY2023-24 to the Department of Health and Human Services, for Program 33,
- 6 to aid in carrying out the provisions of Legislative Bill 1173, One
- 7 Hundred Seventh Legislature, Second Session, 2022. The Federal Funds
- 8 appropriated in this section are from the funds allocated to the State of
- 9 Nebraska from the federal Coronavirus State Fiscal Recovery Fund pursuant
- 10 to the federal American Rescue Plan Act of 2021, Public Law 117-2,
- 11 Subtitle M, Sec. 9901.
- 12 No expenditures for permanent and temporary salaries and per diems
- 13 for state employees shall be made from funds appropriated in this
- 14 section.
- 15 Sec. 2. Since an emergency exists, this act takes effect when
- 16 passed and approved according to law.

The Arch amendment was adopted with 46 ayes, 0 nays, 3 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 44 ayes, 0 nays, 3 present and not voting, and 2 excused and not voting.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 306. Introduced by Walz, 15; Bostar, 29; Brandt, 32; Brewer, 43; Cavanaugh, M., 6; Day, 49; DeBoer, 10; Dorn, 30;

Flood, 19; Friesen, 34; Geist, 25; Gragert, 40; Jacobson, 42; Hansen, B., 16; Hansen, M., 26; Hilkemann, 4; Kolterman, 24; McCollister, 20; Moser, 22; Murman, 38; Pahls, 31; Pansing Brooks, 28; Vargas, 7; Wayne, 13; Williams, 36; Wishart, 27.

WHEREAS, all individuals possess the basic human right to the preservation of personal dignity; and

WHEREAS, all individuals deserve the investment of the state's resources to ensure their lasting physical, mental, and emotional well-being; and

WHEREAS, post-traumatic stress can result from any number of stressors including combat, interpersonal violence, severe impact collisions, natural disasters, and exposure to the suffering of others; and

WHEREAS, the diagnosis known as Post-Traumatic Stress Disorder was initially formulated in 1980 by the American Psychiatric Association to commonly describe and categorize the psychological aftermath of severe traumatic distress; and

WHEREAS, post-traumatic stress has historically been unjustly portrayed as a mental illness caused by a preexisting flaw of character or ability, and association with the word "disorder" generates a stigma that perpetuates this misconception; and

WHEREAS, electro-magnetic imaging now shows that severe post-traumatic stress causes physical changes within the brain which are more accurately described as an injury than a disorder; and

WHEREAS, referring to post-traumatic stress as a disorder can disparage the injured and discourage them from seeking timely care for their behavioral health needs; and

WHEREAS, post-traumatic stress injury that is consistent with the description of post-traumatic stress disorder in section 309.81 criteria B through H of the Diagnostic Statistical Manual of Mental Disorders deserves equal compensation strictly matching that currently allowed under the law for post-traumatic stress disorder; and

WHEREAS, all citizens suffering from post-traumatic stress injury deserve our compassion and consideration and the brave men and women who received these wounds while risking their lives to protect our freedom, health, and welfare deserve special recognition of their bravery, commitment, devotion, and sacrifice; and

WHEREAS, timely access to appropriate treatment of post-traumatic stress injury can diminish complications and prevent suicide.

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

1. That the Legislature recognizes June 2022 as Post-Traumatic Stress Injury Awareness Month and June 27, 2022, as Post-Traumatic Stress Injury Awareness Day in Nebraska.

2. That the Legislature encourages the Division of Public Health of the Department of Health and Human Services and the Nebraska Department of Veterans' Affairs to continue working to educate victims of interpersonal violence, combat, life-threatening accidents, and natural disasters, their

families, and the general public about the causes, symptoms, and treatment of post-traumatic stress injury.

Laid over.

LEGISLATIVE RESOLUTION 307. Introduced by Cavanaugh, M., 6; Cavanaugh, J., 9; Gragert, 40; Hansen, M., 26; Hughes, 44; Pansing Brooks, 28; Vargas, 7; Walz, 15; Wishart, 27.

WHEREAS, the Legislative personnel manual includes written policies on workplace harassment; and

WHEREAS, this document is not binding and not codified into law; and

WHEREAS, a recent complaint has been filed against a former sitting senator; and

WHEREAS, the staff of the Legislature does not have appropriate recourse for addressing workplace harassment; and

WHEREAS, the staff of the Legislature should be treated professionally; and

WHEREAS, the appropriateness of that policy is now in question; and

WHEREAS, the residents of Nebraska deserve representatives that behave in a respectful and accountable manner.

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

1. That the Legislature hereby calls for the Executive Board of the Legislative Council to appoint a special committee of the Legislature to be known as the Special Ethics Investigative Committee of the Legislature.

2. That the committee shall consist of eight members of the Legislature which shall include an equal number of male and female members.

3. That the committee is hereby authorized to review the Legislature's workplace harassment policies including, but not limited to, requiring discussion and a vote of the full Legislature on the use and composition of a permanent special ethics committee to investigate workplace misconduct accusations. Additionally, the committee shall have authority to oversee any current workplace complaints made to the Executive Board, the Clerk of the Legislature, and the Affirmative Action Officer of the Legislature. The committee shall be authorized to request subpoena power as needed.

Laid over.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Vargas name added to LB717.

Senator McDonnell name added to LB783.

Senator Jacobson name added to LB788.

Senator Friesen name added to LB1180.

Senator Friesen name added to LB1207.

VISITOR(S)

Visitors to the Chamber were High School students from Norfolk Senior High School; fourth-graders from Perkins County Schools; and eleventh- and twelfth-graders from Elkhorn South High School and their sponsor.

The Doctor of the Day was Dr. Pat Hotovy of York.

ADJOURNMENT

At 11:54 a.m., on a motion by Senator Wishart, the Legislature adjourned until 10:00 a.m., Monday, February 28, 2022.

Patrick J. O'Donnell
Clerk of the Legislature

THIRTY-THIRD DAY - FEBRUARY 28, 2022

LEGISLATIVE JOURNAL

**ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION**

THIRTY-THIRD DAY

Legislative Chamber, Lincoln, Nebraska
Monday, February 28, 2022

PRAYER

The prayer was offered by Senator Blood.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Arch.

ROLL CALL

Pursuant to adjournment, the Legislature met at 10:00 a.m., President Foley presiding.

The roll was called and all members were present except Senator Day who was excused; and Senators M. Hansen and Morfeld who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

Change Thirty-Second Day, "Thursday, February 24" to "Friday, February 25."

Page 647, line 18, strike "1137A" and insert "1173A".

The Journal for the thirty-second day was approved as corrected.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 939. Placed on Select File with amendment.

[ER109](#)

1 1. On page 1, strike lines 2 through 4 and insert "77-2715.03,
2 Reissue Revised Statutes of Nebraska, and section 77-2734.02, Revised
3 Statutes Supplement, 2021; to change individual income and corporate tax
4 rates as prescribed; and to repeal the original sections."

LEGISLATIVE BILL 925. Placed on Select File with amendment.

[ER108](#)

- 1 1. On page 2, line 31, strike "Nebraska".
 2 2. On page 4, line 6, strike the third comma; in line 22 strike
 3 "City" and insert "city"; and in line 25 after "community" insert an
 4 underscored comma.
 5 3. On page 5, line 9, after "States" insert "Department of
 6 Agriculture" and after "and" insert "the".

LEGISLATIVE BILL 925A. Placed on Select File.

(Signed) Terrell McKinney, Chairperson

AMENDMENT(S) - Print in Journal

Senator Kolterman filed the following amendment to LB767A:
[AM2076](#)

- 1 1. Strike the original section and insert the following new section:
 2 Section 1. There is hereby appropriated (1) \$172,930 from the
 3 Department of Insurance Cash Fund for FY2022-23 and (2) \$176,277 from the
 4 Department of Insurance Cash Fund for FY2023-24 to the Department of
 5 Insurance, for Program 69, to aid in carrying out the provisions of
 6 Legislative Bill 767, One Hundred Seventh Legislature, Second Session,
 7 2022.
 8 Total expenditures for permanent and temporary salaries and per
 9 diems from funds appropriated in this section shall not exceed \$145,338
 10 for FY2022-23 or \$148,245 for FY2023-24.

COMMITTEE REPORT(S)

Natural Resources

LEGISLATIVE BILL 1015. Placed on General File.

LEGISLATIVE BILL 1023. Placed on General File with amendment.
[AM1914](#) is available in the Bill Room.

(Signed) Bruce Bostelman, Chairperson

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LRs 297, 298, 299, and 300 were adopted.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business,
 the President signed the following: LRs 297, 298, 299, and 300.

MOTION(S) - Confirmation Report(s)

Senator Lathrop moved the adoption of the Judiciary Committee report for
 the confirmation of the following appointment(s) found on page 607-608:

Crime Victim's Reparations Committee
 Gerald Randall (Rand) Hansen

Voting in the affirmative, 41:

Aguilar	Cavanaugh, M.	Hansen, B.	Lowe	Vargas
Albrecht	DeBoer	Hilgers	McDonnell	Walz
Arch	Dorn	Hilkemann	McKinney	Wayne
Blood	Erdman	Hughes	Moser	Williams
Bostelman	Flood	Jacobson	Murman	Wishart
Brandt	Friesen	Kolterman	Pahls	
Brewer	Geist	Lathrop	Sanders	
Briese	Gragert	Lindstrom	Slama	
Cavanaugh, J.	Halloran	Linehan	Stinner	

Voting in the negative, 0.

Present and not voting, 2:

Clements Hunt

Excused and not voting, 6:

Bostar	Hansen, M.	Morfeld
Day	McCollister	Pansing Brooks

The appointment was confirmed with 41 ayes, 0 nays, 2 present and not voting, and 6 excused and not voting.

Senator Bostelman moved the adoption of the Natural Resources Committee report for the confirmation of the following appointment(s) found on page 592:

Nebraska Game and Parks Commission
Scott L. Cassels

Voting in the affirmative, 37:

Aguilar	Cavanaugh, J.	Hilkemann	McDonnell	Stinner
Albrecht	DeBoer	Hughes	McKinney	Vargas
Arch	Dorn	Jacobson	Moser	Walz
Blood	Flood	Kolterman	Murman	Wayne
Bostar	Geist	Lindstrom	Pahls	Williams
Bostelman	Gragert	Linehan	Pansing Brooks	
Brandt	Hansen, B.	Lowe	Sanders	
Brewer	Hilgers	McCollister	Slama	

Voting in the negative, 1:

Erdman

Present and not voting, 8:

Briese	Clements	Halloran	Lathrop
Cavanaugh, M.	Friesen	Hunt	Wishart

Excused and not voting, 3:

Day	Hansen, M.	Morfeld
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The appointment was confirmed with 37 ayes, 1 nay, 8 present and not voting, and 3 excused and not voting.

Senator Bostelman moved the adoption of the Natural Resources Committee report for the confirmation of the following appointment(s) found on page 593:

Nebraska Ethanol Board
 Scott B. McPheeters
 Taylor D. Nelson

Voting in the affirmative, 41:

Aguilar	Clements	Hansen, B.	McCollister	Stinner
Albrecht	DeBoer	Hilgers	McDonnell	Vargas
Arch	Dorn	Hilkemann	McKinney	Walz
Blood	Erdman	Hughes	Moser	Wayne
Bostar	Flood	Jacobson	Murman	Williams
Bostelman	Friesen	Kolterman	Pahls	
Brandt	Geist	Lindstrom	Pansing Brooks	
Brewer	Gragert	Linehan	Sanders	
Cavanaugh, J.	Halloran	Lowe	Slama	

Voting in the negative, 0.

Present and not voting, 5:

Briese	Cavanaugh, M.	Hunt	Lathrop	Wishart
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Excused and not voting, 3:

Day	Hansen, M.	Morfeld
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The appointments were confirmed with 41 ayes, 0 nays, 5 present and not voting, and 3 excused and not voting.

Senator Bostelman moved the adoption of the Natural Resources Committee report for the confirmation of the following appointment(s) found on page 613:

Nebraska Power Review Board
 Bridget Troxel Peck

Voting in the affirmative, 41:

Aguilar	Clements	Hansen, B.	Lowe	Slama
Albrecht	DeBoer	Hilgers	McCollister	Stinner
Arch	Dorn	Hilkemann	McDonnell	Vargas
Blood	Erdman	Hughes	McKinney	Walz
Bostar	Flood	Jacobson	Moser	Williams
Bostelman	Friesen	Kolterman	Murman	
Brandt	Geist	Lathrop	Pahls	
Brewer	Gragert	Lindstrom	Pansing Brooks	
Cavanaugh, J.	Halloran	Linehan	Sanders	

Voting in the negative, 0.

Present and not voting, 5:

Briese	Cavanaugh, M.	Hunt	Wayne	Wishart
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Excused and not voting, 3:

Day	Hansen, M.	Morfeld
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The appointment was confirmed with 41 ayes, 0 nays, 5 present and not voting, and 3 excused and not voting.

Senator Bostelman moved the adoption of the Natural Resources Committee report for the confirmation of the following appointment(s) found on page 631:

Nebraska Oil and Gas Conservation Commission
Paul E. Strommen

Voting in the affirmative, 40:

Aguilar	Clements	Halloran	Lindstrom	Pahls
Albrecht	DeBoer	Hansen, B.	Linehan	Pansing Brooks
Arch	Dorn	Hilgers	Lowe	Sanders
Blood	Erdman	Hilkemann	McCollister	Slama
Bostelman	Flood	Hughes	McDonnell	Stinner
Brandt	Friesen	Jacobson	McKinney	Vargas
Brewer	Geist	Kolterman	Moser	Walz
Briese	Gragert	Lathrop	Murman	Williams

Voting in the negative, 0.

Present and not voting, 6:

Bostar	Cavanaugh, M.	Wayne
Cavanaugh, J.	Hunt	Wishart

Excused and not voting, 3:

Day Hansen, M. Morfeld

The appointment was confirmed with 40 ayes, 0 nays, 6 present and not voting, and 3 excused and not voting.

Senator Bostelman moved the adoption of the Natural Resources Committee report for the confirmation of the following appointment(s) found on page 631:

Nebraska Oil and Gas Conservation Commission
Dallen R. Juelfs

Voting in the affirmative, 41:

Aguilar	Cavanaugh, J.	Halloran	Linehan	Slama
Albrecht	Clements	Hansen, B.	McCollister	Stinner
Arch	DeBoer	Hilgers	McDonnell	Vargas
Blood	Dorn	Hilkemann	McKinney	Walz
Bostar	Erdman	Hughes	Moser	Williams
Bostelman	Flood	Jacobson	Murman	
Brandt	Friesen	Kolterman	Pahls	
Brewer	Geist	Lathrop	Pansing Brooks	
Briese	Gragert	Lindstrom	Sanders	

Voting in the negative, 0.

Present and not voting, 5:

Cavanaugh, M. Hunt Lowe Wayne Wishart

Excused and not voting, 3:

Day Hansen, M. Morfeld

The appointment was confirmed with 41 ayes, 0 nays, 5 present and not voting, and 3 excused and not voting.

BILL ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 592.

A BILL FOR AN ACT relating to the Automated Medication Systems Act; to amend sections 71-2449 and 71-2451, Reissue Revised Statutes of Nebraska; to provide for use of automated medication distribution machines as prescribed; to change provisions relating to emergency doses and prescription requirements; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

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

Voting in the negative, 0.

Excused and not voting, 3:

Day Hansen, M. Morfeld

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

WITHDRAW - Motion to LB708

Senator M. Cavanaugh withdrew her motion, [MO149](#), found on page 616, to bracket LB708 until April 20, 2022.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 708.

A BILL FOR AN ACT relating to law; to amend section 49-707, Reissue Revised Statutes of Nebraska; to eliminate a copyright requirement; to harmonize provisions; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 45:

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

Voting in the negative, 0.

Present and not voting, 1:

DeBoer

Excused and not voting, 3:

Day Hansen, M. Morfeld

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 754.

A BILL FOR AN ACT relating to schools; to amend section 79-10,110.03, Revised Statutes Supplement, 2021; to extend the commercial air filter pilot program; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 41:

Aguilar	Cavanaugh, J.	Hilgers	McCollister	Vargas
Albrecht	DeBoer	Hilkemann	McDonnell	Walz
Arch	Dorn	Hughes	McKinney	Wayne
Blood	Flood	Hunt	Moser	Williams
Bostar	Friesen	Jacobson	Murman	Wishart
Bostelman	Geist	Kolterman	Pansing Brooks	
Brandt	Gragert	Lathrop	Sanders	
Brewer	Halloran	Lindstrom	Slama	
Briese	Hansen, B.	Linehan	Stinner	

Voting in the negative, 3:

Clements Erdman Lowe

Present and not voting, 2:

Cavanaugh, M. Pahls

Excused and not voting, 3:

Day Hansen, M. Morfeld

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 758.

A BILL FOR AN ACT relating to the Nebraska Farm-to-School Program Act; to amend sections 79-2902 and 79-2904, Revised Statutes Supplement, 2021; to define terms; to change provisions relating to the Nebraska farm-to-school program; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

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

Voting in the negative, 0.

Excused and not voting, 3:

Day Hansen, M. Morfeld

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 892.

A BILL FOR AN ACT relating to the Nebraska Real Estate License Act; to amend section 81-885.02, Reissue Revised Statutes of Nebraska, and sections 81-885.04 and 81-885.13, Revised Statutes Cumulative

Supplement, 2020; to change provisions relating to restrictions on unlicensed persons, applicability of the act, and broker's license applications; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 39:

Aguilar	Briese	Hansen, B.	Linehan	Sanders
Albrecht	Cavanaugh, J.	Hilgers	McCollister	Stinner
Arch	Cavanaugh, M.	Hilkemann	McDonnell	Vargas
Blood	DeBoer	Hunt	McKinney	Walz
Bostar	Dorn	Jacobson	Moser	Wayne
Bostelman	Flood	Kolterman	Murman	Williams
Brandt	Friesen	Lathrop	Pahls	Wishart
Brewer	Gragert	Lindstrom	Pansing Brooks	

Voting in the negative, 5:

Clements	Erdman	Halloran	Lowe	Slama
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Present and not voting, 2:

Geist	Hughes
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Excused and not voting, 3:

Day	Hansen, M.	Morfeld
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

GENERAL FILE

LEGISLATIVE BILL 91. Title read. Considered.

Committee [AM96](#), found on page 398, First Session, 2021, was adopted with 41 ayes, 0 nays, 6 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 43 ayes, 0 nays, 4 present and not voting, and 2 excused and not voting.

MESSAGE(S) FROM THE GOVERNOR

February 28, 2022

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

Dear Mr. O'Donnell:

Engrossed Legislative Bill 906E was received in my office on February 25, 2022.

This bill was signed and delivered to the Secretary of State on February 28, 2022.

Sincerely,
(Signed) Pete Ricketts
Governor

COMMITTEE REPORT(S)
Health and Human Services**LEGISLATIVE BILL 856.** Placed on General File.**LEGISLATIVE BILL 1091.** Placed on General File with amendment.[AM1875](#)

1 1. Strike the original sections and insert the following new
2 sections:
3 Section 1. Sections 1 to 6 of this act shall be known and may be
4 cited as the Nebraska Nursing Incentive Act.
5 Sec. 2. The Legislature finds and declares that:
6 (1) There is a nursing shortage in Nebraska. Nebraska will
7 experience a shortage of more than five thousand nurses by 2025. Seventy-
8 three of Nebraska's ninety-three counties have less than the national
9 average ratio of registered nurses to patients. Sixty-six counties in
10 Nebraska have been deemed medically underserved. Nine counties in
11 Nebraska have no registered nurses, and four counties have just one
12 registered nurse; and
13 (2) The nursing shortage affects both Nebraska's physical health and
14 its economic health. Lack of care impedes the ability of communities
15 throughout the state to attract and retain residents and the businesses
16 that employ them. The issue has only become more exacerbated during the
17 COVID-19 pandemic.
18 Sec. 3. For purposes of the Nebraska Nursing Incentive Act:
19 (1) Approved nursing program means a program that (a) is approved
20 pursuant to sections 38-2232 to 38-2236, (b) is offered by a public or
21 private postsecondary institution in Nebraska, and (c) consists of
22 courses of instruction in regularly scheduled classes leading only to an
23 associate degree, diploma, or certificate in nursing; and
24 (2) Department means the Department of Health and Human Services.
25 Sec. 4. The department shall administer a scholarship program under
26 the Nebraska Nursing Incentive Act and shall award scholarships to
27 students who qualify under section 5 of this act.

1 Sec. 5. (1) To qualify for a scholarship under the Nebraska Nursing
 2 Incentive Act, a student shall (a) be a resident of Nebraska, (b) intend
 3 to enroll or be enrolled in an approved nursing program, (c) intend to
 4 practice as a licensed practical nurse, licensed registered nurse, or
 5 nurse aide upon completion of the approved nursing program, and (d) agree
 6 in writing to work for two years in this state as a licensed practical
 7 nurse, licensed registered nurse, or nurse aide upon completion of the
 8 approved nursing program.
 9 (2) A student who meets the requirements of subsection (1) of this
 10 section shall receive a scholarship of up to two thousand five hundred
 11 dollars per semester.
 12 Sec. 6. It is the intent of the Legislature to appropriate five
 13 million dollars from Federal Funds for fiscal year 2022-23 to the
 14 department to carry out the Nebraska Nursing Incentive Act. The Federal
 15 Funds to be appropriated are from funds allocated to the State of
 16 Nebraska from the federal Coronavirus State Fiscal Recovery Fund pursuant
 17 to the federal American Rescue Plan Act of 2021, Public Law 117-2,
 18 Subtitle M, Sec. 9901.

The Health and Human Services 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.

Cheryl Livingston - Commission for the Blind and Visually Impaired
 Linda Mentink - Commission for the Blind and Visually Impaired

Aye: 7. Arch, Cavanaugh, M., Day, Hansen, B., Murman, Walz, Williams.
 Nay: 0. Absent: 0. Present and not voting: 0.

The Health and Human Services 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.

Richard L. Wiener - Foster Care Advisory Committee

Aye: 7. Arch, Cavanaugh, M., Day, Hansen, B., Murman, Walz, Williams.
 Nay: 0. Absent: 0. Present and not voting: 0.

The Health and Human Services 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.

Peggy A. Williams - Commission for the Deaf and Hard of Hearing

Aye: 7. Arch, Cavanaugh, M., Day, Hansen, B., Murman, Walz, Williams.
 Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) John Arch, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 308. Introduced by McDonnell, 5.

WHEREAS, over one hundred nine thousand health care workers that care for the sick and injured are employed in Nebraska; and

WHEREAS, Nebraska's health care workers are stewards of good health; and

WHEREAS, Nebraska's health care workers are always there in times of need for emergencies, lifesaving treatments, life-enhancing education, welcoming new lives into the world, and helping patients and families at the end of life; and

WHEREAS, the contributions of Nebraska's health care workers to their communities have been invaluable throughout the global pandemic; and

WHEREAS, Nebraska's health care workers have gone above and beyond in caring for patients in the face of great personal risk, often putting the workers' own lives in harm's way, and loss of time with family; and

WHEREAS, Nebraska's health care workers contribute to the quality of life and health of Nebraskans, going well beyond the walls of hospitals; and

WHEREAS, Nebraska owes a profound debt of gratitude to its health care workers and their families; and

WHEREAS, Health Care Workers Appreciation Week is meant to show doctors, nurses, and everyone that works in Nebraska's health care system that their passion and hard work is noticed, valued, and respected.

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

1. That the Legislature recognizes February 28, 2022, through March 4, 2022, as Health Care Workers Appreciation Week.

2. That the Legislature urges businesses and individuals to participate in Health Care Workers Appreciation Week by displaying white ribbons in their windows or yard, lighting up businesses in white or leaving the lights on, conducting an act of kindness for a health care worker, or sharing a simple "thank you".

3. That the Legislature encourages all members of our state to express appreciation to Nebraska's health care workers for their dedication and devotion to their work.

Laid over.

LEGISLATIVE RESOLUTION 309. Introduced by Murman, 38.

WHEREAS, Future Farmers of America (FFA) is a dynamic youth organization that changes lives and prepares members for premier leadership, personal growth, and career success through agricultural education; and

WHEREAS, FFA held its ninety-fourth National Convention & Expo in Indianapolis, Indiana on October 27, 2021, through October 30, 2021; and

WHEREAS, each year at the convention, four FFA members are honored with American Star Awards for outstanding accomplishments in FFA and agricultural education, and these awards are presented to FFA members who

demonstrate outstanding agricultural skills and competencies through completion of a supervised agricultural experience; and

WHEREAS, Grady Johnson graduated from Holdrege High School in Holdrege, Nebraska and was a member of the FFA chapter there; and

WHEREAS, Grady successfully completed a supervised agricultural experience, demonstrated top management skills, completed key agricultural education, scholastic, and leadership requirements, and earned an American FFA Degree, the highest level of student accomplishment of the FFA; and

WHEREAS, Grady was named American Star Farmer at the convention; and

WHEREAS, the Legislature recognizes the 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 Grady Johnson on being named American Star Farmer for 2021 by the Future Farmers of America.

2. That copies of this resolution be sent to Holdrege High School, agriculture education teacher Jeff Moore, and Grady Johnson.

Laid over.

CONFLICT OF INTEREST STATEMENT

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

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LBs 592, 708, 754, 758, and 892.

GENERAL FILE

LEGISLATIVE BILL 59. Title read. Considered.

Advanced to Enrollment and Review Initial with 43 ayes, 0 nays, 4 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 75. Title read. Considered.

Committee [AM341](#), found on page 492, First Session, 2021, was adopted with 41 ayes, 0 nays, 6 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 45 ayes, 0 nays, 2 present

and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 705. Title read. Considered.

Committee [AM1653](#), found on page 483, was adopted with 41 ayes, 0 nays, 6 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 43 ayes, 0 nays, 4 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 1148. Title read. Considered.

Advanced to Enrollment and Review Initial with 41 ayes, 0 nays, 6 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 971. Title read. Considered.

Advanced to Enrollment and Review Initial with 45 ayes, 0 nays, 2 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 691. Title read. Considered.

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

LEGISLATIVE BILL 1178. Title read. Considered.

Advanced to Enrollment and Review Initial with 39 ayes, 0 nays, 8 present and not voting, and 2 excused and not voting.

PRESENTED TO THE GOVERNOR

Presented to the Governor on February 28, 2022, at 11:00 a.m. were the following: LBs 592, 708, 754, 758, and 892.

(Signed) Jamie Leishman
Clerk of the Legislature's Office

COMMITTEE REPORT(S)

Agriculture

The Agriculture Committee desires to report that the committee voted not to confirm the appointment(s) listed below. The Committee suggests the appointment(s) be rejected by the Legislature and suggests a record vote.

Terry L. Cone - Nebraska Brand Committee

Aye: 7. Brandt, Brewer, Cavanaugh, J., Gragert, Halloran, Hansen, B., Lathrop. Nay: 0. Absent: 1. Groene. Present and not voting: 0.

(Signed) Steve Halloran, Chairperson

AMENDMENT(S) - Print in Journal

Senator Friesen filed the following amendment to LB750:
AM2067

(Amendments to Standing Committee amendments, AM1966)

1. On page 18, line 26, strike the new matter; in line 27 strike the paragraphing and "(a) Six" and reinstate the stricken "six"; in line 28 strike the new matter and reinstate the stricken matter; and strike lines 29 and 30.
2. On page 19, line 17, strike "twenty-five" and reinstate the stricken "fifty"; and in line 19 strike "Five dollars" and insert "Four dollars and twenty-five cents".

COMMITTEE REPORT(S)

Revenue

LEGISLATIVE BILL 850. Placed on General File.

LEGISLATIVE BILL 917. Placed on General File.

LEGISLATIVE BILL 951. Indefinitely postponed.

LEGISLATIVE BILL 1272. Indefinitely postponed.

(Signed) Lou Ann Linehan, Chairperson

SELECT FILE

LEGISLATIVE BILL 847. ER104, found on page 573, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 567. ER107, found on page 573, was adopted.

Senator B. Hansen offered the following amendment:

AM1958

(Amendments to E & R amendments, ER107)

1. On page 2, line 31, strike "October 1," show as stricken, and insert "the effective date of this act".
2. On page 3, line 1, strike the new matter.
3. On page 4, line 5, strike "October 1, 2021" and insert "the effective date of this act".

The B. Hansen amendment was adopted with 37 ayes, 0 nays, 10 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 749. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 704. [ER106](#), found on page 576, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 786. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 791. Advanced to Enrollment and Review for Engrossment.

GENERAL FILE

LEGISLATIVE BILL 1236. Title read. Considered.

Committee [AM1986](#), found on page 619, was adopted with 42 ayes, 0 nays, 4 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review Initial with 39 ayes, 0 nays, 7 present and not voting, and 3 excused and not voting.

COMMITTEE REPORT(S) Enrollment and Review

LEGISLATIVE BILL 717. Placed on Select File.

LEGISLATIVE BILL 1037. Placed on Select File with amendment.

[ER110](#)

1 1. Strike the original sections and all amendments thereto and
2 insert the following new sections:
3 Section 1. (1) The Department of Administrative Services shall
4 contract for the completion of an evaluation of the state's procurement
5 practices. The evaluation shall analyze past procurement challenges and
6 address potential areas for improvement, including, but not limited to:
7 (a) Due diligence, (b) evaluation of cost, (c) accountability for
8 decisionmaking, and (d) protest procedures.
9 (2) The department shall contract with an outside consultant with
10 expertise in government procurement within sixty days after the operative
11 date of this section for the purpose of conducting such evaluation. Such
12 contract shall not be subject to any competitive bidding requirement.
13 (3) The evaluation shall be completed with input from (a) the
14 chairpersons of the Government, Military and Veterans Affairs Committee
15 of the Legislature and the Health and Human Services Committee of the
16 Legislature and other members of the Legislature as such chairpersons
17 deem appropriate, (b) the Department of Health and Human Services, and
18 (c) any other using agencies, as defined in section 81-145, deemed
19 appropriate to participate by the Department of Administrative Services.
20 (4) The Department of Administrative Services shall electronically
21 submit a report with the results of the evaluation to the Legislature and
22 the Governor on or before November 15, 2022. Such report shall include
23 recommendations for improvements to the state's procurement policies and
24 practices.
25 Sec. 2. Section 81-153, Reissue Revised Statutes of Nebraska, is

26 amended to read:

27 81-153 The materiel division shall have the power and duty to:

1 (1) Purchase or contract for, in the name of the state, the personal

2 property required by the using agencies and the state;

3 (2) Promulgate, apply, and enforce standard specifications

4 established as provided in section 81-154;

5 (3) Sell and dispose of personal property that is not needed by the

6 state or its using agencies as provided in section 81-161.04 or initiate

7 trade-ins when determined to be in the best interest of the state;

8 (4) Determine the utility, quality, fitness, and suitability of all

9 personal property tendered or furnished;

10 (5) Make rules and regulations consistent with sections 81-145 to

11 81-171 and 81-1118 to 81-1118.06 to carry into effect the provisions

12 thereof. Such rules and regulations shall include provisions for

13 modifying and terminating purchase contracts and the cost principles to

14 be used in such modification or termination;

15 (6) Employ such clerical, technical, and other assistants as may be

16 necessary to properly administer such sections, fix their compensation,

17 and prescribe their duties in connection therewith, subject to existing

18 laws and appropriations;

19 (7) Allow the purchase of personal property without competitive

20 bidding when the price has been established by the federal General

21 Services Administration or to allow the purchase of personal property by

22 participation in a contract competitively bid by another state or group

23 of states, a group of states and any political subdivision of any other

24 state, or a cooperative purchasing organization on behalf of a group of

25 states. The division may also give consideration to a sheltered workshop

26 pursuant to section 48-1503 in making such purchases;

27 (8) Enter into any personal property lease agreement when it appears

28 to be in the best interest of the state; ~~and~~

29 (9) Negotiate purchases and contracts when conditions exist to

30 defeat the purpose and principles of public competitive bidding; and -

31 (10) Obtain an electronic procurement system, which shall be funded

1 or paid for by providing the system provider with, as determined by the

2 materiel administrator, a percentage or portion of identified

3 transactions. Such percentage or portion may be collected by the system

4 provider from contractors and bidders.

5 Sec. 3. Section 81-1120, Reissue Revised Statutes of Nebraska, is

6 amended to read:

7 81-1120 (1) There is hereby created the Materiel Division Revolving

8 Fund. The fund shall be administered by the materiel division of the

9 Department of Administrative Services. The fund shall consist of (a) fees

10 paid for printing, copying, central supply, and mailing services provided

11 to state agencies and local subdivisions by the division, ~~and~~ (b)

12 assessments charged by the materiel administrator to state agencies,

13 boards, and commissions for purchasing services provided by the division,

14 and (c) any money collected pursuant to subdivision (10) of section

15 81-153. Such assessments shall be adequate to cover actual and necessary

16 expenses that are associated with providing the service and not otherwise

17 covered by the money collected pursuant to subdivision (10) of section

18 81-153. The fund shall be used to pay for expenses incurred by the

19 division to provide such services.

20 (2) State agencies, boards, and commissions shall make the materiel

21 division assessment payments to the fund no later than August 1 of each

22 year, or in four equal payments to be made no later than August 1,

23 October 1, February 1, and April 1 of each year, at the discretion of the

24 materiel administrator.

25 (3) Any money in the fund available for investment shall be invested

26 by the state investment officer pursuant to the Nebraska Capital

27 Expansion Act and the Nebraska State Funds Investment Act.

28 Sec. 4. Sections 2, 3, and 5 of this act become operative three
 29 calendar months after the adjournment of this legislative session. The
 30 other sections of this act become operative on their effective date.
 31 Sec. 5. Original sections 81-153 and 81-1120, Reissue Revised
 1 Statutes of Nebraska, are repealed.
 2 Sec. 6. Since an emergency exists, this act takes effect when
 3 passed and approved according to law.
 4 2. On page 1, strike lines 2 and 3 and insert "to amend sections
 5 81-153 and 81-1120, Reissue Revised Statutes of Nebraska; to require an
 6 evaluation of the state's procurement practices; to change powers and
 7 duties of the materiel division and provisions relating to the Materiel
 8 Division Revolving Fund; to provide operative dates; to repeal the
 9 original sections; and to declare an emergency."

LEGISLATIVE BILL 848. Placed on Select File.
LEGISLATIVE BILL 767A. Placed on Select File.

(Signed) Terrell McKinney, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 310. Introduced by Lindstrom, 18;
 Hansen, B., 16.

WHEREAS, Mr. Vincent Einar Lindstrom was born on August 26, 1926,
 in Oakland, Nebraska; and

WHEREAS, Vincent graduated from Oakland High School at the age of
 sixteen; and

WHEREAS, Vincent was called to duty with the United States Army
 235th Division in January 1951 and served his country honorably; and

WHEREAS, Vincent, following his service in the United States Army,
 settled in Burt County, Nebraska, raising six children while farming the land
 and later enjoying the company of fourteen grandchildren and seven great
 grandchildren; and

WHEREAS, Vincent has been a lifelong member of the First Lutheran
 Church; and

WHEREAS, Vincent served as a past school board member, and a past
 member of the Viking Lodge in Oakland and was the Oakland Swedish
 Festival King in 2011; and

WHEREAS, Vincent continues to be a role model for the Oakland
 community, volunteering for many organizations, including the Burt County
 Fair, the Golden Oaks Senior Center, and the Oakland Heights Nursing
 Home where he performs on the piano for residents. He is a self-taught
 pianist that learned at the young age of eighty-five.

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

1. That the Legislature expresses gratitude to Mr. Vincent Lindstrom for
 his many years of service to his country, his community, and the State of
 Nebraska and congratulates him on his ninety-fifth birthday.

2. That a copy of this resolution be sent to Mr. Vincent Lindstrom.

Laid over.

ATTORNEY GENERAL'S OPINION

Opinion 22-002

SUBJECT: Constitutionality of Legislation Providing for the Sale and Reacquisition of Educational Lands by the State Board of Educational Lands and Funds Under Certain Circumstances and Conditions (LB 711).

REQUESTED BY: Senator Lynne Walz
 Nebraska State Legislature

WRITTEN BY: Douglas J. Peterson, Attorney General
 John L. Jelkin, Assistant Attorney General

INTRODUCTION

LB 711 (2022) proposes to require the State Board of Educational Lands and Funds ["Board"] to sell school lands to lessees for economic development, provided that the buyer increases the appraised value of the land by double sometime during a five-year period after purchase. The bill provides that school lands shall be sold pursuant to public auction to the lessee or someone else who is willing to enter into an agreement to increase the land by double sometime during a five-year period after the sale. LB 711 further provides that, should the successful buyer fail to double the appraised value of the land, the Board shall reacquire the land at the land's appraised value based upon its current use rather than the land's fair market value. Additionally, LB711 provides that the Board may not sell tracts of land smaller than 40 acres.

Your opinion request letter expresses concerns that LB 711:

1. Permits the Board to sell school lands only when the purchaser intends to use the land for economic development;
2. Requires that the appraised value of the school lands to be sold shall be based on the "current use" of the land and not the highest and best use of the land;

3. Limits the Board's ability to sell tracts smaller than 40 acres, or to allow tracts smaller than 40 acres remaining after sale;
4. Requires the Board to sell a property upon the request of a lessee within 120 days after the board's acceptance of the agreement; and
5. Requires the Board to reacquire school lands if the valuation goals are not met by the purchaser within five years.

With respect to these concerns, you ask us to address whether these provisions unconstitutionally hamper and limit the Board's ability to fulfill its fiduciary duty to manage the Board's property for the benefit of the State's school children.

BACKGROUND

On April 19, 1864, the U.S. Congress passed, and President Abraham Lincoln signed the Enabling Act. (U.S. Stat. at Large, Vol. 13, p. 47.) The Enabling Act allowed the people of Nebraska to form a Constitution and State Government and granted the State of Nebraska admission into the Union on an equal footing with the original States. Section 7 of the Enabling Act provides:

And be it further enacted, that sections number sixteen and thirty-six in every township . . . , shall be, and are hereby granted to said State for the support of the common schools. (U.S. Stat. at Large, Vol. 13, p. 47).

Thereafter, the people of Nebraska did form a Constitution and State Government and by proclamation of then President Andrew Johnson, the State of Nebraska was admitted to the Union on March 1, 1867.

Neb. Const. art. VII, § 6, provides, in relevant part:

No lands now owned or hereafter acquired by the state for educational purposes shall be sold except at public auction under such conditions as the Legislature shall provide. The general management of all lands set apart for educational purposes shall be vested, under the direction of the Legislature, in a board of five members known as the Board of Educational Lands and Funds.

The Nebraska Supreme Court has long recognized that "[t]he public school lands of the state are trust property and the state is required to

administer them as such for the benefit of the common schools of the state." *State ex rel. Ebke v. Board of Educ. Lands and Funds*, 154 Neb. 244, 247, 47 N.W.2d 520, 522 (1951) ["Ebke"]. The Court in Ebke recognized that

[b]y constitutional provision the lands set aside for the support of schools by the federal government are held in trust by the state. . . .These lands, therefore, are subject to the rules of law applicable to the handling of trust estates because of the status assigned to them by the Constitution. *Id.* at 248, 47 N.W.2d at 522-23.

Discussing the authority of the Legislature to provide for the sale of school lands, the *Ebke* Court stated:

That the Legislature has the power to provide the method of administering the public school lands of the state as a trust is not subject to question. But the method provided must be one which is within the law governing the administration of trust estates. The designation of these lands as a trust in the Constitution has the effect of incorporating into the constitutional provision the rules of law regulating the administration of trusts and the conduct and duties of trustees. A breach of trust in such a situation is in effect a violation of the constitutional provision and has the effect of invalidating the legislation authorizing the breach. *Id.* at 254-55, 47 N.W.2d at 525.

The fiduciary duty placed on the administration of educational lands was also recognized in *Propst v. Board of Educ. Lands and Funds*, 156 Neb. 226, 233-34, 55 N.W.2d 653, 657 (1952), where the Court stated:

The school lands were received and are held in trust by the State of Nebraska for Educational purposes. The state as trustee of the lands and of the income therefrom is required to administer the trust estate under the rules applicable to trustees acting in a fiduciary capacity. The title of the lands is not vested in the state with all of the ordinary incidents of other titles, but the title thereto was granted to and vested in the state upon an express trust for the 'support of common schools' with no right or power of the state to use, dispose of, or alienate the lands or any part thereof, except as allowed by the Enabling Act and the Constitution.

In Op. Att'y Gen. No. 91052 (June 7, 1991), this office summarized these principles as follows:

[I]t is within the authority of the Legislature to direct the sale of public school lands under such conditions as the Legislature shall provide. It must be noted however, the general management of the lands is vested in

the Board of Educational Lands and Funds The power of the Legislature to direct the sale of educational lands is not without limits. In directing the sale of trust property, the Legislature may not require the sale in a manner which would cause the Board to violate the fiduciary duties which bind the management of educational lands by the Board. . . . Consequently, the State as trustee of the lands and of the income therefrom, is required to administer the trust estate under the rules of law applicable to trustees acting in a fiduciary capacity.

ANALYSIS

Considering this background, we will proceed to examine each of your concerns regarding the constitutionality of LB 711.

1. Is it constitutional to limit sales of school land to purchasers that intend to use the land for economic development?

Response: No.

LB 711, Section 2 provides that "[t]he Board of Educational land and funds shall review and set priorities for the sale of lands covered by leases expiring each year, giving the highest priority to those lands which it determines, considering all relevant factors, can be sold to the best advantage for purposes of economic development." (emphasis added).

The most obvious concern about this provision is that it violates the state's duty as trustee to act solely in the best interests of the beneficiaries of the trust. *See* Neb. Rev. Stat. § 30-3867(a) (2016) ("A trustee shall administer the trust **solely** in the interests of the beneficiaries.") (emphasis added). In this case, the beneficiaries are the children of the common schools.

LB 711, Section 3 appears to change Nebraska law to permit the sale of school lands only if the purchaser agrees to use the land for "economic development." Sections 1, 2, 3 and 4. The original language of this section generally authorizes sales of school land. The proposed language appears to provide that **all** sales of school lands are limited to those purchasers who intend to use the land for economic development and who are willing to enter into an agreement to develop the land for economic development and double the appraised value of the land within five years. This provision restricts the Board from selling to anyone else who intends to use the land for farming, ranching or any other purpose that does not constitute economic development. By limiting the pool of prospective bidders, LB 711 results in the Board receiving less money than the property might otherwise bring when all prospective bidders are permitted to participate in the bidding. "A trustee is required to dispose of trust property upon the

most advantageous terms which it is possible for him to secure for the benefit of the cestui que trust whom he represents." *Ebke*, 154 Neb. at 249, 47 N.W.2d at 523. "The duty of loyalty requires a trustee to administer the trust solely in the interests of the beneficiaries. *In re Estate of Stuchlik*, 289 Neb. 673, 688, -857 N.W.2d 57, 69 (2014). Limiting the sale of school lands to only buyers that propose to use the land for economic development violates the state's duty of loyalty to the beneficiaries of the trust.

Further, the "[s]tate, as trustee of public school lands, is without power through legislative means or otherwise to bestow a special benefit upon any person or corporation, public or private, at the expense of the *cestui que trust*, the public school system of the state." *State Bd. of Educational Lands and Funds v. Jarchow*, 219 Neb. 88, 99, 362 N.W.2d 19, 26 (1985) (quoting *State v. Platte Valley Public Power and Irr. Dist.*, 143 Neb. 661, 664, 10 N.W.2d 631, 633 (1943) (emphasis in original)). LB 711's requirement that school lands be sold only for economic development benefits the developer of the lands, and it does so at the expense of the cestui que trust. In other words, it violates the state's duty of loyalty as a trustee of the school lands by bestowing a benefit on a developer at the expense of the education of the state's school children. If the school lands can be developed and their value doubled within five years, the opportunity to develop the property and benefit from the increase in value belongs to the trust, not a third-party purchaser.

Again, the lands set aside for the public schools "by Constitution and congressional act, belong to the public school system of the state and the state is but the trustee thereof." *State ex rel. Johnson v. Central Neb. Public Power & Irr. Dist.*, 143 Neb. 153, 167, 8 N.W.2d 841, 849 (1943). The state, under the guise of economic development, cannot transfer the benefit of developing school lands from the trust to a private developer. The state as trustee owes a duty to the beneficiaries to maximize the income and value of the trust. It may not choose economic development over judicious administration of the assets for the benefit of the trust.

2. Is it constitutional to require that the appraised value of the school land to be sold must be based on the "current use of the land" rather than the "highest and best use" of the property?

Response: No.

The bill provides that that the "appraised value" of school lands subject to sale is to be determined based on the "current use of the land." LB 711, Section 1. The bill eliminates language currently in § 72-257 providing that school land sold at public auction "may be appraised for purposes of sale in the same manner as privately owned land by a certified general real property

appraiser appointed by the board...." *Id.* The bill does not define what "current use of the land" means or how an appraisal is to be made based on such use.

It is our understanding that a valuation based on the current use of property is considered a hypothetical condition or restricted use for valuation purposes. Such valuation method does not arrive at the highest and best use which determination is necessary to obtain the fair market value of the land. The net effect of using a hypothetical condition or restricted use is to value the property at less than its fair market value. A reduced valuation gives the prospective buyer a benefit at the expense of the trust.

"All actions of the trustee must be in the interest of the beneficiaries and no one else." *In re William R. Zutavern Revocable Trust*, 309 Neb. 542, 557, 961 N.W.2d 807, 820-21 (2021). Requiring a valuation and sale of trust property based on the "current use of the land" rather than the fair market value of the land constitutes a breach of the fiduciary duties of a trustee to act in the best interests of the trust.

In a 2014 decision, the Nebraska Court of Appeals found that a trustee breached his fiduciary duty to beneficiaries by failing to ascertain the fair market value of trust property prior to the sale, failing to promptly offer the property for public sale, and mistakenly giving one beneficiary an opportunity to purchase the property under the assumption that she had an active option. *In re Louise V. Steinhoefel Trust*, 22 Neb. App. 293, 854 N.W.2d 792 (2014). The court noted that "[a] breach of trust includes every omission or commission which violates in any manner the obligation of carrying out a trust according to its terms." *Id.* at 299, 854 N.W.2d at 799.

The highest and best use of real estate is the valuation method generally accepted, and used, by real estate appraisers. Valuation of school lands based on "current use of the land" would exclude from consideration any value of the trust property due to future development value, location, and other unique characteristics of the property. This would result in the trust receiving less than the fair market value of school land, and essentially surrenders any added value to the buyers, to the detriment of the trust.

Finally, LB 711, Section 6 amends Neb. Rev. Stat. § 72-258.02 to state "appraised value means the value as determined by a certified general real property appraiser in the same manner as the value is determined for privately owned land." As a practical matter, we do not believe a certified general real property appraiser would be able to render an appraisal based on the "current use" of the property. Rather, a certified general real property appraiser is required to consider other factors to determine the property's

fair market value based on its highest and best use and would likely decline to render an appraisal based only on the "current use" of the property.

3. Is it constitutional to limit the Board's ability to sell tracts smaller than 40 acres, or which results in tracts smaller than 40 acres remaining after sale?

Response: No.

LB 711, Section 2 appears to preclude the Board from selling any property of less than 40 acres or to prohibit dividing land to be sold if it results in a tract of less than 40 acres remaining unsold. We have been advised that the Board presently owns many parcels of less than 40 total acres. LB 711 appears to prohibit the Board from selling any of those parcels, for any reason, at any price. We have been informed that the Board currently sells small, orphaned parcels split off from the main property by a highway. Those parcels are usually less than 40 acres. Although the Board pays taxes on these smaller parcels, the Board typically cannot rent or otherwise use those parcels.

While selling these small tracts may be in the best interests of the trust, LB 711 prohibits the Board from doing so to the detriment of the beneficiaries of the trust. Additionally, this provision would prevent the Board from developing properties next to communities or golf courses, dividing them into lots, etc., and selling them to the trust's best advantage. Additionally, it would prevent the Board from selling off acreages, pivot corners, or farmsteads, even if such sales would be in the best interests of the Trust. We believe this prohibition would prevent the Board from meeting its fiduciary obligation to maximize the income and value of the trust's assets.

4. Is it constitutional to require that the Board sell a property upon the request of a lessee within 120 days after the board's acceptance of the agreement?

Response: No.

LB 711, Section 3 appears to allow a present lessee to force the sale of any tract of school land (not just the tract the tenant is currently leasing) within 120 days. LB 711 does not provide any exception for existing leases nor does it allow the delay of the sale to coincide with the termination of the lease presently on the property. This provision would require the Board to terminate current leases early. This may result in litigation against the Board based on a breach of contract. This provision removes the Board's

discretion in these cases even though such action may not be in the best interests of the Trust.

Requiring the sale of school lands within 120 days after the request of a lessee hampers the Board's ability to exercise reasonable care and due caution in violation of the Board's duties as a trustee. "A trustee shall administer the trust as a prudent person would, by considering the purposes, terms, distributional requirements, and other circumstances of the trust. In satisfying this standard, the trustee shall exercise reasonable care, skill, and caution." Neb. Rev. Stat. § 30-3869 (2016). This duty includes the ability to decide if, and when, trust assets should be sold. To require a sale at the discretion of the tenant infringes on the Board's duties as a trustee of the school lands.

In 1949, our office was asked if the state could amend the statutes governing the sale of school lands to grant a preference to the leaseholder to purchase the lands at the highest bid made at public auction. 1949-50 Rep. Att'y Gen. 83 (Feb. 7, 1949). In that opinion, we stated:

To grant a special privilege to the lessee to purchase the lands at the highest bid would not be a sale to the highest and best bidder since the phrase "public auction" as used in our Constitution, and as above defined, clearly contemplates that the one who make the highest and best bid would receive title to the real estate free from the right of any other person to take the benefit of his bid from him simply by equaling the amount of his bid. *Id.*

Finally, "a trustee owes beneficiaries of a trust his undivided loyalty and good faith, and all of his acts as trustee must be in the interests of the cestui que trust and no one else." *Ebke*, 154 Neb. 244, 249, 47 N.W.2d at 523. This provision in LB 711 acts to thwart the Board's fiduciary duty of loyalty and good faith to the best interests of the beneficiaries and only the beneficiaries.

5. Is it constitutional to require the Board to "reacquire" certain property if the goals were not met by the purchaser?

Response: No.

LB 711, Section 3 requires that the successful bidder enter into an agreement to improve or develop the land within one year after date of purchase. The section further provides that, if the appraised value of the land is not twice as much as the purchase price at some point within five years after the date of purchase, the Board "shall take all actions necessary to reacquire such land for the State of Nebraska as educational land" and

"shall pay the purchaser the appraised value for the land...determined as of the date of the failed condition." *Id.*

"The Legislature is authorized to provide by statute the terms upon which the public school lands of the state may be sold, but such terms must be consonant with the duties and functions of a trustee acting in a fiduciary capacity. It is the duty and function of a trustee to avoid unnecessary risks of loss and at the same time to obtain a maximum return to the trust estate consistent with the avoidance of such risks." *Banks v. State*, 181 Neb. 106, 123,147 N.W.2d 2d 132, 141 (1966) (J. Carter, concurring). "A trustee shall administer the trust as a prudent person would, by considering the purposes, term, distributional requirements, and other circumstances of the trust. In satisfying this standard, the trustee shall exercise reasonable care, skill and caution." Neb. Rev. Stat. § 30-3869 (2016). Also, "[a] trustee shall take reasonable steps to take control of and protect the trust property." Neb. Rev. Stat. § 30-3874 (2016).

The reacquisition requirement in LB 711 violates the State's duty to properly administer school lands in a prudent manner as it prevents the Board from considering whether such acquisition is in the best interests of the Trust. For example, it would be a violation of the Board's fiduciary duty if it is required to assume ownership of a "development" that was a failed attempt at economic development. The property in such a failed venture could be abandoned or damaged. A trustee should not be forced to accept contaminated or otherwise undesirable property. Additionally, it would be a breach of fiduciary duty for the Board to reacquire a failed going concern if the Board lacked the ability to properly manage the going concern. It would not be a reasonable step for a trustee to accept lands that are a liability and constitute a drain on trust assets.

Finally, under current law, the Board is without funds or authority to reacquire the property from the buyer. Neb. Rev. Stat. § 79-1035.02 (2014) requires that income funds be placed in the temporary school fund which are then distributed to the common schools. The entire balance of the temporary school fund shall be used exclusively for the maintenance and support of the common schools. The expenditure of the Trust's regular income is governed by Neb. Rev. Stat. §§ 72-232.02, 77- 232.03, 77-232.04, 77-232.06, 77-232.07, and 77-240.08 (2018). None of these sections authorize the Board to expend funds to reacquire school lands.

Neb. Rev. Stat. § 79-1035.01 (2014) requires that proceeds from land sales be deposited in the permanent school fund and invested in perpetuity in trust for the benefit of the common schools. Regarding the deposit of sale proceeds in the permanent fund, that issue is governed by Neb. Rev. Stat. §§ 72-259(2) and 72-268 (2018). There are no statutes empowering

the Board to withdraw funds from the permanent fund to reacquire school lands. Thus, the Board is without authority to use the money from either fund to reacquire the land from the buyer.

CONCLUSION

For the reasons stated above, we conclude that LB 711 is unconstitutional in several respects. The proposed legislation would encroach on the Board's duties as trustee to administer the school lands. As written, LB 711 would violate the fiduciary duties placed on the state by the constitution.

Sincerely yours,
DOUGLAS J. PETERSON
Attorney General
(Signed) John L. Jelkin
Assistant Attorney General

pc: Patrick J. O'Donnell
Clerk of the Nebraska Legislature

25-421-30

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Aguilar name added to LB773.
Senator Jacobson name added to LB783.
Senator J. Cavanaugh name added to LB921.
Senator M. Hansen name added to LB1173.
Senator Blood name added to LB1241.
Senator Bostar name added to LB1241.
Senator M. Hansen name added to LR305.

VISITOR(S)

Visitor to the Chamber was Don Lease, Banner County.

The Doctor of the Day was Dr. Theresa Hatcher of Omaha

ADJOURNMENT

At 11:56 a.m., on a motion by Senator McCollister, the Legislature adjourned until 9:00 a.m., Tuesday, March 1, 2022.

Patrick J. O'Donnell
Clerk of the Legislature

THIRTY-FOURTH DAY - MARCH 1, 2022**LEGISLATIVE JOURNAL****ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION****THIRTY-FOURTH DAY**

Legislative Chamber, Lincoln, Nebraska
Tuesday, March 1, 2022

PRAYER

The prayer was offered by Reverend Darin Corder, Bennet Community Church, Bennet.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Blood.

ROLL CALL

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

The roll was called and all members were present except Senators Briese, M. Cavanaugh, Friesen, B. Hansen, and Stinner who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the thirty-third day was approved.

COMMITTEE REPORT(S)

Natural Resources

LEGISLATIVE BILL 1045. Placed on General File with amendment.

AM2081

1 1. Strike the original sections and insert the following new
2 sections:
3 Section 1. (1) For purposes of this section:
4 (a) Base load means the minimum amount of electric power delivered
5 or required over a given period of time at a steady, continuous rate;
6 (b) Base load capacity means the electric generating equipment
7 normally operated to serve electric power loads on a continuous, around-
8 the-clock basis;
9 (c) Base load unit means a plant, usually housing high-efficiency
10 steam-electric units, which is normally operated to take all or part of

11 the base load of an electric system, capable of producing more than one
 12 hundred megawatts of electricity at an essentially constant rate and
 13 running continuously, and which maximizes system mechanical and thermal
 14 efficiency and minimizes system operating costs; and
 15 (d) Public power supplier means a public power district, public
 16 power and irrigation district, or any other governmental entity providing
 17 electric service. Public power supplier includes a municipal electric
 18 utility.

19 (2) Any public power supplier that retires or permanently shuts down
 20 a base load unit, or switches fuel which reduces the base load capacity
 21 of a base load unit, before the expiration of its license or the end of
 22 its operational or useful life, as approved by the Nebraska Power Review
 23 Board in its discretion, shall:

24 (a) Pay a severance to any permanent employee employed at such base
 25 load unit who is terminated or laid off as a result of such retirement,
 26 shutdown, or reduction for a period of five years at the same rate of pay
 27 received by such employee on the employee's termination or lay-off date;
 1 and

2 (b) Remit payment of a fee of fifty million dollars to the county
 3 treasurer of the county in which such base load unit is located, such
 4 amount to be allocated to the taxing subdivisions in the county in the
 5 same proportion that payments in lieu of taxes made by the public power
 6 supplier are allocated to such subdivisions.

7 Sec. 2. Section 70-619, Reissue Revised Statutes of Nebraska, is
 8 amended to read:

9 70-619 (1) The corporate powers of the district shall be vested in
 10 and exercised by the board of directors of the district. No person shall
 11 be qualified to hold office as a member of the board of directors unless
 12 (a) he or she is a registered voter (i) of such chartered territory, (ii)
 13 of the subdivision from which a director is to be elected if such
 14 chartered territory is subdivided for election purposes as provided in
 15 subsection (1), (2), or (3) of section 70-612, or (iii) of one of the
 16 combined subdivisions from which directors are to be elected at large as
 17 provided in section 70-612 or (b) he or she is a retail customer duly
 18 certified in accordance with subsection (3) of section 70-604.03.

19 ~~(2) (2)(a) No person who is a full-time or part-time employee of the~~
 20 ~~district shall be eligible to serve as a member of the board of directors~~
 21 ~~of that district and no high-level manager employed by a district may~~
 22 ~~serve as a member of the board of directors of any district unless such~~
 23 ~~person (i) resigns or (ii) assumes an unpaid leave of absence for the~~
 24 ~~term as a member. The employing district shall grant such leave of~~
 25 ~~absence when requested by any employee for the purpose of the employee~~
 26 ~~-serving as a member of such board. A member of a governing body of any~~
 27 ~~one of the municipalities within the areas of the district may not serve~~
 28 ~~on the original board of directors under sections 70-603 to 70-609.~~

29 ~~(b) For purposes of this subsection, high-level manager means a~~
 30 ~~person employed by a district who serves in a high-level managerial~~
 31 ~~position, including chief executive officer, president, vice president,~~
 1 ~~chief financial officer, chief operations officer, general manager, or~~
 2 ~~assistant general manager.~~

3 Sec. 3. Section 70-1001, Reissue Revised Statutes of Nebraska, is
 4 amended to read:

5 70-1001 (1) In order to provide the citizens of the state with
 6 adequate and reliable electric service at as low overall cost as
 7 possible, consistent with sound business practices, it is the policy of
 8 this state to avoid and eliminate conflict and competition between public
 9 power districts, public power and irrigation districts, individual
 10 municipalities, registered groups of municipalities, electric membership
 11 associations, and cooperatives in furnishing electric energy to retail
 12 and wholesale customers, to avoid and eliminate the duplication of

13 facilities and resources which result therefrom, and to facilitate the
 14 settlement of rate disputes between suppliers of electricity.
 15 (2) It is also the policy of the state to prepare for an evolving
 16 retail electricity market if certain conditions are met which indicate
 17 that retail competition is in the best interests of the citizens of the
 18 state. The determination on the timing and form of competitive markets is
 19 a matter properly left to the states as each state must evaluate the
 20 costs and benefits of a competitive retail market based on its own unique
 21 conditions. Consequently, there is a need for the state to monitor
 22 whether the conditions necessary for its citizens to benefit from retail
 23 competition exist.
 24 (3) It is also the policy of the state to encourage and allow
 25 opportunities for private developers to develop, own, and operate
 26 renewable energy facilities intended for sale at wholesale under a
 27 statutory framework which protects the ratepayers of consumer-owned
 28 utility systems operating in the state from subsidizing the costs of such
 29 export facilities through their rates.
 30 Sec. 4. Section 70-1001.01, Reissue Revised Statutes of Nebraska, is
 31 amended to read:
 1 70-1001.01 For purposes of sections 70-1001 to 70-1028, unless the
 2 context otherwise requires:
 3 (1) Board means the Nebraska Power Review Board;
 4 (2) Electric suppliers or suppliers of electricity means any legal
 5 entity supplying, producing, or distributing electricity within the state
 6 for sale at wholesale or retail;
 7 (3) Private electric supplier means an electric supplier producing
 8 electricity from a privately developed renewable energy generation
 9 facility that is not a public power district, a public power and
 10 irrigation district, a municipality, a registered group of
 11 municipalities, an electric cooperative, an electric membership
 12 association, any other governmental entity, or any combination thereof;
 13 (4) Privately developed renewable energy generation facility means a
 14 facility that (a) generates electricity using solar, wind, geothermal,
 15 biomass, landfill gas, or biogas, including all electrically connected
 16 equipment used to produce, collect, and store the facility output up to
 17 and including the transformer that steps up the voltage to sixty thousand
 18 volts or greater, and including supporting structures, buildings, and
 19 roads, unless otherwise agreed to in a joint transmission development
 20 agreement, (b) is developed, constructed, and owned, in whole or in part,
 21 by one or more private electric suppliers, and (c) is not wholly owned by
 22 a public power district, a public power and irrigation district, a
 23 municipality, a registered group of municipalities, an electric
 24 cooperative, an electric membership association, any other governmental
 25 entity, or any combination thereof;
 26 (5) Regional transmission organization means an entity independent
 27 from those entities generating or marketing electricity at wholesale or
 28 retail, which has operational control over the electric transmission
 29 lines in a designated geographic area in order to reduce constraints in
 30 the flow of electricity and ensure that all power suppliers have open
 31 access to transmission lines for the transmission of electricity;
 1 (6) Reliable or reliability means the ability of an electric
 2 supplier whose chartered territory comprises more than one-half of the
 3 counties in Nebraska or whose service area contains a city of the
 4 metropolitan class to supply the aggregate electric power and energy
 5 requirements of its electricity consumers in Nebraska at all times,
 6 taking into account scheduled and expected unscheduled outages of system
 7 components, and to withstand sudden disturbances such as electric short
 8 circuits or unanticipated loss of system components;
 9 (7) ~~(6)~~ Representative organization means an organization designated
 10 by the board and organized for the purpose of providing joint planning

11 and encouraging maximum cooperation and coordination among electric
 12 suppliers. Such organization shall represent electric suppliers owning a
 13 combined electric generation plant capacity of at least ninety percent of
 14 the total electric generation plant capacity constructed and in operation
 15 within the state;

16 (8) (7) State means the State of Nebraska; and

17 (9) (8) Unbundled retail rates means the separation of utility bills
 18 into the individual price components for which an electric supplier
 19 charges its retail customers, including, but not limited to, the separate
 20 charges for the generation, transmission, and distribution of
 21 electricity.

22 Sec. 5. Section 70-1025, Reissue Revised Statutes of Nebraska, is
 23 amended to read:

24 70-1025 (1) The representative organization shall file with the
 25 board a coordinated long-range power supply plan containing the following
 26 information:

27 (a) The identification of all electric generation plants operating
 28 or authorized for construction within the state that have a rated
 29 capacity of at least twenty-five thousand kilowatts;

30 (b) The identification of all transmission lines located or
 31 authorized for construction within the state that have a rated capacity
 1 of at least two hundred thirty kilovolts; and

2 (c) The identification of all additional planned electric generation
 3 and transmission requirements needed to serve estimated power supply
 4 demands within the state for a period of twenty years.

5 (2) Beginning in 1986, the representative organization shall file
 6 with the board the coordinated long-range power supply plan specified in
 7 subsection (1) of this section, and the board shall determine the date on
 8 which such report is to be filed, except that such report shall not be
 9 required to be filed more often than biennially.

10 (3) An annual load and capability report shall be filed with the
 11 board by the representative organization. The report shall include:

12 (a) ~~Statewide~~ statewide utility load forecasts and the resources
 13 available to satisfy the loads over a twenty-year period; -

14 (b) Information regarding annual accredited generation unit
 15 availability including limitations, scheduled outages, and forced
 16 outages;

17 (c) A description of adequate fuel supply planning for the next two
 18 calendar years for thermal generation units which are one hundred
 19 megawatts or larger;

20 (d) A description of any changes to the accredited capacity of
 21 generating units since the last report, if applicable, and the potential
 22 impacts to electric system reliability; and

23 (e) Information on utility decarbonization goals and identified
 24 plans to achieve those goals including any potential impacts to electric
 25 system reliability.

26 (4) The annual load and capability report shall be filed on dates
 27 specified by the board.

28 Sec. 6. Original sections 70-619, 70-1001, 70-1001.01, and 70-1025,
 29 Reissue Revised Statutes of Nebraska, are repealed.

(Signed) Bruce Bostelman, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 311. Introduced by Slama, 1.

PURPOSE: The purpose of this resolution is to examine issues related to the workplace policies of the Legislature. This study shall include, but not be limited to, an examination and review of the Legislature's workplace harassment policy.

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

1. That the Executive Board of the Legislative Council 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.

SELECT FILE

LEGISLATIVE BILL 767A. Senator Kolterman offered his amendment, [AM2076](#), found on page 652.

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

Advanced to Enrollment and Review for Engrossment.

GENERAL FILE

LEGISLATIVE BILL 1099. Title read. Considered.

Committee [AM1895](#), found on page 568, was adopted with 41 ayes, 0 nays, 4 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 43 ayes, 0 nays, 2 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 964. Title read. Considered.

Advanced to Enrollment and Review Initial with 38 ayes, 0 nays, 7 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 804. Title read. Considered.

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

LEGISLATIVE BILL 887. Title read. Considered.

SENATOR WILLIAMS PRESIDING

Advanced to Enrollment and Review Initial with 37 ayes, 0 nays, 9 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 698. Title read. Considered.

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

LEGISLATIVE BILL 820. Title read. Considered.

Advanced to Enrollment and Review Initial with 35 ayes, 0 nays, 11 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 840. Title read. Considered.

Committee [AM1915](#), found on page 599, was adopted with 38 ayes, 0 nays, 8 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review Initial with 40 ayes, 0 nays, 6 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 888. Title read. Considered.

Senator Day offered her amendment, [AM1995](#), found on page 635.

SPEAKER HILGERS PRESIDING

The Day amendment was adopted with 44 ayes, 0 nays, 4 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review Initial with 44 ayes, 0 nays, 4 present and not voting, and 1 excused and not voting.

LEGISLATIVE BILL 436. Title read. Considered.

Senator B. Hansen offered the following amendment:

[AM499](#)

- 1 1. On page 3, line 18, after the second "modalities" insert
- 2 "including, but not limited to, dry needling"; and in lines 22 and 27
- 3 strike "board shall adopt" and insert "department shall adopt and
- 4 promulgate".
- 5 2. On page 4, line 7, strike "advanced practice registered nurse-;
- 6 and in line 11 strike "medical".
- 7 3. On page 5, line 21, reinstate the stricken matter beginning with
- 8 "No" through "the" and after the reinstated "the" insert "functions
- 9 outlined in section 38-408 unless the person first"; and in lines 23
- 10 through 25 reinstate the stricken matter.

11 4. On page 6, strike beginning with "accredited" in line 4 through
 12 "trainer" in line 6, show the old matter as stricken, and insert
 13 "athletic training education program accredited by an accrediting body
 14 approved by the board".

The B. Hansen amendment was adopted with 43 ayes, 0 nays, 4 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 43 ayes, 0 nays, 4 present and not voting, and 2 excused and not voting.

COMMITTEE REPORT(S)

Revenue

LEGISLATIVE BILL 596. Placed on General File with amendment.

[AM2034](#)

1 1. On page 2, line 31, strike "three" and insert "five".
 2 2. On page 3, line 3, strike "five" and insert "eight"; and in line
 3 11 strike "2021" and insert "2022".
 4 3. On page 4, strike lines 3 through 5 and insert the following new
 5 subsection:
 6 "(2) The department shall consider applications in the order in
 7 which they are received and may approve tax credits until the annual
 8 limit for the calendar year has been reached. For calendar year 2022, the
 9 annual limit on tax credits shall be two million dollars. For calendar
 10 year 2023 and each calendar year thereafter, the annual limit on tax
 11 credits shall be calculated by taking the annual limit from the prior
 12 calendar year and then multiplying such amount by (a) two hundred percent
 13 if the amount of tax credits approved in the prior calendar year exceeded
 14 ninety percent of the annual limit applicable to that calendar year or
 15 (b) one hundred percent if the amount of tax credits approved in the
 16 prior calendar year did not exceed ninety percent of the annual limit
 17 applicable to that calendar year. In no case shall the annual limit on
 18 tax credits exceed four million dollars."; and in line 19 strike "2025"
 19 and insert "2026".

LEGISLATIVE BILL 729. Placed on General File with amendment.

[AM2084](#)

1 1. On page 4, line 11, after the second "and" insert ", in
 2 consultation with the Speaker of the Legislature, the chairperson of the
 3 Executive Board of the Legislative Council, the chairperson of the
 4 Appropriations Committee of the Legislature, and the chairperson of the
 5 Revenue Committee of the Legislature,".

LEGISLATIVE BILL 730. Placed on General File with amendment.

[AM2087](#) is available in the Bill Room.

LEGISLATIVE BILL 1080. Placed on General File with amendment.

[AM2039](#)

1 1. Strike the original sections and insert the following new
 2 sections:
 3 Section 1. Section 77-3506, Revised Statutes Cumulative Supplement,
 4 2020, is amended to read:
 5 77-3506 (1) All homesteads in this state shall be assessed for
 6 taxation the same as other property, except that there shall be exempt
 7 from taxation, on any homestead described in subsection (2) of this

8 section, one hundred percent of the exempt amount.

9 (2) The exemption described in subsection (1) of this section shall
10 apply to homesteads of:

11 (a) A veteran who was discharged or otherwise separated with a
12 characterization of honorable or general (under honorable conditions),
13 who is drawing compensation from the United States Department of Veterans
14 Affairs because of one hundred percent service-connected permanent
15 disability, and who is not eligible for total exemption under sections
16 77-3526 to 77-3528;

17 ~~(b) An an unremarried surviving spouse of such a veteran described
18 in subdivision (2)(a) of this section, or a surviving spouse of such a
19 veteran who remarries after attaining the age of fifty-seven years;~~
20 (c) A veteran who was discharged or otherwise separated with a
21 characterization of honorable or general (under honorable conditions),
22 who is drawing compensation from the United States Department of Veterans
23 Affairs because of one hundred percent service-connected temporary
24 disability, and who is not eligible for total exemption under sections
25 77-3526 to 77-3528, an unremarried spouse of such a veteran, or a
26 surviving spouse of such a veteran who remarries after attaining the age
27 of fifty-seven years;

1 ~~(d) (b)~~ An unremarried surviving spouse of any veteran, including a
2 veteran other than a veteran described in section 80-401.01, who was
3 discharged or otherwise separated with a characterization of honorable or
4 general (under honorable conditions) and who died because of a service-
5 connected disability or a surviving spouse of such a veteran who
6 remarries after attaining the age of fifty-seven years;

7 ~~(e) (e)~~ An unremarried surviving spouse of a serviceman or
8 servicewoman, including a veteran other than a veteran described in
9 section 80-401.01, whose death while on active duty was service-connected
10 or a surviving spouse of such a serviceman or servicewoman who remarries
11 after attaining the age of fifty-seven years; and

12 ~~(f) (d)~~ An unremarried surviving spouse of a serviceman or
13 servicewoman who died while on active duty during the periods described
14 in section 80-401.01 or a surviving spouse of such a serviceman or
15 servicewoman who remarries after attaining the age of fifty-seven years.

16 (3) Application for exemption under subdivision (2)(a) of this
17 section shall be required once every five years and shall include
18 certification of the status described in subdivision (2)(a) set forth in
19 subsection (2) of this section from the United States Department of
20 Veterans Affairs. Application for exemption under subdivision (2)(b),
21 (c), (d), (e), or (f) of this section shall be required annually and
22 shall include certification of the status described in subdivision (2)
23 (b), (c), (d), (e), or (f) of this section from the United States
24 Department of Veterans Affairs, except that such certification of status
25 shall only be required once every five years. ~~Such certification shall not~~
26 be required in succeeding years if no change in status has occurred,
27 except that the county assessor or the Tax Commissioner may request such
28 certification to verify that no change in status has occurred.

29 Sec. 2. Section 77-3512, Revised Statutes Supplement, 2021, is
30 amended to read:

31 77-3512 (1) It shall be the duty of each owner who wants a
1 homestead exemption under section 77-3506, 77-3507, or 77-3508 to file an
2 application therefor with the county assessor of the county in which the
3 homestead is located after February 1 and on or before June 30 of each
4 year. ~~Failure to do so shall constitute a waiver of the exemption for~~
5 ~~that year~~, except that:

6 ~~(a) (1)~~ The county board of the county in which the homestead is
7 located may, by majority vote, extend the deadline for an applicant to on
8 or before July 20. An extension shall not be granted to an applicant who
9 received an extension in the immediately preceding year;

10 (b) (2) An owner may file a late application pursuant to section
 11 77-3514.01 if he or she includes documentation of a medical condition
 12 which impaired the owner's ability to file the application in a timely
 13 manner; ~~and~~
 14 (c) (3) An owner may file a late application pursuant to section
 15 77-3514.01 if he or she includes a copy of the death certificate of a
 16 spouse who died during the year for which the exemption is requested; -
 17 (d) A veteran qualifying for a homestead exemption under subdivision
 18 (2)(a) of section 77-3506 shall only be required to file an application
 19 once every five years; and
 20 (e) If a veteran who has been granted a homestead exemption under
 21 subdivision (2)(a) of section 77-3506 dies during the five-year exemption
 22 period, the surviving spouse of such veteran shall continue to receive
 23 such exemption for the remainder of the five-year exemption period. After
 24 the expiration of the five-year exemption period, the surviving spouse
 25 shall be required to file for an exemption under subdivision (2)(b) of
 26 section 77-3506 on an annual basis.
 27 (2) Failure to file an application as required in subsection (1) of
 28 this section shall constitute a waiver of the exemption for the year in
 29 which the failure occurred.

30 Sec. 3. Section 77-3513, Reissue Revised Statutes of Nebraska, is
 31 amended to read:
 1 77-3513 The county assessor shall mail a notice on or before April 1
 2 to claimants who are the owners of a homestead which was granted an
 3 exemption under section 77-3506, 77-3507, or 77-3508 and who are required
 4 to refile for such exemption in the current preceding year unless the
 5 claimant has already filed the application for the current year or the
 6 county assessor has reason to believe there has been a change of
 7 circumstances so that the claimant no longer qualifies. The notice shall
 8 include the claimant's name, the application deadlines for the current
 9 year, a list of documents that must be filed with the application, and
 10 the county assessor's office address and telephone number.

11 Sec. 4. Section 77-3522, Reissue Revised Statutes of Nebraska, is
 12 amended to read:
 13 77-3522 (1) Any person who makes any false or fraudulent claim for
 14 exemption or any false statement or false representation of a material
 15 fact in support of such claim or any person who knowingly assists another
 16 in the preparation of any such false or fraudulent claim or enters into
 17 any collusion with another by the execution of a fictitious deed or other
 18 instrument for the purpose of obtaining unlawful exemption under sections
 19 77-3501 to 77-3529 shall be guilty of a Class II misdemeanor and shall be
 20 subject to a forfeiture of any such exemption for a period of two years
 21 from the date of conviction. Any person who shall make an oath or
 22 affirmation to any false or fraudulent application for homestead
 23 exemption knowing the same to be false or fraudulent shall be guilty of a
 24 Class I misdemeanor.
 25 (2) In addition to the penalty provided in subsection (1) of this
 26 section, if any person (a) files a claim for exemption as provided in
 27 section 77-3506, 77-3507, or 77-3508 which is excessive due to
 28 misstatements by the owner filing such claim or (b) fails to notify the
 29 county assessor of a change in status of a veteran qualifying for a
 30 homestead exemption under subdivision (2)(a) of section 77-3506 which
 31 affected all or a portion of the exemption period, including a change in
 1 rating, a transfer of the property, or the death of the veteran, the
 2 claim may be disallowed in full and, if the claim has been allowed, an
 3 amount equal to the amount of taxes lawfully due during the applicable
 4 exemption period but not paid by reason of such unlawful and improper
 5 allowance of homestead exemption shall be due and shall upon entry of the
 6 amount thereof on the books of the county treasurer be a lien on such
 7 property until paid and a penalty equal to the amount of taxes lawfully

8 due but claimed for exemption shall be assessed. Any amount paid to
 9 satisfy a lien imposed pursuant to this subsection shall be paid to the
 10 county treasurer in the same manner that other property taxes are paid,
 11 and the county treasurer shall remit such amount to the State Treasurer
 12 for credit to the General Fund. Any penalty collected pursuant to this
 13 subsection shall be retained by the county in which such penalty is
 14 assessed.

15 (3) For any veteran claiming a homestead exemption under subdivision
 16 (2)(a) of section 77-3506, the county assessor may revoke such exemption
 17 back to the date on which the county assessor has reason to believe that
 18 the exemption was improper upon notice to the veteran of the revocation.
 19 The veteran may then provide evidence in favor of receiving the exemption
 20 to the county assessor, and the county assessor may revise any revocation
 21 based on such evidence. Any decision of the county assessor to revoke a
 22 homestead exemption under this subsection may be appealed to the county
 23 board within thirty days after the decision. The county board may reverse
 24 or modify the revocation if there is clear and convincing evidence that
 25 the veteran qualified for the exemption for a particular period of time.
 26 (4) Any additional taxes or penalties imposed pursuant to this
 27 section may be appealed in the same manner as appeals are made under
 28 section 77-3519.

29 Sec. 5. This act becomes operative on January 1, 2023.

30 Sec. 6. Original sections 77-3513 and 77-3522, Reissue Revised

31 Statutes of Nebraska, section 77-3506, Revised Statutes Cumulative

1 Supplement, 2020, and section 77-3512, Revised Statutes Supplement, 2021,
 2 are repealed.

(Signed) Lou Ann Linehan, Chairperson

BILL ON FIRST READING

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

LEGISLATIVE BILL 939A. Introduced by Linehan, 39.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 939, One Hundred Seventh Legislature, Second Session, 2022.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 312. Introduced by Hilkemann, 4.

WHEREAS, families are adversely affected by problem gambling in Nebraska; and

WHEREAS, the State of Nebraska allocates funds to provide education, counseling, and support to families affected by problem gambling; and

WHEREAS, awareness of the signs and symptoms is the key to recognizing problem gambling; and

WHEREAS, providing education to the residents of Nebraska about the dangers of problem gambling is needed to promote the prevention of problem gambling in the future.

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

1. That the Legislature recognizes March 2022 as Problem Gambling Awareness Month in Nebraska.
2. That a copy of this resolution be sent to the National Council on Problem Gambling, the Nebraska Council on Compulsive Gambling, and the Nebraska Commission on Problem Gambling.

Laid over.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Jacobson name added to LB773.
Senator Moser name added to LB773.
Senator M. Hansen name added to LB815.
Senator Walz name added to LB902.
Senator McCollister name added to LB920.
Senator Brewer name added to LB1099.
Senator McCollister name added to LB1183.

VISITOR(S)

Visitors to the Chamber were students and teachers with the Nebraska State Thespians Society from across the State of Nebraska; a group of students and teachers from Madison High School; and a group of elementary and middle school students from Villa Marie School.

The Doctor of the Day was Dr. Jacob Peterson of Kearney.

ADJOURNMENT

At 10:56 a.m., on a motion by Senator Flood, the Legislature adjourned until 9:00 a.m., Wednesday, March 2, 2022.

Patrick J. O'Donnell
Clerk of the Legislature

THIRTY-FIFTH DAY - MARCH 2, 2022

LEGISLATIVE JOURNAL

**ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION**

THIRTY-FIFTH DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, March 2, 2022

PRAYER

The prayer was offered by Senator Moser.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Bostelman.

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 Aguilar, Bostar, Day, B. Hansen, M. Hansen, Hunt, Lathrop, McCollister, Morfeld, Pansing Brooks, and Stinner who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the thirty-fourth day was approved.

MESSAGE(S) FROM THE GOVERNOR

February 24, 2022

Mr. President, Speaker Hilgers
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Hilgers and Members of the Legislature:

Contingent upon your approval, the following individuals are being appointed to the Nebraska Arts Council:

Jana Goranson, 89903 Dillon Road, Gordon, NE 69343
Dr. Clark Roush, 525 N. Ohio Avenue, York, NE 68467

Contingent upon your approval, the following individuals are being reappointed to the Nebraska Arts Council:

Alec Gorynski, 2811 S. 24 Street, Lincoln, NE 68502
Amy M. Haddad, 5803 Jones Street, Omaha, NE 68106
Ellen L. Hornady, 2517 Apache Road, Grand Island, NE 68801
Sarah G. Peetz, 940 Piedmont Road, Lincoln, NE 68510
Walter A. Seiler, 1208 Laramie Avenue, Alliance, NE 69301

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE BILL 1241. Placed on Select File with amendment.
[ER111](#) is available in the Bill Room.

LEGISLATIVE BILL 1173. Placed on Select File with amendment.
[ER117](#) is available in the Bill Room.

LEGISLATIVE BILL 1173A. Placed on Select File.

LEGISLATIVE BILL 91. Placed on Select File with amendment.
[ER116](#) is available in the Bill Room.

LEGISLATIVE BILL 59. Placed on Select File.

LEGISLATIVE BILL 75. Placed on Select File with amendment.
[ER115](#)

1 1. On page 1 strike beginning with "sections" in line 1 through line
2 6 and insert "section 23-299, Reissue Revised Statutes of Nebraska; to
3 change provisions relating to the discontinuance of township organization
4 in any county with a township library; and to repeal the original
5 section."

LEGISLATIVE BILL 705. Placed on Select File with amendment.
[ER112](#)

1 1. On page 1, line 6, strike "and"; and in line 7 after "Nebraska"
2 insert "; and to declare an emergency".

LEGISLATIVE BILL 1148. Placed on Select File with amendment.

[ER114](#)

1 1. On page 1, line 1, after "the" insert "Nebraska"; and in line 4
2 after the semicolon insert "to harmonize provisions;".

LEGISLATIVE BILL 971. Placed on Select File with amendment.

[ER113](#)

1 1. On page 3, line 14, strike "be" and show as stricken.

LEGISLATIVE BILL 691. Placed on Select File.

LEGISLATIVE BILL 1178. Placed on Select File.

(Signed) Terrell McKinney, Chairperson

GENERAL FILE

LEGISLATIVE BILL 741. Title read. Considered.

Committee [AM1683](#), found on page 483, was adopted with 44 ayes, 0 nays, 1 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 44 ayes, 0 nays, 1 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 780. Title read. Considered.

Committee [AM1645](#), found on page 566, was adopted with 42 ayes, 0 nays, 3 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 43 ayes, 0 nays, 2 present and not voting, and 4 excused and not voting.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 804A. Introduced by Hughes, 44.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 804, One Hundred Seventh Legislature, Second Session, 2022.

LEGISLATIVE BILL 917A. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 917, One Hundred Seventh Legislature, Second Session, 2022.

COMMITTEE REPORT(S)

Government, Military and Veterans Affairs

LEGISLATIVE RESOLUTION 268CA. Placed on General File with amendment.

[AM1994](#)

- 1 1. On page 1, line 7, after "Governor" insert ", Lieutenant
- 2 Governor, Secretary of State, State Treasurer, Attorney General, or
- 3 Auditor of Public Accounts"; and in line 14 after "Governor" insert ",
- 4 Lieutenant Governor, Secretary of State, State Treasurer, Attorney
- 5 General, Auditor of Public Accounts,".

LEGISLATIVE BILL 910. Placed on General File with amendment.

[AM1983](#)

- 1 1. Insert the following new sections:
- 2 Sec. 4. The Nebraska Volunteer Service Commission is created as an
- 3 independent agency on the operative date of this act.
- 4 Sec. 10. (1) On the operative date of this act, all employees of the
- 5 Nebraska Volunteer Service Commission, as the commission existed prior to
- 6 such date, shall be employees of the independent statutory agency created
- 7 in section 4 of this act.
- 8 (2) On the operative date of this act, all items of property, real
- 9 and personal, including office furniture, fixtures, books, documents, and
- 10 records of the Nebraska Volunteer Service Commission, as the commission
- 11 existed prior to such date, shall become the property of the independent
- 12 statutory agency created in section 4 of this act.
- 13 Sec. 11. (1) Any appropriation and salary limit provided in any
- 14 legislative bill enacted by the One Hundred Seventh Legislature, First or
- 15 Second Session, to Agency No. 25, Department of Health and Human
- 16 Services, for the Nebraska Volunteer Service Commission, shall be null
- 17 and void, and any such amounts are hereby appropriated to the independent
- 18 statutory agency created in section 4 of this act for fiscal year
- 19 2022-23.
- 20 (2) Any financial obligations of the Nebraska Volunteer Service
- 21 Commission, as the commission existed prior to the operative date of this
- 22 act, that remain unpaid as of June 30, 2022, and that are subsequently
- 23 certified as valid encumbrances to the accounting division of the
- 24 Department of Administrative Services pursuant to sections 81-138.01 to
- 25 81-138.04 shall be paid by the independent statutory agency created in
- 26 section 4 of this act from the unexpended balance of appropriations for
- 27 the Nebraska Volunteer Service Commission, as the commission existed
- 1 prior to the operative date of this act, and transferred to such
- 2 independent statutory agency. The budget administrator of the budget
- 3 division of the Department of Administrative Services shall, on or before
- 4 August 15, 2022, certify the amount of the valid encumbrances to be
- 5 transferred to the independent statutory agency created in section 4 of
- 6 this act.
- 7 2. On page 2, line 1, strike "8" and insert "11".
- 8 3. Renumber the remaining sections accordingly.

LEGISLATIVE BILL 843. Placed on General File with amendment.

[AM2075](#) is available in the Bill Room.

LEGISLATIVE BILL 709. Placed on General File with amendment.

[AM1936](#) is available in the Bill Room.

The Government, Military and Veterans Affairs 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.

Ann Ashford - Nebraska Accountability and Disclosure Commission

Aye: 8. Blood, Brewer, Halloran, Hansen, M., Hunt, Lowe, McCollister, Sanders. Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) Tom Brewer, Chairperson

Urban Affairs

LEGISLATIVE BILL 800. Placed on General File with amendment. [AM2035](#) is available in the Bill Room.

LEGISLATIVE BILL 842. Placed on General File with amendment. [AM2033](#)

1 1. On page 3, strike beginning with "The" in line 4 through line 5.

(Signed) Justin Wayne, Chairperson

AMENDMENT(S) - Print in Journal

Senator DeBoer filed the following amendment to [LB752](#):
[AM2103](#)

(Amendments to Standing Committee amendments, AM1918)

1 1. Insert the following new sections:

2 Sec. 27. Sections 27 to 33 of this act shall be known and may be

3 cited as the Alzheimer's Disease and Other Dementia Support Act.

4 Sec. 28. The Legislature hereby finds and declares that Alzheimer's

5 and other dementia are of significant concern to the State of Nebraska,

6 and that the Legislature and the state would benefit from a more

7 coordinated approach to addressing Alzheimer's disease and other

8 dementia.

9 Sec. 29. For purposes of the Alzheimer's Disease and Other Dementia

10 Support Act:

11 (1) Council means the Alzheimer's Disease and Other Dementia

12 Advisory Council; and

13 (2) Department means the Department of Health and Human Services.

14 Sec. 30. (1) The Alzheimer's Disease and Other Dementia Advisory

15 Council is created and shall include:

16 (a) Twelve voting members appointed by the Governor. The voting

17 members shall consist of: (i) An individual living with Alzheimer's

18 disease or another dementia or a family member of such an individual;

19 (ii) an individual who is the family caregiver of an individual living

20 with Alzheimer's disease or another dementia; (iii) an individual who

21 represents nursing homes; (iv) an individual who represents assisted-

22 living facilities; (v) an individual who represents providers of adult

23 day care services; (vi) an individual who represents home care providers;

24 (vii) a medical professional who has experience diagnosing and treating

25 Alzheimer's disease; (viii) an individual who conducts research regarding

26 Alzheimer's disease or other dementia; (ix) an individual who represents

1 a leading, nationwide organization that advocates on behalf of
2 individuals living with Alzheimer's disease or other dementia; (x) an
3 individual who represents an area agency on aging; (xi) an individual
4 representing an organization that advocates for older adults; and (xii)
5 an individual with experience or expertise in the area of the specific
6 needs of individuals with intellectual and developmental disabilities and
7 Alzheimer's disease or other dementia; and
8 (b) Five nonvoting members. The nonvoting members shall consist of:
9 (i) The Director of Public Health or the director's designee; (ii) the
10 Director of Medicaid and Long-Term Care or the director's designee; (iii)
11 a representative of the State Unit on Aging of the Division of Medicaid
12 and Long-Term Care designated by the Director of Medicaid and Long-Term
13 Care; (iv) a representative of the Nebraska Workforce Development Board
14 designated by the board; and (v) the state long-term care ombudsman or
15 the ombudsman's designee.
16 (2) The Governor shall make the appointments within ninety days
17 after the effective date of this act. Vacancies shall be filled in the
18 same manner as the original appointments.
19 (3) The voting members of the council shall serve for a term of four
20 years. A voting member may be reappointed to one additional term of four
21 years.
22 (4) Members of the council shall select the chairperson and vice-
23 chairperson who shall not be employees of the state and may serve in such
24 role for up to four consecutive years. The Director of Public Health or
25 the director's designee shall call and preside over the first meeting
26 until a chairperson is selected. Thereafter, the council shall meet at
27 least quarterly at the call of the chairperson. A majority of the voting
28 members shall constitute a quorum for the conduct of meetings.
29 (5) The council shall hold its first meeting not later than thirty
30 days after the appointment of its members and shall hold subsequent
31 meetings at least once every calendar quarter.
32 (6) Members shall serve on the council without compensation but
33 shall be compensated for expenses incurred for such service.
34 (7) The department shall provide staff and support to the council as
35 necessary to assist the council in the performance of its duties.
36 Sec. 31. (1) The purpose of the council shall be to examine (a) the
37 needs of individuals living with Alzheimer's disease or other dementia,
38 (b) the services available in the state for those individuals and their
39 family caregivers, and (c) the ability of health care providers and
40 facilities to meet the current and future needs of such individuals.
41 (2) The council shall collaborate with the department and other
42 state departments as needed to gather input on issues and strategies that
43 pertain to Alzheimer's disease and other dementia and identify proactive
44 approaches on public health, workforce, caregiver support, and care
45 delivery. The council shall monitor analysis, policy development, and
46 program implementation related to Alzheimer's disease and other dementia.
47 Sec. 32. The council shall consider and make findings and
48 recommendations on the following topics:
49 (1) Trends in the state's Alzheimer's disease and other dementia
50 populations and service needs, including:
51 (a) The state's role in providing or facilitating long-term care,
52 family caregiver support, and assistance to those with early-stage or
53 early-onset Alzheimer's disease or other dementia;
54 (b) The state's policies regarding individuals with Alzheimer's
55 disease or other dementia;
56 (c) The fiscal impact of Alzheimer's disease and other dementia on
57 publicly funded health care programs; and
58 (d) The establishment of a surveillance system to better determine
59 the number of individuals diagnosed with Alzheimer's disease or other
60 dementia and to monitor changes to such numbers;

30 (2) Existing resources, services, and capacity relating to the
31 diagnosis and care of individuals living with Alzheimer's disease or
1 other dementia, including:
2 (a) The type, cost, and availability of dementia care services;
3 (b) The availability of health care workers who can serve people
4 with dementia, including, but not limited to, neurologists,
5 geriatricians, and direct care workers;
6 (c) Dementia-specific training requirements for public and private
7 employees who interact with people living with Alzheimer's disease or
8 other dementia which shall include, but not be limited to, long-term care
9 workers, case managers, adult protective services, law enforcement, and
10 first responders;
11 (d) Home and community-based services, including respite care for
12 individuals exhibiting symptoms of Alzheimer's disease or other dementia
13 and their families;
14 (e) Quality care measures for home and community-based services and
15 residential care facilities; and
16 (f) State-supported Alzheimer's disease and other dementia research
17 conducted at universities located in this state; and
18 (3) Policies and strategies that address the following:
19 (a) Increasing public awareness of Alzheimer's disease and other
20 dementia;
21 (b) Educating providers to increase early detection and diagnosis of
22 Alzheimer's disease and other dementia;
23 (c) Improving the health care received by individuals diagnosed with
24 Alzheimer's disease or other dementia;
25 (d) Evaluating the capacity of the health care system in meeting the
26 growing number and needs of those with Alzheimer's disease and other
27 dementia;
28 (e) Increasing the number of health care professionals necessary to
29 treat the growing aging and Alzheimer's disease and dementia populations;
30 (f) Improving services provided in the home and community to delay
31 and decrease the need for institutionalized care for individuals with
1 Alzheimer's disease or other dementia;
2 (g) Improving long-term care, including assisted living, for those
3 with Alzheimer's disease or other dementia;
4 (h) Assisting unpaid Alzheimer's disease or dementia caregivers;
5 (i) Increasing and improving research on Alzheimer's disease and
6 other dementia;
7 (j) Promoting activities to maintain and improve brain health;
8 (k) Improving the collection of data and information related to
9 Alzheimer's disease and other dementia and the resulting public health
10 burdens;
11 (l) Improving public safety and addressing the safety-related needs
12 of those with Alzheimer's disease or other dementia;
13 (m) Addressing legal protections for, and legal issues faced by,
14 individuals with Alzheimer's disease or other dementia; and
15 (n) Improving the ways in which the government evaluates and adopts
16 policies to assist individuals diagnosed with Alzheimer's disease or
17 other dementia and their families.
18 Sec. 33. (1)(a) No later than eighteen months after the effective
19 date of this act, the council shall compile the findings and
20 recommendations under the Alzheimer's Disease and Other Dementia Support
21 Act and submit them as a State Alzheimer's Plan to the Legislature and
22 the Governor.
23 (b) Every four years thereafter, the council shall issue an updated
24 State Alzheimer's Plan addressing the items in sections 5 and 6 of this
25 act and any other issues the council deems necessary and relevant toward
26 addressing Alzheimer's disease and dementia in Nebraska.
27 (2) By October 1 of each year after the creation of the State

28 Alzheimer's Plan, the council shall electronically submit to the
 29 Legislature and the Governor an annual report on the status of
 30 implementation of the State Alzheimer's Plan recommendations and any
 31 barriers to implementation.
 1 2. Renumber the remaining section accordingly.

GENERAL FILE

LEGISLATIVE RESOLUTION 283CA. Read. Considered.

Advanced to Enrollment and Review Initial with 42 ayes, 1 nay, 3 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 998. Title read. Considered.

Committee [AM1939](#), found on page 580, was adopted with 40 ayes, 0 nays, 5 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 41 ayes, 0 nays, 4 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 769. Title read. Considered.

Advanced to Enrollment and Review Initial with 40 ayes, 0 nays, 5 present and not voting, and 4 excused and not voting.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 567. Placed on Final Reading.

LEGISLATIVE BILL 704. Placed on Final Reading.

LEGISLATIVE BILL 749. Placed on Final Reading.

LEGISLATIVE BILL 767A. Placed on Final Reading.

LEGISLATIVE BILL 786. Placed on Final Reading.

LEGISLATIVE BILL 791. Placed on Final Reading.

LEGISLATIVE BILL 847. Placed on Final Reading.

LEGISLATIVE BILL 1236. Placed on Select File with amendment.

[ER118](#)

1 1. On page 1, strike lines 2 through 4 and insert "sections
 2 53-123.14, 53-123.16, 53-124.11, 53-129, 53-169, and 53-171, Reissue
 3 Revised Statutes of Nebraska; to change provisions relating to certain
 4 sales, self-distribution, and storage by craft brewery licensees; to
 5 provide for rules and regulations; to change provisions relating to
 6 microdistillery licenses and special designated licenses; to change a
 7 fee; to harmonize provisions; and to repeal the original sections."

LEGISLATIVE BILL 1099. Placed on Select File.

(Signed) Terrell McKinney, Chairperson

AMENDMENT(S) - Print in Journal

Senator Albrecht filed the following amendment to [LB750](#):
[AM2085](#) is available in the Bill Room.

Senator McKinney filed the following amendment to [LB1112](#):
[AM2101](#)

(Amendments to Standing Committee amendments, AM1942)

1 1. On page 1, line 6, after the second "and" insert "beginning in
2 school year 2026-27"; in line 8 after "course" insert "or the equivalent
3 of a one-semester high school course"; in line 25 strike "2024-25" and
4 insert "2026-27"; and in line 26 after "course" insert "or the equivalent
5 of a one-semester high school course".

RESOLUTION(S)

LEGISLATIVE RESOLUTION 313. Introduced by Day, 49.

WHEREAS, the 2022 Nebraska State Cheer & Dance Competition was held from February 17 through February 19 at the Heartland Events Center in Grand Island; and

WHEREAS, Gretna High School's 20 varsity cheerleaders competed in the Class A Cheer non-tumbling category at the Nebraska State Cheer & Dance Competition; and

WHEREAS, the Gretna High School cheerleaders began working on their routine and choreography in October 2021; and

WHEREAS, their routine consisted of two pom sections and a crowd-leading cheer; and

WHEREAS, months of hard work culminated in the team making history and bringing home the first ever state cheer championship for Gretna; and

WHEREAS, the Gretna High School cheerleaders showcased strength, confidence, dedication, and spirit; 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 Gretna High School Cheer Team on winning the 2022 Class A State Cheer Championship.

2. That a copy of this resolution be sent to Gretna High School and the Gretna High School cheer coach, Sarah Chagnon.

Laid over.

LEGISLATIVE RESOLUTION 314. Introduced by Murman, 38.

WHEREAS, the TeamMates Mentoring Program was founded in 1991 by Dr. Tom and Nancy Osborne; and

WHEREAS, the mission of TeamMates is to positively impact the world by inspiring youth to reach their full potential through mentoring; and

WHEREAS, TeamMates mentors and mentees meet once a week during the academic year to play board games, work on a craft, or just talk; and

WHEREAS, Melanie Knight is a TeamMates mentor; and

WHEREAS, Melanie has been mentoring her current TeamMates mentee for seven years and has continued to put more of her time and effort into their relationship and meetings, even after moving to a more distant community; and

WHEREAS, Melanie was nominated by her mentee and her mentee's mother to be TeamMates Mentor of the Year; and

WHEREAS, Melanie was chosen by TeamMates to be the 2021-2022 Mentor of the Year; and

WHEREAS, Melanie will be formally honored at the TeamMates Conference this summer; and

WHEREAS, the Legislature recognizes the benefits of mentoring and volunteerism.

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

1. That the Legislature congratulates Melanie Knight on being selected TeamMates 2021-2022 Mentor of the Year.
2. That a copy of this resolution be sent to Melanie Knight.

Laid over.

SPEAKER'S ANNOUNCEMENT

Pursuant to Rule 4, Section 8, LR307 was referred to the Reference Committee.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

LB/LR	Committee
LR307	Executive Board

The Legislative Council Executive Board submits the following report:

Goranson, Jana - Nebraska Arts Council - General Affairs
 Gorynski, Alec - Nebraska Arts Council - General Affairs
 Haddad, Amy M. - Nebraska Arts Council - General Affairs
 Hornady, Ellen L. - Nebraska Arts Council - General Affairs
 Peetz, Sarah G. - Nebraska Arts Council - General Affairs
 Roush, Dr. Clark - Nebraska Arts Council - General Affairs
 Seiler, Walter A. - Nebraska Arts Council - General Affairs

(Signed) Dan Hughes, Chairperson
 Executive Board

GENERAL FILE

LEGISLATIVE BILL 864. Title read. Considered.

Advanced to Enrollment and Review Initial with 40 ayes, 0 nays, 4 present and not voting, and 5 excused and not voting.

LEGISLATIVE BILL 1065. Title read. Considered.

Committee [AM1964](#), found on page 611, was adopted with 40 ayes, 1 nay, 3 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review Initial with 40 ayes, 0 nays, 4 present and not voting, and 5 excused and not voting.

LEGISLATIVE BILL 1246. Title read. Considered.

Committee [AM1842](#), found on page 578, was adopted with 40 ayes, 0 nays, 4 present and not voting, and 5 excused and not voting.

Senator Slama offered the following amendment:

[AM1978](#)

1 I. Insert the following new section:

2 Sec. 2. Section 29-4003, Revised Statutes Cumulative Supplement,

3 2020, is amended to read:

4 29-4003 (1)(a) The Sex Offender Registration Act applies to any

5 person who on or after January 1, 1997:

6 (i) Has ever pled guilty to, pled nolo contendere to, or been found

7 guilty of any of the following:

8 (A) Kidnapping of a minor pursuant to section 28-313, except when

9 the person is the parent of the minor and was not convicted of any other

10 offense in this section;

11 (B) False imprisonment of a minor pursuant to section 28-314 or

12 28-315;

13 (C) Sexual assault pursuant to section 28-319 or 28-320;

14 (D) Sexual abuse by a school employee pursuant to section 28-316.01;

15 (E) Sexual assault of a child in the second or third degree pursuant

16 to section 28-320.01;

17 (F) Sexual assault of a child in the first degree pursuant to

18 section 28-319.01;

19 (G) Sexual abuse of a vulnerable adult or senior adult pursuant to

20 subdivision (1)(c) of section 28-386;

21 (H) Incest of a minor pursuant to section 28-703;

22 (I) Pandering of a minor pursuant to section 28-802;

23 (J) Visual depiction of sexually explicit conduct of a child

24 pursuant to section 28-1463.03 or subdivision (2)(b) or (c) of section

25 28-1463.05;

26 (K) Knowingly possessing any visual depiction of sexually explicit

27 conduct which has a child as one of its participants or portrayed

1 observers pursuant to subsection (1) or (4) of section 28-813.01;

2 (L) Criminal child enticement pursuant to section 28-311;

3 (M) Child enticement by means of an electronic communication device

4 pursuant to section 28-320.02;

5 (N) Debauching a minor pursuant to section 28-805; or

6 (O) Attempt, solicitation, aiding or abetting, being an accessory,

7 or conspiracy to commit an offense listed in subdivisions (1)(a)(i)(A)

8 through (1)(a)(i)(N) of this section;

9 (ii) Has ever pled guilty to, pled nolo contendere to, or been found
10 guilty of any offense that is substantially equivalent to a registrable
11 offense under subdivision (1)(a)(i) of this section by any village, town,
12 city, state, territory, commonwealth, or other jurisdiction of the United
13 States, by the United States Government, by court-martial or other
14 military tribunal, or by a foreign jurisdiction, notwithstanding a
15 procedure comparable in effect to that described under section 29-2264 or
16 any other procedure to nullify a conviction other than by pardon;

17 (iii) Is incarcerated in a jail, a penal or correctional facility,
18 or any other public or private institution or is under probation or
19 parole as a result of pleading guilty to or being found guilty of a
20 registrable offense under subdivision (1)(a)(i) or (ii) of this section
21 prior to January 1, 1997; or

22 (iv) Enters the state and is required to register as a sex offender
23 under the laws of another village, town, city, state, territory,
24 commonwealth, or other jurisdiction of the United States.

25 (b) In addition to the registrable offenses under subdivision (1)(a)
26 of this section, the Sex Offender Registration Act applies to any person
27 who on or after January 1, 2010:

28 (i)(A) Except as provided in subdivision (1)(b)(i)(B) of this
29 section, has ever pled guilty to, pled nolo contendere to, or been found
30 guilty of any of the following:

31 (I) Murder in the first degree pursuant to section 28-303;

1 (II) Murder in the second degree pursuant to section 28-304;

2 (III) Manslaughter pursuant to section 28-305;

3 (IV) Assault in the first degree pursuant to section 28-308;

4 (V) Assault in the second degree pursuant to section 28-309;

5 (VI) Assault in the third degree pursuant to section 28-310;

6 (VII) Stalking pursuant to section 28-311.03;

7 (VIII) Violation of section 28-311.08 requiring registration under
8 the act pursuant to subsection (6) of section 28-311.08;

9 (IX) Kidnapping pursuant to section 28-313;

10 (X) False imprisonment pursuant to section 28-314 or 28-315;

11 (XI) Sexual abuse of an inmate or parolee in the first degree

12 pursuant to section 28-322.02;

13 (XII) Sexual abuse of an inmate or parolee in the second degree

14 pursuant to section 28-322.03;

15 (XIII) Sexual abuse of a protected individual pursuant to section
16 28-322.04;

17 (XIV) Incest pursuant to section 28-703;

18 (XV) Child abuse pursuant to subdivision (1)(d) or (e) of section
19 28-707;

20 (XVI) Enticement by electronic communication device pursuant to
21 section 28-833; or

22 (XVII) Attempt, solicitation, aiding or abetting, being an
23 accessory, or conspiracy to commit an offense listed in subdivisions (1)
24 (b)(i)(A)(I) through (1)(b)(i)(A)(XVI) of this section.

25 (B) In order for the Sex Offender Registration Act to apply to the
26 offenses listed in subdivisions (1)(b)(i)(A)(I), (II), (III), (IV), (V),
27 (VI), (VII), (IX), and (X) of this section, a court shall have found that
28 evidence of sexual penetration or sexual contact, as those terms are
29 defined in section 28-318, was present in the record, which shall include
30 consideration of the factual basis for a plea-based conviction and
31 information contained in the presentence report;

1 (ii) Has ever pled guilty to, pled nolo contendere to, or been found
2 guilty of any offense that is substantially equivalent to a registrable
3 offense under subdivision (1)(b)(i) of this section by any village, town,
4 city, state, territory, commonwealth, or other jurisdiction of the United
5 States, by the United States Government, by court-martial or other
6 military tribunal, or by a foreign jurisdiction, notwithstanding a

7 procedure comparable in effect to that described under section 29-2264 or

8 any other procedure to nullify a conviction other than by pardon; or
 9 (iii) Enters the state and is required to register as a sex offender
 10 under the laws of another village, town, city, state, territory,
 11 commonwealth, or other jurisdiction of the United States.
 12 (c) In addition to the registrable offenses under subdivisions (1)
 13 (a) and (b) of this section, the Sex Offender Registration Act applies to
 14 any person who on or after January 1, 2020:
 15 (i) Has ever pled guilty to, pled nolo contendere to, or been found
 16 guilty of sexual abuse of a detainee under section 28-322.05; or
 17 (ii) Has ever pled guilty to, pled nolo contendere to, or been found
 18 guilty of any offense that is substantially equivalent to a registrable
 19 offense under subdivision (1)(c)(i) of this section by any village, town,
 20 city, state, territory, commonwealth, or other jurisdiction of the United
 21 States, by the United States Government, by court-martial or other
 22 military tribunal, or by a foreign jurisdiction, notwithstanding a
 23 procedure comparable in effect to that described under section 29-2264 or
 24 any other procedure to nullify a conviction other than by pardon.
 25 (d) In addition to the registrable offenses under subdivisions (1)
 26 (a), (b), and (c) of this section, the Sex Offender Registration Act
 27 applies to any person who on or after January 1, 2023:
 28 (i) Has ever pled guilty to, pled nolo contendere to, or been found
 29 guilty of human trafficking under subsection (1) or (2) of section
 30 28-831, and the court determines either by notification of sex offender
 31 registration responsibilities or notation in the sentencing order that
 1 the human trafficking was sex trafficking or sex trafficking of a minor
 2 and not solely labor trafficking or labor trafficking of a minor; or
 3 (ii) Has ever pled guilty to, pled nolo contendere to, or been found
 4 guilty of any offense that is substantially equivalent to a registrable
 5 offense under subdivision (1)(d)(i) of this section by any village, town,
 6 city, state, territory, commonwealth, or other jurisdiction of the United
 7 States, by the United States Government, by court-martial or other
 8 military tribunal, or by a foreign jurisdiction, notwithstanding a
 9 procedure comparable in effect to that described under section 29-2264 or
 10 any other procedure to nullify a conviction other than by pardon.
 11 (2) A person appealing a conviction of a registrable offense under
 12 this section shall be required to comply with the act during the appeals
 13 process.
 14 2. Renumber the remaining sections and correct the repealer
 15 accordingly.

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

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

BILL ON FIRST READING

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

LEGISLATIVE BILL 698A. Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 698, One Hundred Seventh Legislature, Second Session, 2022.

AMENDMENT(S) - Print in Journal

Senator Morfeld filed the following amendment to [LB773](#):
[AM1908](#)

(Amendments to AM1757)

- 1 1. On page 26, line 25, strike beginning with "The" through the
- 2 period, show as stricken, and insert "There shall be no fee for issuance
- 3 or renewal of a permit."; and strike beginning with "The" in line 29
- 4 through "renewal" in line 30, show as stricken, and insert "Renewal".
- 5 2. On page 27, strike lines 5 through 7 and show as stricken; and
- 6 after line 7 insert the following new subsection:
- 7 "(3) The expense of issuing, renewing, and administering permits
- 8 shall be paid from the budget of the Nebraska Commission on Law
- 9 Enforcement and Criminal Justice.".

Senator Dorn filed the following amendment to [LB1091](#):
[AM2137](#)

(Amendments to Standing Committee amendments, AM1875)

- 1 1. On page 1, line 23, after "nursing" insert "or an accelerated
- 2 bachelor of science in nursing degree".

Senator B. Hansen filed the following amendment to [LB990](#):
[AM1654](#)

- 1 1. Strike original section 2 and all amendments thereto and insert
- 2 the following new section:
- 3 Sec. 2. (1) A person commits the offense of criminal impersonation
- 4 by stolen valor if such person:
- 5 (a)(i) Pretends to be an active member or veteran of the United
- 6 States Navy, Army, Air Force, Marines, Coast Guard, or Space Force,
- 7 including armed forces reserves and the National Guard, through the
- 8 unauthorized manufacture, sale, possession, or use of military regalia or
- 9 gear, including the wearing of military uniforms or the use of falsified
- 10 military identification; and
- 11 (ii) Does an act in such fictitious capacity with the intent to:
- 12 (A) Gain a pecuniary benefit for such person or another person; and
- 13 (B) Deceive or harm another person; or
- 14 (b) With the intent to deceive or harm another, fraudulently
- 15 represents such person to be a recipient of the Congressional Medal of
- 16 Honor, Distinguished Service Cross, Navy Cross, Air Force Cross, Silver
- 17 Star, Purple Heart, Combat Infantryman Badge, Combat Action Badge, Combat
- 18 Medical Badge, Combat Action Ribbon, Air Force Combat Action Medal, or
- 19 another similar award or honor and obtains money, property, or anything
- 20 of value through such fraudulent representation.
- 21 (2) A violation of this section is a Class I misdemeanor.
- 22 (3) A person found guilty of violating this section may, in addition
- 23 to the penalties under subsection (2) of this section, be ordered to make
- 24 restitution pursuant to sections 29-2280 to 29-2289.

Senator M. Cavanaugh filed the following amendment to [LB773](#):
[AM1907](#)

(Amendments to AM1757)

- 1 1. Insert the following new section:
- 2 Section 1. (1) For purposes of this section, firearm has the same
- 3 meaning as in section 28-1201.
- 4 (2) Beginning January 1, 2023, any person possessing a firearm shall
- 5 ensure that such firearm is stored safely when not in use.
- 6 2. Renumber the remaining sections and correct internal references
- 7 accordingly.

COMMITTEE REPORT(S)
Education

LEGISLATIVE BILL 852. Placed on General File with amendment.

[AM1607](#)

1 1. On page 2, line 20, strike "whenever possible".

LEGISLATIVE BILL 872. Placed on General File with amendment.

[AM1807](#)

1 1. On page 2, lines 1 and 26; and page 3, line 16, after "who"

2 insert "is a member of an indigenous tribe of the United States or

3 another country and".

4 2. On page 2, strike beginning with "attending" in line 1 through

5 "79" in line 2 and insert "attending an approved or accredited public,

6 private, denominational, or parochial school".

7 3. On page 4, line 7, strike "bill" and insert "act".

(Signed) Lynne Walz, Chairperson

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE BILL 964. Placed on Select File.

LEGISLATIVE BILL 804. Placed on Select File.

LEGISLATIVE BILL 887. Placed on Select File with amendment.

[ER121](#)

1 1. On page 1, line 2, after the last comma insert "and"; in line 3

2 strike "and 85-958,"; and in line 9 strike "conference of" and insert

3 "conferring".

4 2. On page 3, line 3; page 4, lines 10, 16, and 25; and page 5, line

5 9, strike "board", show as stricken, and insert "Board of Trustees of the

6 Nebraska State Colleges".

7 3. On page 4, lines 5 and 24; and page 5, line 4, strike the comma

8 and show as stricken.

LEGISLATIVE BILL 698. Placed on Select File.

LEGISLATIVE BILL 820. Placed on Select File.

LEGISLATIVE BILL 840. Placed on Select File.

LEGISLATIVE BILL 888. Placed on Select File with amendment.

[ER119](#)

1 1. On page 1, strike beginning with "79-719" in line 1 through line

2 3 and insert "79-760.01, Revised Statutes Supplement, 2021; to change a

3 requirement relating to academic standards for social studies; and to

4 repeal the original section.".

LEGISLATIVE BILL 436. Placed on Select File with amendment.

[ER120](#)

1 1. Strike the original sections and all amendments thereto and

2 insert the following new sections:

3 Section 1. Section 38-401, Reissue Revised Statutes of Nebraska, is

4 amended to read:

5 38-401 Sections 38-401 to 38-414 and sections 4 to 6 of this act
6 shall be known and may be cited as the Athletic Training Practice Act.

7 Sec. 2. Section 38-402, Reissue Revised Statutes of Nebraska, is

8 amended to read:

9 38-402 For purposes of the Athletic Training Practice Act and
10 elsewhere in the Uniform Credentialing Act, unless the context otherwise

11 requires, the definitions found in sections ~~38-404 and 38-406 and~~

12 ~~sections 4 to 6 of this act 38-403 to 38-407~~ apply.

13 Sec. 3. Section 38-404, Reissue Revised Statutes of Nebraska, is

14 amended to read:

15 38-404 Athletic trainer means a health care professional who is

16 licensed to practice athletic training under the Athletic Training

17 Practice Act and who, under guidelines established with a licensed

18 physician, performs the functions outlined in section 38-408 except as

19 otherwise provided in subsection (5) of section 38-408 person who is

20 responsible for the prevention, emergency care, first aid, treatment, and

21 rehabilitation of athletic injuries under guidelines established with a

22 licensed physician and who is licensed to perform the functions set out

23 in section 38-408. When athletic training is provided in a hospital

24 outpatient department or clinic or an outpatient-based medical facility,

25 the athletic trainer will perform the functions described in section

26 38-408 with a referral from a licensed physician for athletic training.

27 Sec. 4. Condition means a disease, illness, or injury.

1 Sec. 5. Impression means a summation of information or an opinion

2 formed, which is the outcome of the examination and assessment process.

3 Sec. 6. Injuries and illnesses means injuries or common illnesses

4 and conditions which are related to, or which limit participation in,

5 exercise, athletic activities, recreational activities, or activities

6 requiring physical strength, agility, flexibility, range of motion,

7 speed, or stamina, and for which athletic trainers as a result of their

8 education and training are qualified to provide care and make referrals

9 to the appropriate health care professionals.

10 Sec. 7. Section 38-408, Reissue Revised Statutes of Nebraska, is

11 amended to read:

12 38-408 (1) As set forth in the Athletic Training Practice Act, the

13 practice of athletic training includes providing the following regarding

14 injuries and illnesses:

15 (a) Prevention and wellness promotion;

16 (b) Examination, assessment, and impression;

17 (c) Immediate and emergency care, including the administration of

18 emergency drugs as prescribed by a licensed physician and dispensed by a

19 pharmacy for emergency use, subject to subsection (2) of this section;

20 (d) Therapeutic intervention or rehabilitation of injuries and

21 illnesses in the manner, means, and methods deemed necessary to affect

22 care, rehabilitation, or function;

23 (e) Therapeutic modalities, including, but not limited to, physical

24 modalities, mechanical modalities including, but not limited to, dry

25 needling, water, heat, light, sound, cold, and electricity; and

26 (f) Health care administration, risk management, and professional

27 responsibility.

28 (2) The department shall adopt and promulgate rules and regulations

29 regarding the administration of emergency drugs as authorized in this

30 section, including drugs, medicines, and medicinal substances as defined

31 in section 38-2819 except for controlled substances listed in section

1 28-405.

2 (3) The department shall adopt and promulgate rules and regulations

3 regarding the use of dry needling by athletic trainers.

4 (4) The scope of practice of athletic trainers does not include the

5 use of joint manipulation, grade V mobilization/manipulation, thrust

6 joint manipulation, high velocity/low amplitude thrust, nor any other
7 procedure intended to result in joint cavitation. Joint manipulation
8 commences where grades one through four mobilization ends.
9 (5) When athletic training is provided in a hospital outpatient
10 department or clinic, or an outpatient-based medical facility or clinic,
11 the athletic trainer shall perform the functions described in this
12 section with a referral from a licensed physician, osteopathic physician,
13 podiatrist, nurse practitioner, physician assistant, dentist, or
14 chiropractor. The referral shall state the diagnosis and, if deemed
15 necessary, identify any instructions or protocols by the referring
16 provider. In these instances, for each patient under his or her care, the
17 athletic trainer shall ensure documentation is complete, accurate, and
18 timely and shall include the following:
19 (a) Provide and document the initial examination, assessment, and
20 impression;
21 (b) Provide periodic reexamination with documentation of the
22 reexamination, assessment, and impression;
23 (c) Establish a plan of care following either the initial
24 examination or reexamination that is in accordance with the diagnosis and
25 any instructions or protocols indicated by the referring provider;
26 (d) Communicate to the referring provider changes in the patient's
27 condition that may require altering instructions and protocols indicated
28 by the referral from the referring provider;
29 (e) Be responsible for accurate documentation of each followup visit
30 and billing for athletic training services provided; and
31 (f) Provide documentation upon discharge, including patient response
1 to athletic training intervention at the time of discharge.
2 (6) In all other instances, the athletic trainer shall maintain
3 documentation consistent with the guidelines established with a licensed
4 physician and specific to the setting in which the athletic trainer is
5 practicing.
6 (7) An individual who is licensed as an athletic trainer may not
7 provide, offer to provide, or represent that he or she is qualified to
8 provide any care or services that he or she lacks the education,
9 training, or experience to provide or that he or she is otherwise
10 prohibited by law from providing.
11 (8) Pursuant to subdivision (18) of section 38-2025, no athletic
12 trainer shall hold himself or herself out to be a physician or surgeon or
13 qualified to prescribe medications.
14 (1) Athletic trainers shall be authorized to use the following
15 physical modalities in the treatment of athletic injuries under
16 guidelines established with a licensed physician:
17 (a) Application of electrotherapy;
18 (b) Application of ultrasound;
19 (c) Use of medical diathermies;
20 (d) Application of infrared light; and
21 (e) Application of ultraviolet light.
22 (2) The application of heat, cold, air, water, or exercise shall not
23 be restricted by the Athletic Training Practice Act.
24 Sec. 8. Section 38-409, Reissue Revised Statutes of Nebraska, is
25 amended to read:
26 38-409 No person shall be authorized to perform the functions
27 outlined in section 38-408 unless the person first physical modalities
28 set out in section 38-408 on any person unless he or she first obtains a
29 license as an athletic trainer or unless such person is licensed as a
30 physician, osteopathic physician, chiropractor, nurse, physical
31 therapist, or podiatrist. No person shall hold himself or herself out as
1 to be an athletic trainer in this state unless such person is licensed
2 under the Athletic Training Practice Act.
3 Sec. 9. Section 38-410, Reissue Revised Statutes of Nebraska, is

4 amended to read:

5 38-410 (1) An individual who accompanies an athletic team or
6 organization from another state or jurisdiction as the athletic trainer
7 is exempt from the licensure requirements of the Athletic Training
8 Practice Act.

9 (2) ~~An individual who is a graduate student in athletic training
10 student who is enrolled in an athletic training education program
11 accredited by an accrediting body approved by the board and who is
12 practicing under the supervision of a licensed athletic trainer~~ is exempt
13 from the licensure requirements of the Athletic Training Practice Act.

14 Sec. 10. Section 38-411, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 38-411 (1) An applicant for licensure as an athletic trainer shall
17 at the time of application provide proof to the department that ~~the~~
18 ~~applicant he or she~~ meets one or more of the following qualifications:

19 (a) ~~For any person who graduated prior to January 1, 2004:~~

20 (i) ~~(a)~~ Graduation after successful completion of the ~~athletic~~
21 ~~training~~ curriculum requirements of an ~~accredited athletic training~~
22 ~~education program~~ at an accredited college or university approved by the
23 board; or

24 (ii) ~~(b)~~ Graduation with a four-year degree from an accredited
25 college or university and completion of at least two consecutive years,
26 military duty excepted, as an ~~athletic training student a student~~
27 ~~athletic trainer~~ under the supervision of an athletic trainer approved by
28 the board; ~~and~~ -

29 (b) ~~For any person who graduated after January 1, 2004, graduation~~
30 ~~after successful completion of the curriculum requirements of an~~
31 ~~accredited athletic training education program at an accredited college~~
or university approved by the board.

2 (2) In order to be licensed as an athletic trainer, an applicant
3 shall, in addition to the requirements of subsection (1) of this section,
4 successfully complete an examination approved by the board.

5 Sec. 11. Original sections 38-401, 38-402, 38-404, 38-408, 38-409,
6 38-410, and 38-411, Reissue Revised Statutes of Nebraska, are repealed.

7 Sec. 12. The following sections are outright repealed: Sections
8 38-403, 38-405, and 38-407, Reissue Revised Statutes of Nebraska.

(Signed) Terrell McKinney, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 315. Introduced by Lowe, 37.

WHEREAS, the purpose of unclaimed property laws is to protect the public by ensuring money and property owed is returned to its rightful owner, rather than remaining permanently with financial institutions, business associations, governments, and other entities; and

WHEREAS, it is imperative that the State of Nebraska continues to help residents find and claim their unclaimed property easily and securely; and

WHEREAS, the State of Nebraska currently has over \$200 million worth of unclaimed property; and

WHEREAS, beginning on March 6 and continuing through the rest of the month, a list of owners of unclaimed property will be published in newspapers across the state pursuant to state law; and

WHEREAS, every year thousands of Nebraskans receive unclaimed property.

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

1. That the Legislature recognizes the importance of returning unclaimed property to the rightful owner of such property and encourages all Nebraskans to search for and claim their unclaimed property.

2. That the Legislature recognizes March 2022 as Unclaimed Property Month in Nebraska.

Laid over.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Jacobson name added to LB661.

Senator Murman name added to LB721.

Senator Jacobson name added to LB741.

Senator Jacobson name added to LB914.

VISITOR(S)

Visitors to the Chamber were King's Academy, Lincoln, and Brad Haughbaugh, Raleigh, North Carolina; fourth-grade students and their teachers from David City Elementary, David City; and fourth-grade students and their teachers from Louisville Elementary, Louisville.

The Doctor of the Day was Dr. Kip Anderson of Columbus.

ADJOURNMENT

At 11:52 a.m., on a motion by Senator Lathrop, the Legislature adjourned until 9:00 a.m., Thursday, March 3, 2022.

Patrick J. O'Donnell
Clerk of the Legislature

THIRTY-SIXTH DAY - MARCH 3, 2022**LEGISLATIVE JOURNAL****ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION****THIRTY-SIXTH DAY**

Legislative Chamber, Lincoln, Nebraska
Thursday, March 3, 2022

PRAYER

The prayer was offered by Senator Halloran.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Brandt.

ROLL CALL

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

The roll was called and all members were present except Senator Linehan who was excused; and Senators Aguilar, Bostar, J. Cavanaugh, M. Cavanaugh, Day, B. Hansen, Hilkemann, Lathrop, McCollister, Pansing Brooks, Slama, Wayne, and Wishart who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the thirty-fifth 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 2, 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

Boro Reljic
 Abbott
 Minter, Christian
 March of Dimes
 Rogert, Kent
 Amack, Angela K.

COMMITTEE REPORT(S)

Revenue

LEGISLATIVE BILL 984. Placed on General File with amendment.
[AM2130](#) is available in the Bill Room.

(Signed) Lou Ann Linehan, Chairperson

AMENDMENT(S) - Print in Journal

Senator Brewer filed the following amendment to [LB773](#):
[AM2106](#)

(Amendments to AM1757)

- 1 1. On page 2, line 1, strike "(6)", show as stricken, and insert
- 2 "(6)(a)"; and after line 6 insert the following new subdivision:
- 3 "(b) To require registration of handguns other than those owned,
- 4 possessed, or transported by an individual holding a valid permit under
- 5 the Concealed Handgun Permit Act or a license or permit to carry a
- 6 concealed handgun issued by any other state or the District of Columbia
- 7 and recognized as valid under section 69-2448. A city of the metropolitan
- 8 class which requires registration of handguns under this subdivision
- 9 shall not deny registration to any individual who is not a prohibited
- 10 person. For purposes of this subdivision, handgun and prohibited person
- 11 have the same meanings as in section 28-1201;"
- 12 2. On page 17, insert the following new subsection after line 3:
- 13 "(2) A person shall not carry a handgun concealed on or about his or
- 14 her person while engaged in the commission of a covered offense."; in
- 15 line 4 strike "(2)" and insert "(3)"; after line 7 insert the following
- 16 new subsection:
- 17 "(4) For purposes of this section, covered offense means:
- 18 (a) Robbery under section 28-324;
- 19 (b) Arson in the first, second, or third degree under section
- 20 28-502, 28-503, or 28-504, respectively;
- 21 (c) Burglary under section 28-507;
- 22 (d) Murder in the first degree, murder in the second degree, or
- 23 manslaughter under section 28-303, 28-304, or 28-305, respectively;
- 24 (e) A violation involving a controlled substance under section
- 25 28-416;
- 26 (f) Offenses involving a firearm or other deadly weapon under
- 1 section 28-1203, 28-1204.03, 28-1204.04, 28-1205, 28-1207, 28-1208,
- 2 28-1212.01, 28-1212.03, or 28-1212.04, except that for a violation of
- 3 section 28-1205, the violation of this section cannot serve as the
- 4 predicate offense;
- 5 (g) Assault in the first degree, assault in the second degree, or
- 6 assault by strangulation or suffocation under section 28-308, 28-309, or
- 7 28-310.01, respectively;
- 8 (h) Assault on an officer, an emergency responder, a state
- 9 correctional employee, a Department of Health and Human Services

10 employee, or a health care professional in the first, second, or third
11 degree under section 28-929, 28-930, or 28-931, respectively, or assault
12 on an officer, an emergency responder, a state correctional employee, a
13 Department of Health and Human Services employee, or a health care
14 professional using a motor vehicle under section 28-931.01;
15 (i) Theft by unlawful taking or disposition under section 28-511;
16 (j) Theft by receiving stolen property under section 28-517;
17 (k) Theft by deception under section 28-512;
18 (l) Theft by extortion under section 28-513;
19 (m) Kidnapping under section 28-313;
20 (n) Any forgery offense under sections 28-602 to 28-605;
21 (o) Criminal impersonation under section 28-638;
22 (p) Tampering with a publicly exhibited contest under section
23 28-614;
24 (q) Unauthorized use of a financial transaction device or criminal
25 possession of a financial transaction device under section 28-620 or
26 28-621, respectively;
27 (r) Pandering under section 28-802;
28 (s) Keeping a place of prostitution under section 28-804;
29 (t) Bribery, bribery of a witness, or bribery of a juror under
30 section 28-917, 28-918, or 28-920, respectively;
31 (u) Tampering with a witness or an informant or jury tampering under
1 section 28-919;
2 (v) Unauthorized application of graffiti under section 28-524;
3 (w) Dogfighting, cockfighting, bearbaiting, or pitting an animal
4 against another under section 28-1005;
5 (x) Promoting gambling in the first degree under section 28-1102;
6 (y) Criminal child enticement under section 28-311;
7 (z) Terroristic threats under section 28-311.01;
8 (aa) Stalking under section 28-311.03;
9 (bb) False imprisonment in the first degree or false imprisonment in
10 the second degree, under section 28-314 or 28-315, respectively;
11 (cc) Sexual assault in the first degree or sexual assault in the
12 second or third degree, under section 28-319 or 28-320, respectively;
13 (dd) Sexual assault of a child in the first degree or sexual assault
14 of a child in the second or third degree, under section 28-319.01 or
15 28-320.01, respectively;
16 (ee) Sexual abuse of a protected individual under section 28-322.04;
17 (ff) Domestic assault under section 28-323;
18 (gg) Impersonating a public servant or impersonating a peace officer
19 under section 28-609 or 28-610, respectively;
20 (hh) Operating a motor vehicle or vessel to avoid arrest under
21 section 28-905;
22 (ii) Introducing implements for escape under section 28-913;
23 (jj) Loitering about a penal institution under section 28-914;
24 (kk) Labor trafficking, labor trafficking of a minor, sex
25 trafficking, or sex trafficking of a minor under section 28-831;
26 (ll) Knowing violation of a sexual assault protection order under
27 section 28-311.11;
28 (mm) Assault in the third degree under section 28-310 if punishable
29 as a Class I misdemeanor;
30 (nn) Assault of an unborn child in the first, second, or third
31 degree under section 28-397, 28-398, or 28-399, respectively;
1 (oo) Theft in violation of section 28-518 when the offense is
2 classified as a Class I misdemeanor or a felony;
3 (pp) First or second degree criminal trespass under section 28-520
4 or 28-521, respectively;
5 (qq) Prostitution under section 28-801;
6 (rr) Solicitation of prostitution under section 28-801.01;
7 (ss) Debauching a minor under section 28-805;

8 (tt) Obstructing government operations under section 28-901;
 9 (uu) Resisting arrest under section 28-904;
 10 (vv) Obstructing a peace officer under section 28-906;
 11 (ww) Interference with a fireman on official duty under section
 12 28-908;
 13 (xx) Assault with a bodily fluid against a public safety officer
 14 under section 28-934;
 15 (yy) Use of explosives without a permit under section 28-1218;
 16 (zz) Concealing the death of another person under section 28-1302;
 17 (aaa) Knowing violation of a protection order under section 42-924;
 18 (bbb) Manufacturing spirits without a license under subsection (2)
 19 of section 53-1,100;
 20 (ccc) Offenses involving an imitation controlled substance under
 21 section 28-445 if punishable as a Class II misdemeanor;
 22 (ddd) An offense relating to an inspection warrant under section
 23 29-835;
 24 (eee) Failure to obey a lawful order of a peace officer under
 25 subsection (2) of section 60-6,110;
 26 (fff) Harassment of a police animal under subsection (3) of section
 27 28-1009;
 28 (ggg) Offenses involving a service animal under section 28-1009.01;
 29 (hhh) Discharging a firearm or weapon from a public way under
 30 section 28-1335;
 31 (iii) Resisting or obstructing an officer or employee of the Game
 1 and Parks Commission under section 37-609;
 2 (jjj) Failure of a vessel to comply with an order of an officer to
 3 stop under section 37-1238.02;
 4 (kkk) Violations relating to animals under section 39-313;
 5 (lll) Criminal mischief under section 28-519 if punishable as a
 6 Class I or II misdemeanor or a felony, including cases in which the
 7 penalty is enhanced as provided in section 28-111;
 8 (mmm) Any criminal attempt under section 28-201 to commit an offense
 9 described in this subsection, other than a violation of a city or village
 10 ordinance;
 11 (nnn) Accessory to felony under section 28-204; or
 12 (ooo) A violation of a city or village ordinance prohibiting hate
 13 intimidation, obstructing a law enforcement officer or firefighter,
 14 resisting arrest, disorderly conduct, failure to disperse, refusing a
 15 lawful request to move, unlawful assembly, assault, battery, enticement
 16 of a child under sixteen years of age into a vehicle, child enticement,
 17 caretaker neglect, solicitation, pandering, theft, trespass, failure to
 18 leave the property of another upon request to leave, damage to property,
 19 discharging a projectile, or sale of a firearm to a minor."; and in line
 20 10, strike "or a prohibited person" and insert ", prohibited person, or
 21 person engaged in the commission of a covered offense as defined in
 22 section 28-1202".
 23 3. On page 23, strike lines 12 and 13 and insert "first offense, a
 24 Class I misdemeanor for a second offense, and a Class IV felony for a
 25 third offense; and".

Senator Linehan filed the following amendment to [LB984](#):
[AM2144](#)

(Amendments to Standing Committee amendments, AM2130)

1 1. On page 13, line 13, before "The" insert "(1)"; and after line 25
 2 insert the following new subsection:
 3 "(2) A client described in subsection (1) of this section which
 4 enters into a contract of construction, improvement, or repair with
 5 respect to buyer-based tax-exempt items annexed to real estate without
 6 first issuing a purchasing agent authorization to a construction
 7 contractor prior to such items being annexed to real estate in the

8 project may apply to the Tax Commissioner for a refund of any sales and
9 use tax paid by the contractor on such items physically annexed to real
10 estate in the construction, improvement, or repair."

Senator M. Hansen filed the following amendment to [LB820](#):

[AM2147](#)

1 1. On page 4, line 21, strike "of such cities", show as stricken,
2 and insert "cities described in this section".

SELECT FILE

LEGISLATIVE BILL 450. Senator Geist offered her amendment, [AM1943](#), found on page 583.

The Geist amendment was adopted with 31 ayes, 0 nays, 7 present and not voting, and 11 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 450A. Advanced to Enrollment and Review for Engrossment.

SENATOR ARCH PRESIDING

LEGISLATIVE BILL 1099. Advanced to Enrollment and Review for Engrossment.

GENERAL FILE

LEGISLATIVE BILL 707. Title read. Considered.

Committee [AM1859](#), found on page 582, was adopted with 37 ayes, 0 nays, 3 present and not voting, and 9 excused and not voting.

Advanced to Enrollment and Review Initial with 36 ayes, 0 nays, 4 present and not voting, and 9 excused and not voting.

LEGISLATIVE BILL 863. Title read. Considered.

Committee [AM1913](#), found on page 583, was adopted with 42 ayes, 0 nays, 3 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 44 ayes, 0 nays, 1 present and not voting, and 4 excused and not voting.

COMMITTEE REPORT(S)
Transportation and Telecommunications

LEGISLATIVE BILL 1016. Placed on General File with amendment. [AM2128](#) is available in the Bill Room.

(Signed) Curt Friesen, Chairperson

Government, Military and Veterans Affairs

LEGISLATIVE BILL 1104. Placed on General File.

(Signed) Tom Brewer, Chairperson

AMENDMENT(S) - Print in Journal

Senator McKinney filed the following amendment to [LB450A](#):
[AM2148](#)

1 1. Strike the original section and insert the following new section:
2 Section 1. ~~There is hereby appropriated (1) \$11,000 from the~~
3 ~~Innovation Hub Cash Fund and \$5,000,000 from the General Fund for~~
4 ~~FY2022-23 and (2) \$11,000 from the Innovation Hub Cash Fund and~~
5 ~~\$5,000,000 from the General Fund for FY2023-24 to the Department of~~
6 ~~Economic Development, for Program 603, to aid in carrying out the~~
7 ~~provisions of Legislative Bill 450, One Hundred Seventh Legislature,~~
8 ~~Second Session, 2022.~~
9 ~~Total expenditures for permanent and temporary salaries and per~~
10 ~~diems from funds appropriated in this section shall not exceed \$134,140~~
11 ~~for FY2022-23 or \$159,550 for FY2023-24.~~

Senator Hunt filed the following amendment to [LB598](#):
[AM2126](#)

(Amendments to Standing Committee amendments, AM549)

1 1. Strike amendment 1 and insert the following new amendment:
2 1. Strike original section 5 and insert the following new sections:
3 Sec. 6. Section 48-3601, Reissue Revised Statutes of Nebraska, is
4 amended to read:
5 48-3601 Sections 48-3601 to 48-3609 shall be known and may be cited
6 as the Nebraska ~~Student-Athlete Name, Image, or Likeness Rights Fair Pay~~
7 ~~to Play Act.~~
8 Sec. 7. Section 48-3602, Reissue Revised Statutes of Nebraska, is
9 amended to read:
10 48-3602 For purposes of the Nebraska ~~Student-Athlete Name, Image, or~~
11 ~~Likeness Rights Fair Pay to Play Act:~~
12 (1) Athletic grant-in-aid means the money given to a student-athlete
13 by a postsecondary institution for tuition, fees, room, board, and
14 textbooks as consideration for the student-athlete's participation in an
15 intercollegiate sport for such postsecondary institution and does not
16 include compensation for the use of the student-athlete's name, image, or
17 likeness rights or athletic reputation;
18 (2) Collegiate athletic association means any athletic association,
19 conference, or other group or organization with authority over
20 intercollegiate sports;
21 (3) Compensation for the use of a student-athlete's name, image, or
22 likeness rights or athletic reputation includes, but is not limited to,

23 consideration received pursuant to an endorsement contract as defined in
24 section 48-2602;

25 (4) Intercollegiate sport has the same meaning as in section
26 48-2602;

1 (5) Postsecondary institution has the same meaning as in section
2 85-2403;

3 (6) Professional representation includes, but is not limited to,
4 representation provided by an athlete agent holding a certificate of
5 registration under the Nebraska Uniform Athlete Agents Act, a financial
6 advisor registered under the Securities Act of Nebraska, or an attorney
7 admitted to the bar by order of the Supreme Court of this state;

8 (7) Sponsor means an individual or organization that pays money or
9 provides goods or services in exchange for advertising rights;

10 (8) Student-athlete has the same meaning as in section 48-2602; and

11 (9) Team contract means a contract between a postsecondary
12 institution or a postsecondary institution's athletic department and a
13 sponsor.

14 Sec. 8. Section 48-3603, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 48-3603 (1) No postsecondary institution shall uphold any rule,
17 requirement, standard, or limitation that prevents a student-athlete from
18 fully participating in an intercollegiate sport for such postsecondary
19 institution because such student-athlete earns compensation for the use
20 of such student-athlete's name, image, or likeness rights or athletic
21 reputation.

22 (2) No collegiate athletic association shall penalize a student-
23 athlete or prevent a student-athlete from fully participating in an
24 intercollegiate sport because such student-athlete earns compensation for
25 the use of such student-athlete's name, image, or likeness rights or
26 athletic reputation.

27 (3) No collegiate athletic association shall penalize a
28 postsecondary institution or prevent a postsecondary institution from
29 fully participating in an intercollegiate sport because a student-athlete
30 participating in an intercollegiate sport for such postsecondary
31 institution earns compensation for the use of such student-athlete's
1 name, image, or likeness rights or athletic reputation.

2 (4) No postsecondary institution shall allow compensation earned by
3 a student-athlete for the use of such student-athlete's name, image, or
4 likeness rights or athletic reputation to affect the duration, amount, or
5 eligibility for or renewal of any athletic grant-in-aid or other
6 institutional scholarship, except that compensation earned by a student-
7 athlete for the use of such student-athlete's name, image, or likeness
8 rights or athletic reputation may be used for the calculation of income
9 for determining eligibility for need-based financial aid.

10 (5) The compensation a student-athlete earns for the use of the
11 student-athlete's name, image, or likeness must be for services actually
12 performed. Student-athletes shall not be paid for contracts that (a)
13 extend beyond the student-athlete's participation in an athletic program
14 at a postsecondary institution, (b) involve the sale or exchange of
15 awards or other items received for athletic participation, (c) involve
16 compensation from a postsecondary institution or a postsecondary
17 institution's employees, or (d) provide compensation for work not
18 performed.

19 (6) Student-athletes may be prohibited from entering into contracts
20 or agreements or engaging in activity related to the use of the student-
21 athlete's name, image, or likeness for products, services, entities, or
22 activities reasonably deemed to be inconsistent with the educational
23 mission of the postsecondary institution by such postsecondary
24 institution.

25 (7) Nothing in the Nebraska Student-Athlete Name, Image, or Likeness

26 Rights Act shall limit the ability of a postsecondary institution to
27 establish and enforce standards, requirements, regulations, or
28 obligations for such postsecondary institution's students not
29 inconsistent with the act.
30 (8) Nothing in the Nebraska Student-Athlete Name, Image, or Likeness
31 Rights Act grants to a student-athlete the right to use any name,
1 trademark, service mark, logo, symbol, or other intellectual property
2 that belongs to the postsecondary institution, regardless of whether the
3 intellectual property is registered, to further the student-athlete's
4 opportunities to earn compensation for the use of the student-athlete's
5 name, image, or likeness.
6 Sec. 9. Section 48-3604, Reissue Revised Statutes of Nebraska, is
7 amended to read:
8 48-3604 Any student-athlete who enters into a contract or agreement
9 that provides compensation for the use of such student-athlete's name,
10 image, or likeness rights or athletic reputation shall disclose such
11 contract or agreement to an official of the postsecondary institution for
12 which such student-athlete participates in an intercollegiate sport. The
13 official to which such contract or agreement shall be disclosed shall be
14 designated by each postsecondary institution, and the designation shall
15 be communicated in writing to each student-athlete participating in an
16 intercollegiate sport for such postsecondary institution. Unless
17 otherwise required by law, each postsecondary institution shall be
18 prohibited from disclosing any terms of such contract or agreement that
19 the student-athlete or the student-athlete's professional representation
20 deems to be a trade secret or otherwise nondisclosable.
21 Sec. 10. Section 48-3605, Reissue Revised Statutes of Nebraska, is
22 amended to read:
23 48-3605 (1) No student-athlete shall enter into a contract or
24 agreement with a sponsor that provides compensation to the student-
25 athlete for use of the student-athlete's name, image, and likeness rights
26 or athletic reputation if (a) such contract or agreement requires such
27 student-athlete to display such sponsor's apparel or to otherwise
28 advertise for the sponsor during official team activities and (b)
29 compliance with such contract or agreement requirement would conflict
30 with a team contract. Any postsecondary institution asserting such
31 conflict shall disclose to the student-athlete and the student-athlete's
1 professional representation, if applicable, the full team contract that
2 is asserted to be in conflict. The student-athlete and the student-
3 athlete's professional representation, if applicable, shall be prohibited
4 from disclosing any terms of a team contract that the postsecondary
5 institution deems to be a trade secret or otherwise nondisclosable.
6 (2) No team contract shall prevent a student-athlete from receiving
7 compensation for the use of such student-athlete's name, image, and
8 likeness rights or athletic reputation when the student-athlete is not
9 engaged in official team activities.
10 Sec. 11. Section 48-3606, Reissue Revised Statutes of Nebraska, is
11 amended to read:
12 48-3606 (1) No postsecondary institution or collegiate athletic
13 association shall penalize a student-athlete or prevent a student-athlete
14 from fully participating in an intercollegiate sport because such
15 student-athlete obtains professional representation in relation to a
16 contract or legal matter related to the use of the student-athlete's
17 name, image, or likeness.
18 (2) No collegiate athletic association shall penalize a
19 postsecondary institution or prevent a postsecondary institution from
20 fully participating in an intercollegiate sport because a student-athlete
21 participating in an intercollegiate sport for such postsecondary
22 institution obtains professional representation in relation to a contract
23 or legal matter related to the use of the student-athlete's name, image,

24 or likeness.

25 (3) A postsecondary institution may offer education and training to
26 student-athletes to aid them in understanding the opportunities that may
27 become available to them for the use of their name, image, or likeness,
28 including education in the areas of networking and communication, brand-
29 building and management, financial literacy, and compliance.

30 Sec. 12. Section 48-3607, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 48-3607 (1) The Nebraska Student-Athlete Name, Image, or Likeness
2 Rights Fair Pay to Play Act shall not be applied in a manner that
3 violates any contract in effect prior to the date determined by a
4 postsecondary institution pursuant to section 48-3609 with regard to such
5 postsecondary institution or any student-athlete who participates in an
6 intercollegiate sport for such postsecondary institution for as long as
7 such contract remains in effect without modification.

8 (2) On and after the date determined by a postsecondary institution
9 pursuant to section 48-3609, such postsecondary institution shall not
10 enter into, modify, or renew any contract in a manner that conflicts with
11 the Nebraska Student-Athlete Name, Image, or Likeness Rights Fair Pay to
12 Play Act.

13 Sec. 13. Section 48-3608, Reissue Revised Statutes of Nebraska, is
14 amended to read:

15 48-3608 (1) A student-athlete or a postsecondary institution
16 aggrieved by a violation of the Nebraska Student-Athlete Name, Image, or
17 Likeness Rights Fair Pay to Play Act may bring a civil action against the
18 postsecondary institution or collegiate athletic association committing
19 such violation.

20 (2) A plaintiff who prevails in an action under the Nebraska
21 Student-Athlete Name, Image, or Likeness Rights Fair Pay to Play Act
22 shall be entitled to:

23 (a) Actual damages;

24 (b) Such preliminary and other equitable or declaratory relief as
25 may be appropriate; and

26 (c) Reasonable attorney's fees and other litigation costs reasonably
27 incurred.

28 (3) A public postsecondary institution may be sued upon claims
29 arising under the Nebraska Student-Athlete Name, Image, or Likeness
30 Rights Fair Pay to Play Act only to the extent allowed under the State
31 Tort Claims Act, the State Contract Claims Act, or the State
1 Miscellaneous Claims Act, except that a civil action for a violation of
2 the Nebraska Student-Athlete Name, Image, or Likeness Rights Fair Pay to
3 Play Act may only be brought within one year after the cause of action
4 has accrued.

5 Sec. 14. Section 48-3609, Reissue Revised Statutes of Nebraska, is
6 amended to read:

7 48-3609 Each postsecondary institution shall determine a date on or
8 before July 1, 2023, upon which the Nebraska Student-Athlete Name, Image,
9 or Likeness Rights Fair Pay to Play Act shall begin to apply to such
10 postsecondary institution and the student-athletes who participate in an
11 intercollegiate sport for such postsecondary institution and to any
12 collegiate athletic association or professional representation in
13 interactions with such postsecondary institution or student-athletes.

14 Sec. 15. Sections 6, 7, 8, 9, 10, 11, 12, 13, 14, and 16 of this act
15 become operative three calendar months after the adjournment of this
16 legislative session. The other sections of this act become operative on
17 their effective date.

18 Sec. 16. Original sections 48-3601, 48-3602, 48-3603, 48-3604,
19 48-3605, 48-3606, 48-3607, 48-3608, and 48-3609, Reissue Revised Statutes
20 of Nebraska, are repealed.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 316. Introduced by Wishart, 27.

WHEREAS, the 2022 Nebraska School Activities Association State Swimming and Diving Championships were held from February 24 through February 26 at Bob Devaney Sports Center in Lincoln; and

WHEREAS, the Lincoln Southwest High School Boys and Girls Swimming and Dive Teams competed in and won the NSAA State Swimming and Diving Championships; and

WHEREAS, this is the first time since 1994 that the boys and girls state swimming championships were won by the same school; and

WHEREAS, this was the second consecutive year the Boys Swimming and Diving team won the State Championship; and

WHEREAS, the leadership of Coaches Ross Mueller, Tiffany Hale, and Erik Gustafson contributed to the success of both teams; 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 Lincoln Southwest High School Boys and Girls Swimming and Diving Teams on winning the 2022 NSAA State Swimming and Diving Championships.

2. That a copy of this resolution be sent to the Lincoln Southwest High School as well as Coaches Ross Mueller, Tiffany Hale, and Erik Gustafson.

Laid over.

MOTION(S) - Print in Journal

Senator Brewer filed the following motion to [LB773](#):

[MO151](#)

Place on General File pursuant to Rule 3, Section 20(b).

MESSAGE(S) FROM THE GOVERNOR

March 3, 2022

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

Dear Mr. O'Donnell:

Engrossed Legislative Bills 685 and 700e were received in my office on February 25, 2022.

Engrossed Legislative Bills 592, 708, 754, 758, and 892 were received in my office on February 28, 2022.

These bills were signed and delivered to the Secretary of State on March 3, 2022.

Sincerely,
(Signed) Pete Ricketts
Governor

SENATOR WILLIAMS PRESIDING

GENERAL FILE

LEGISLATIVE BILL 752. Title read. Considered.

Committee [AM1918](#), found on page 592, was offered.

Senator DeBoer offered her amendment, [AM2103](#), found on page 697, to the committee amendment.

The DeBoer amendment was adopted with 34 ayes, 0 nays, 11 present and not voting, and 4 excused and not voting.

The committee amendment, as amended, was adopted with 35 ayes, 0 nays, 10 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 36 ayes, 0 nays, 9 present and not voting, and 4 excused and not voting.

AMENDMENT(S) - Print in Journal

Senator Gragert filed the following amendment to [LB1082](#):

[AM1991](#)

1 1. Insert the following new section:

2 Section 1. Section 37-201, Revised Statutes Supplement, 2021, is

3 amended to read:

4 37-201 Sections 37-201 to 37-811 and 37-1501 to 37-1510 and section

5 2 of this act and the State Park System Construction Alternatives Act

6 shall be known and may be cited as the Game Law.

7 2. On page 3, line 10, after "adopt" insert "and promulgate"; and in

8 line 17 strike "1" and insert "2".

9 3. Renumber the remaining sections and correct the repealer

10 accordingly.

GENERAL FILE

LEGISLATIVE BILL 805. Title read. Considered.

Committee [AM1976](#), found on page 623, was adopted with 32 ayes, 1 nay, 11 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review Initial with 33 ayes, 5 nays, 6 present and not voting, and 5 excused and not voting.

LEGISLATIVE BILL 896. Title read. Considered.

SENATOR ARCH PRESIDING

Committee [AM1930](#), found on page 577, was adopted with 40 ayes, 0 nays, 5 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 40 ayes, 0 nays, 5 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 1273. Title read. Considered.

Committee [AM2005](#), found on page 620, was adopted with 33 ayes, 0 nays, 12 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 41 ayes, 0 nays, 4 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 1273A. Title read. Considered.

Advanced to Enrollment and Review Initial with 36 ayes, 0 nays, 9 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 917. Title read. Considered.

SPEAKER HILGERS PRESIDING

Advanced to Enrollment and Review Initial with 38 ayes, 1 nay, 6 present and not voting, and 4 excused and not voting.

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LRs 301, 302, and 303 were adopted.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LRs 301, 302, and 303.

GENERAL FILE

LEGISLATIVE BILL 917A. Title read. Considered.

Advanced to Enrollment and Review Initial with 34 ayes, 1 nay, 9 present and not voting, and 5 excused and not voting.

COMMITTEE REPORT(S)
General Affairs

LEGISLATIVE BILL 764. Placed on General File.

(Signed) Tom Briese, Chairperson

AMENDMENT(S) - Print in Journal

Senator B. Hansen filed the following amendment to LB1250:
[AM2100](#)

1 1. On page 2, lines 26 and 27, strike the new matter and reinstate
2 the stricken matter.

Senator B. Hansen filed the following amendment to LB1251:
[AM2082](#)

1 1. Strike the original sections and insert the following new
2 sections:
3 Section 1. Sections 1 to 10 of this act shall be known and may be
4 cited as the Equal Opportunity Scholarship for Students with Special
5 Needs Program Act.
6 Sec. 2. For purposes of the Equal Opportunity Scholarship for
7 Students with Special Needs Program Act:
8 (1) Department means the State Department of Education;
9 (2) Eligible student means any elementary or secondary student who
10 is a student with exceptional needs and who received special education
11 services under an individualized education plan or plan under Section 504
12 of the federal Rehabilitation Act of 1973, 29 U.S.C. 794, as such act
13 existed on January 1, 2022, and attended a public school in Nebraska for
14 at least one course the preceding semester, is starting school in
15 Nebraska for the first time, or has been denied option enrollment by a
16 public school pursuant to section 79-234;
17 (3) Equal Opportunity Scholarship or scholarship means a scholarship
18 granted under the Equal Opportunity Scholarship for Students with Special
19 Needs Program Act;
20 (4) Parent means an individual who is a parent, guardian, custodian,
21 or other person with the authority to act on behalf of an eligible
22 student;
23 (5) Participating school means a school that fulfills the applicable
24 accreditation or approval requirements established by the State Board of
25 Education pursuant to section 79-318;
26 (6) Program means the Equal Opportunity Scholarship for Students
27 with Special Needs Program;
1 (7) Resident school district means the public school district in
2 which the student resides;
3 (8) Special education documents means:
4 (a) An individual education plan under the Individuals with
5 Disabilities Education Act, 20 U.S.C. 1400 et seq., as such act existed
6 on January 1, 2022;
7 (b) An education plan under Section 504 of the federal
8 Rehabilitation Act of 1973, 29 U.S.C. 794, as such act existed on January
9 1, 2022;
10 (c) Any and all documents related to progress monitoring, growth, or
11 student behavior or other documents that were developed to assist the
12 student in such student's progress; or
13 (d) A learning plan developed by a nonpublic school in conjunction
14 with the teachers and parents of an eligible student and includes student

15 strengths, learning goals, qualitative records of student progress, and
16 quantitative data collection of student progress, and which is reviewed
17 no less than once per semester;

18 (9) Tier A level of intervention means the support needed for an
19 eligible student with a diagnosis and individualized education plan for
20 autism, emotional disturbance, dual sensory impairment, multiple
21 impairments or disabilities, visual impairment, hearing impairment,
22 orthopedic impairment, traumatic brain injury, or other qualifying needs
23 as determined by the department;

24 (10) Tier B level of intervention means the support needed for an
25 eligible student with a diagnosis and individualized education plan or a
26 disability under Section 504 of the federal Rehabilitation Act of 1973,
27 29 U.S.C. 794, as such act existed on January 1, 2022, for an emotional
28 handicap, learning disability, mild mental handicap, developmental delay,
29 other moderate health impairment, or other qualifying needs as determined
30 by the department;

31 (11) Tier C level of intervention means the support needed for an
1 eligible student identified with a disability under Section 504 of the
2 federal Rehabilitation Act of 1973, 29 U.S.C. 794, as such act existed on
3 January 1, 2022, who has been diagnosed as dyslexic or has an individual
4 education plan for speech, language, a specific learning disability, or
5 other qualifying need as determined by the department; and

6 (12) Tier D level of intervention means the support needed for an
7 eligible student who attends a participating school and was previously
8 receiving an Equal Opportunity Scholarship but who no longer requires
9 special education services.

10 Sec. 3. (1) The parents of an eligible student shall receive an
11 Equal Opportunity Scholarship for such student to attend the
12 participating school of their choice. The amount of the scholarship shall
13 be based upon the current year's statewide average basic funding per
14 student as determined by the department. The parents of:

15 (a) An eligible student qualified for a Tier A level of intervention
16 shall receive one hundred fifty percent of the current year's statewide
17 average basic funding per student;

18 (b) An eligible student qualified for a Tier B level of intervention
19 shall receive one hundred percent of the current year's statewide average
20 basic funding per student;

21 (c) An eligible student qualified for a Tier C level of intervention
22 shall receive seventy-five percent of the current year's statewide
23 average basic funding per student; and

24 (d) An eligible student qualified for a Tier D level of intervention
25 shall receive fifty percent of the current year's statewide average basic
26 funding per student as determined by the department as long as the
27 student remains in the participating school in which the student received
28 a Tier A, Tier B, or Tier C level of intervention.

29 (2) If an eligible student has scholarship funds remaining upon
30 graduation from a participating school, the funds may be rolled over for
31 educational use at a postsecondary institution for up to one year.

1 (3)(a) An Equal Opportunities Scholarship shall remain in force
2 unless the student:

3 (i) Graduates from high school;

4 (ii) Reaches twenty-two years of age; or

5 (iii) Returns to public school.

6 (b) A parent may move such student from one participating school to
7 another participating school without losing the scholarship.

8 (4) An application for an Equal Opportunity Scholarship is
9 confidential and not a public record subject to release.

10 Sec. 4. (1) The department shall appoint a person or persons
11 responsible for:

12 (a) Annually reviewing scholarship applications, including special

13 education documents;
14 (b) Confirming applicant special education status;
15 (c) Assigning students to the appropriate level of intervention tier
16 if the student meets such requirements;
17 (d) Communicating acceptance or rejection of applications to the
18 applicants and the State Treasurer;
19 (e) Implementing a commercially viable, cost-effective, and parent-
20 friendly system for publicly reviewing and sharing information about
21 participating schools; and
22 (f) Appropriately classifying disabilities as required by subsection
23 (2) of this section.
24 (2) The department shall classify special education disabilities not
25 expressly listed in the definitions of Tier A, Tier B, Tier C, and Tier D
26 levels of intervention into an appropriate tier.
27 Sec. 5. (1) To ensure that students are treated fairly and kept
28 safe, a participating school shall:
29 (a) Comply with all health and safety laws or codes that apply to
30 such school;
31 (b) Hold a valid occupancy permit if required by the municipality in
1 which such school resides;
2 (c) Conduct criminal background checks on potential employees;
3 (d) Exclude from employment any person not permitted by state law to
4 work in such school; and
5 (e) Exclude from employment any person that might reasonably pose a
6 threat to the safety of students.
7 (2) To ensure that students are receiving an appropriate academic
8 education, a participating school shall, unless as part of an
9 accommodation established in the eligible student's special education
10 document, require each eligible student to take nationally norm-
11 referenced tests that measure learning gains in mathematics and language
12 arts and provide such results to the parents of such student on an annual
13 basis, beginning with the first year of testing.
14 Sec. 6. A participating school is autonomous and not an agent of
15 the state or federal government and therefore:
16 (1) Except as otherwise provided by law, the department or any other
17 state agency shall not in any way regulate the educational program of a
18 participating school that accepts eligible students;
19 (2) The creation of the program does not expand the regulatory
20 authority of the state, its officers, or any school district to impose
21 any additional regulation on a participating school; and
22 (3) A participating school shall not be required to alter its creed,
23 practices, admissions policy, or curriculum.
24 (4) Based upon the school's ability to serve the student
25 appropriately, a participating school reserves the right to accept or
26 deny any student under the program.
27 Sec. 7. (1) A parent who applies for the program is exercising such
28 parent's option to place such parent's child in a private school. In
29 order to qualify for the program, a parent shall select the participating
30 school and apply for the admission of such parent's child and for the
31 program. No eligible student shall receive program funds until at least
1 sixty days after application for such program is received.
2 (2) Any student participating in the program shall remain in
3 attendance at a participating school throughout the school year unless
4 excused by the school for illness or other good cause.
5 (3) Each parent and each student have an obligation to the
6 participating school to comply with the participating school's published
7 policies. A student and parent who do not comply may lose program
8 eligibility.
9 Sec. 8. The State Treasurer shall administer qualified Equal
10 Opportunity Scholarship funds in accordance with this section and shall:

11 (1) Ensure that eligible students and their parents are informed
12 annually of which schools will be participating in the program and which
13 level of intervention tiers such schools provide services for;
14 (2) Create a standard form that parents of eligible students can
15 submit to establish their student's eligibility for the program;
16 (3) Ensure that the application is readily available to interested
17 families through various sources, including on the State Treasurer's
18 website;
19 (4) Ensure compliance with all student privacy laws for forms and
20 information received by the State Treasurer;
21 (5) Administer an annual parental satisfaction survey that asks
22 parents of students receiving funds under the program to express:
23 (a) Their level of satisfaction with the program; and
24 (b) Their opinions on other topics, items, or issues that the
25 department finds would elicit information about the effectiveness of the
26 program;
27 (6) Ensure that parents of students with disabilities receive notice
28 that participation in the program is considered a parental placement
29 under the Individuals with Disabilities Act 20 U.S.C. 1400 et seq., as
30 such act existed on January 1, 2022, along with an explanation of the
31 rights that parentally placed students possess under such act and any
1 applicable state laws and regulations;
2 (7) Implement or contract with a private organization to implement a
3 commercially viable, cost-effective, and parent-friendly system for
4 payment on behalf of a parent and the eligible student to a participating
5 school, including, but not limited to, the use of electronic or online
6 fund transfers, except that the scholarship may not be reduced for
7 electronic payment fees; and
8 (8) Not less than twice per year, implement a system for payment to
9 eligible education freedom account families that use electronic or online
10 funds transfer.
11 Sec. 9. A resident school district shall provide a participating
12 school that has admitted an eligible student under the program from such
13 resident school district with a complete copy of the such student's
14 school records and special education documents, while complying with the
15 federal Family Educational Rights and Privacy Act of 1974, as amended, 20
16 U.S.C. 1232g, and all federal regulations and applicable guidelines
17 adopted in accordance with such act, as such act, regulations, and
18 guidelines existed on January 1, 2022.
19 Sec. 10. (1) The Equal Opportunities Scholarship Fund is created.
20 The fund shall be used to carry out the Equal Opportunities Scholarship
21 for Students with Special Needs Program Act. The fund shall consist of:
22 (a) Transfers by the Legislature; and
23 (b) Any gifts, grants, bequests, or donations to the fund.
24 (2) The State Treasurer shall administer the fund. Any money in the
25 fund available for investment shall be invested by the state investment
26 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
27 State Funds Investment Act. The State Treasurer may deduct from the fund
28 an amount necessary to cover the costs of administering the program, up
29 to a limit of two percent.
30 Sec. 11. Section 9-812, Revised Statutes Supplement, 2021, is
31 amended to read:
1 9-812 (1) All money received from the operation of lottery games
2 conducted pursuant to the State Lottery Act in Nebraska shall be credited
3 to the State Lottery Operation Trust Fund, which fund is hereby created.
4 All payments of the costs of establishing and maintaining the lottery
5 games shall be made from the State Lottery Operation Cash Fund. In
6 accordance with legislative appropriations, money for payments for
7 expenses of the division shall be transferred from the State Lottery
8 Operation Trust Fund to the State Lottery Operation Cash Fund, which fund

9 is hereby created. All money necessary for the payment of lottery prizes
10 shall be transferred from the State Lottery Operation Trust Fund to the
11 State Lottery Prize Trust Fund, which fund is hereby created. The amount
12 used for the payment of lottery prizes shall not be less than forty
13 percent of the dollar amount of the lottery tickets which have been sold.
14 (2) A portion of the dollar amount of the lottery tickets which have
15 been sold on an annualized basis shall be transferred from the State
16 Lottery Operation Trust Fund to the Education Innovation Fund, the
17 Nebraska Opportunity Grant Fund, the Nebraska Education Improvement Fund,
18 the Nebraska Environmental Trust Fund, the Nebraska State Fair Board, and
19 the Compulsive Gamblers Assistance Fund as provided in subsection (3) of
20 this section. The dollar amount transferred pursuant to this subsection
21 shall equal the greater of (a) the dollar amount transferred to the funds
22 in fiscal year 2002-03 or (b) any amount which constitutes at least
23 twenty-two percent and no more than twenty-five percent of the dollar
24 amount of the lottery tickets which have been sold on an annualized
25 basis. To the extent that funds are available, the Tax Commissioner and
26 director may authorize a transfer exceeding twenty-five percent of the
27 dollar amount of the lottery tickets sold on an annualized basis.
28 (3) Of the money available to be transferred to the Education
29 Innovation Fund, the Nebraska Opportunity Grant Fund, the Nebraska
30 Education Improvement Fund, the Nebraska Environmental Trust Fund, the
31 Nebraska State Fair Board, the Equal Opportunities Scholarship Fund, and
1 the Compulsive Gamblers Assistance Fund:
2 (a) The first five hundred thousand dollars shall be transferred to
3 the Compulsive Gamblers Assistance Fund to be used as provided in section
4 9-1006;
5 (b) Beginning in fiscal year 2022-23, after the initial transfer to
6 the Compulsive Gamblers Assistance Fund, five million dollars shall be
7 transferred to the Equal Opportunities Scholarship Fund to be used as
8 provided in section 10 of this act;
9 (c) ~~Forty-four (b) Beginning July 1, 2016, forty-four~~ and one-half
10 percent of the money remaining after the payment of prizes and operating
11 expenses and the initial transfers to the Equal Opportunities Scholarship
12 Fund and transfer to the Compulsive Gamblers Assistance Fund shall be
13 transferred to the Nebraska Education Improvement Fund;
14 (d) ~~(e)~~ Forty-four and one-half percent of the money remaining after
15 the payment of prizes and operating expenses and the initial transfers to
16 the Equal Opportunities Scholarship Fund and transfer to the Compulsive
17 Gamblers Assistance Fund shall be transferred to the Nebraska
18 Environmental Trust Fund to be used as provided in the Nebraska
19 Environmental Trust Act;
20 (e) ~~(d)~~ Ten percent of the money remaining after the payment of
21 prizes and operating expenses and the initial transfers to the Equal
22 Opportunities Scholarship Fund and transfer to the Compulsive Gamblers
23 Assistance Fund shall be transferred to the Nebraska State Fair Board if
24 the most populous city within the county in which the fair is located
25 provides matching funds equivalent to ten percent of the funds available
26 for transfer. Such matching funds may be obtained from the city and any
27 other private or public entity, except that no portion of such matching
28 funds shall be provided by the state. If the Nebraska State Fair ceases
29 operations, ten percent of the money remaining after the payment of
30 prizes and operating expenses and the initial transfer to the Compulsive
31 Gamblers Assistance Fund shall be transferred to the General Fund; and
1 (f) ~~(e)~~ One percent of the money remaining after the payment of
2 prizes and operating expenses and the initial transfers to the Equal
3 Opportunities Scholarship Fund and transfer to the Compulsive Gamblers
4 Assistance Fund shall be transferred to the Compulsive Gamblers
5 Assistance Fund to be used as provided in section 9-1006.
6 (4) The Nebraska Education Improvement Fund is created. The fund

7 shall consist of money transferred pursuant to subsection (3) of this
8 section, money transferred pursuant to section 85-1920, and any other
9 funds appropriated by the Legislature. The fund shall be allocated, after
10 actual and necessary administrative expenses, as provided in this section
11 for fiscal years 2016-17 through 2023-24. A portion of each allocation
12 may be retained by the agency to which the allocation is made or the
13 agency administering the fund to which the allocation is made for actual
14 and necessary expenses incurred by such agency for administration,
15 evaluation, and technical assistance related to the purposes of the
16 allocation, except that no amount of the allocation to the Nebraska
17 Opportunity Grant Fund may be used for such purposes. On or before
18 December 31, 2022, the Education Committee of the Legislature shall
19 electronically submit recommendations to the Clerk of the Legislature
20 regarding how the fund should be allocated to best advance the
21 educational priorities of the state for the five-year period beginning
22 with fiscal year 2024-25. For fiscal year 2016-17, an amount equal to ten
23 percent of the revenue allocated to the Education Innovation Fund and to
24 the Nebraska Opportunity Grant Fund for fiscal year 2015-16 shall be
25 retained in the Nebraska Education Improvement Fund. For fiscal years
26 2017-18 through 2023-24, an amount equal to ten percent of the revenue
27 received by the Nebraska Education Improvement Fund in the prior fiscal
28 year shall be retained in the fund at all times plus any interest earned
29 during the current fiscal year. For fiscal years 2016-17 through 2023-24,
30 the remainder of the fund shall be allocated as follows:

31 (a) One percent of the allocated funds to the Expanded Learning
1 Opportunity Grant Fund to carry out the Expanded Learning Opportunity
2 Grant Program Act;

3 (b) Seventeen percent of the allocated funds to the Department of
4 Education Innovative Grant Fund to be used for competitive innovation
5 grants pursuant to section 79-1054;

6 (c) Nine percent of the allocated funds to the Community College Gap
7 Assistance Program Fund to carry out the community college gap assistance
8 program;

9 (d) Eight percent of the allocated funds to the Excellence in
10 Teaching Cash Fund to carry out the Excellence in Teaching Act;

11 (e) Sixty-two percent of the allocated funds to the Nebraska
12 Opportunity Grant Fund to carry out the Nebraska Opportunity Grant Act in
13 conjunction with appropriations from the General Fund; and

14 (f) Three percent of the allocated funds to fund distance education
15 incentives pursuant to section 79-1337.

16 (5)(a) On or before September 20, 2022, and on or before each
17 September 20 thereafter, (i) any department or agency receiving a
18 transfer or acting as the administrator for a fund receiving a transfer
19 pursuant to subsection (4) of this section, (ii) any recipient or
20 subsequent recipient of money from any such fund, and (iii) any service
21 contractor responsible for managing any portion of any such fund or any
22 money disbursed from any such fund on behalf of any entity shall prepare
23 and submit an annual report to the Auditor of Public Accounts in a manner
24 prescribed by the auditor for the immediately preceding July 1 through
25 June 30 fiscal year detailing information regarding the use of such fund
26 or such money.

27 (b) The Auditor of Public Accounts shall annually compile a summary
28 of the annual reports received pursuant to subdivision (5)(a) of this
29 section, any audits related to transfers pursuant to subsection (4) of
30 this section conducted by the Auditor of Public Accounts, and any
31 findings or recommendations related to such transfers into a consolidated
1 annual report and shall submit such consolidated annual report
2 electronically to the Legislature on or before January 1, 2023, and on or
3 before each January 1 thereafter.

4 (c) For purposes of this subsection, recipient, subsequent

5 recipient, or service contractor means a nonprofit entity that expends
6 funds transferred pursuant to subsection (4) of this section to carry out
7 a state program or function, but does not include an individual who is a
8 direct beneficiary of such a program or function.
9 (6) Any money in the State Lottery Operation Trust Fund, the State
10 Lottery Operation Cash Fund, the State Lottery Prize Trust Fund, or the
11 Nebraska Education Improvement Fund available for investment shall be
12 invested by the state investment officer pursuant to the Nebraska Capital
13 Expansion Act and the Nebraska State Funds Investment Act.
14 (7) Unclaimed prize money on a winning lottery ticket shall be
15 retained for a period of time prescribed by rules and regulations. If no
16 claim is made within such period, the prize money shall be used at the
17 discretion of the Tax Commissioner for any of the purposes prescribed in
18 this section.
19 Sec. 12. This act becomes operative on August 1, 2023.
20 Sec. 13. Original section 9-812, Revised Statutes Supplement, 2021,
21 is repealed.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 317. Introduced by Blood, 3.

WHEREAS, Spina Bifida is the most common permanently disabling birth defect, occurring when the spine and spinal cord do not form properly within the first thirty days of pregnancy and impacting approximately one thousand five hundred births each year in the United States; and

WHEREAS, individuals living with Spina Bifida may have multiple medical conditions including: walking and mobility issues from paralysis, bowel and bladder problems, hydrocephalus, latex allergies, pressure sores, and Arnold Chiari malformation type II; and

WHEREAS, there is no cure for Spina Bifida and what causes it to form is unknown; and

WHEREAS, the medical community recommends that women who could become pregnant take four hundred micrograms of folic acid daily to help prevent neural tube defects such as Spina Bifida; and

WHEREAS, through years of research and with the information discovered, people with Spina Bifida tend to live normal and independent lives; and

WHEREAS, individuals and families living with Spina Bifida deserve support from the State of Nebraska through public awareness.

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

1. That the Legislature recognizes October 2022 as Spina Bifida Awareness Month.

2. That the Legislature encourages the Department of Health and Human Services to continue educating Nebraska families about the risks and the treatment of this condition.

Laid over.

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE BILL 741. Placed on Select File with amendment.

[ER122](#)

1 1. On page 1, strike lines 2 through 6 and insert "amend sections
2 71-3404, 71-3407, 71-3408, 71-3409, 71-3410, and 71-3411, Reissue Revised
3 Statutes of Nebraska, and sections 71-3405 and 71-3406, Revised Statutes
4 Cumulative Supplement, 2020; to define and redefine terms; to provide for
5 the review of stillbirths; to change the State Child and Maternal Death
6 Review Team into the State Child Death Review Team and the State Maternal
7 Death Review Team; to change provisions relating to membership and duties
8 of such teams; to provide for data abstractors and coordinators; to
9 harmonize provisions; and to repeal the original sections."

LEGISLATIVE BILL 780. Placed on Select File with amendment.

[ER123](#)

1 1. On page 1, strike beginning with "employment" in line 1 through
2 line 6 and insert "labor; to amend sections 48-302, 48-303, and 48-675,
3 Reissue Revised Statutes of Nebraska; to change provisions relating to an
4 employment certificate for the employment of a child; to change
5 provisions relating to a short-time compensation plan; to harmonize
6 provisions; and to repeal the original sections."

LEGISLATIVE RESOLUTION 283CA. Placed on Select File.

LEGISLATIVE BILL 998. Placed on Select File with amendment.

[ER124](#)

1 1. Strike the original sections and all amendments thereto and
2 insert the following new sections:
3 Section 1. Section 13-3301, Revised Statutes Supplement, 2021, is
4 amended to read:
5 13-3301 Sections 13-3301 to 13-3313 and section 4 of this act shall
6 be known and may be cited as the Municipal Inland Port Authority Act.
7 Sec. 2. Section 13-3303, Revised Statutes Supplement, 2021, is
8 amended to read:
9 13-3303 For purposes of the Municipal Inland Port Authority Act:
10 (1) Board means the board of commissioners of an inland port
11 authority;
12 (2) City means any city of the metropolitan class, city of the
13 primary class, or city of the first class which contains an area eligible
14 to be designated as an inland port district;
15 (3) Direct financial benefit means any form of financial benefit
16 that accrues to an individual directly, including compensation,
17 commission, or any other form of a payment or increase of money, or an
18 increase in the value of a business or property. Direct financial benefit
19 does not include a financial benefit that accrues to the public
20 generally;
21 (4) Family member means a spouse, parent, sibling, child, or
22 grandchild;
23 (5) Inland port authority means an authority created by a city,
24 county, or a city and one or more counties under the Municipal Inland
25 Port Authority Act to manage an inland port district;
26 (6) Inland port district means an area within the corporate
27 boundaries or extraterritorial zoning jurisdiction or both of a city,
1 within the boundaries of one or more counties, or within both the
2 corporate boundaries or extraterritorial zoning jurisdiction or both of a

3 city and the boundaries of one or more counties, and which meets at least
4 two of the following criteria:

- 5 (a) Is located within one mile of a navigable river or other
6 navigable waterway;
7 (b) Is located within one mile of a major rail line;
8 (c) Is located within two miles of any portion of the federally
9 designated National System of Interstate and Defense Highways or any
10 other four-lane divided highway; or
11 (d) Is located within two miles of a major airport;
12 (7) Intermodal facility means a hub or other facility for trade
13 combining any combination of rail, barge, trucking, air cargo, or other
14 transportation services;
15 (8) Major airport means an airport with commercial service as
16 defined by the Federal Aviation Administration; ~~and~~
17 (9) Major rail line means a rail line that is accessible to a Class
18 I railroad as defined by the federal Surface Transportation Board; ~~and~~ ~~;~~
19 (10) Nonprofit economic development corporation means a chamber of
20 commerce or other mutual benefit or public benefit corporation organized
21 under the Nebraska Nonprofit Corporation Act to assist economic
22 development.

23 Sec. 3. Section 13-3304, Revised Statutes Supplement, 2021, is
24 amended to read:

25 13-3304 (1) Any city which encompasses an area greater than three
26 hundred acres eligible to be designated as an inland port district may
27 propose to create an inland port authority by ordinance, subject to the
28 cap on the total number of inland port districts provided in subsection
29 (4) of this section. In determining whether to propose the creation of an
30 inland port authority, the city shall consider the following criteria:

- 31 (a) The desirability and economic feasibility of locating an inland
1 port district within the corporate boundaries, extraterritorial zoning
2 jurisdiction, or both of the city;
3 (b) The technical and economic capability of the city and any other
4 public and private entities to plan and carry out development within the
5 proposed inland port district;
6 (c) The strategic location of the proposed inland port district in
7 proximity to existing and potential transportation infrastructure that is
8 conducive to facilitating regional, national, and international trade and
9 the businesses and facilities that promote and complement such trade;
10 (d) The potential impact that development of the proposed inland
11 port district will have on the immediate area; and
12 (e) The regional and statewide economic impact of development of the
13 proposed inland port district.

14 (2) Any city and one or more counties in which a city of the
15 metropolitan class, city of the primary class, or city of the first class
16 is located, or in which the extraterritorial zoning jurisdiction of such
17 city is located, which encompass an area greater than three hundred acres
18 eligible to be designated as an inland port district may enter into an
19 agreement pursuant to the Interlocal Cooperation Act to propose joint
20 creation of an inland port authority, subject to the cap on the total
21 number of inland port districts provided in subsection (4) of this
22 section. In determining whether to propose the creation of an inland port
23 authority, the city and counties shall consider the following criteria:

- 24 (a) The desirability and economic feasibility of locating an inland
25 port district within the corporate boundaries or extraterritorial zoning
26 jurisdiction or both of the city, or within both the corporate boundaries
27 or extraterritorial zoning jurisdiction or both of a city and the
28 boundaries of one or more counties;
29 (b) The technical and economic capability of the city and county or
30 counties and any other public and private entities to plan and carry out
31 development within the proposed inland port district;

1 (c) The strategic location of the proposed inland port district in
2 proximity to existing and potential transportation infrastructure that is
3 conducive to facilitating regional, national, and international trade and
4 the businesses and facilities that promote and complement such trade;

5 (d) The potential impact that development of the proposed inland
6 port district will have on the immediate area; and

7 (e) The regional and statewide economic impact of development of the
8 proposed inland port district.

9 (3) Any county with a population greater than twenty thousand
10 inhabitants according to the most recent federal census or the most
11 recent revised certified count by the United States Bureau of the Census
12 which encompasses an area greater than three hundred acres eligible to be
13 designated as an inland port district may propose to create an inland
14 port authority by resolution, subject to the cap on the total number of
15 inland port districts provided in subsection (4) of this section. In
16 determining whether to propose the creation of an inland port authority,
17 the county shall consider the following criteria:

18 (a) The desirability and economic feasibility of locating an inland
19 port district within the county;

20 (b) The technical and economic capability of the county and any
21 other public or private entities to plan and carry out development within
22 the proposed inland port district;

23 (c) The strategic location of the proposed inland port district in
24 proximity to existing and potential transportation infrastructure that is
25 conducive to facilitating regional, national, and international trade and
26 the businesses and facilities that promote and complement such trade;

27 (d) The potential impact that development of the proposed inland
28 port district will have on the immediate area; and

29 (e) The regional and statewide economic impact of development of the
30 proposed inland port district.

31 (4) No more than five inland port districts may be designated
1 statewide. No inland port authority shall designate more than one inland
2 port district, and no inland port authority may be created without also
3 designating an inland port district.

4 (5) Following the adoption of an ordinance, resolution, or execution
5 of an agreement pursuant to the Interlocal Cooperation Act proposing
6 creation of an inland port authority, the city clerk or county clerk
7 shall transmit a copy of such ordinance, resolution, or agreement to the
8 Department of Economic Development along with an application for approval
9 of the proposal. Upon receipt of such ordinance, resolution, or agreement
10 and application, the department shall evaluate the proposed inland port
11 authority to determine whether the proposal meets the criteria in
12 subsection (1), (2), or (3) of this section, whichever is applicable, as
13 well as any prioritization criteria developed by the department. Upon a
14 determination that the proposed inland port authority sufficiently meets
15 such criteria, the Director of Economic Development shall certify to the
16 city clerk or county clerk whether the proposed creation of such inland
17 port authority exceeds the cap on the total number of inland port
18 districts pursuant to subsection (4) of this section. If the department
19 determines that the proposed inland port authority sufficiently meets
20 such criteria and does not exceed such cap, the inland port authority
21 shall be deemed created. If the proposed inland port authority does not
22 sufficiently meet such criteria or exceeds such cap, the city shall
23 repeal such ordinance, the county shall repeal such resolution, or the
24 city and county or counties shall rescind such agreement and the proposed
25 inland port authority shall not be created.

26 Sec. 4. (1) In the event that a city, a city and one or more
27 counties, or a county, as such are described in subsections (1), (2), and
28 (3) of section 13-3304, has or have not proposed to create an inland port
29 authority as provided in such section, a nonprofit economic development

30 corporation which serves such city, such city and one or more counties,
31 or such county may propose to create an inland port authority using the
1 criteria in subsection (1), (2), or (3) of section 13-3304, whichever is
2 applicable, by submitting an application to the Department of Economic
3 Development.
4 (2) Following the submission of an application from a nonprofit
5 economic development corporation proposing the creation of an inland port
6 authority, the Department of Economic Development shall evaluate the
7 proposed inland port authority to determine whether the proposal meets
8 the criteria in subsection (1), (2), or (3) of section 13-3304, whichever
9 is applicable, as well as any prioritization criteria developed by the
10 department. Upon a determination that the proposed inland port authority
11 sufficiently meets such criteria, the Director of Economic Development
12 shall certify to the nonprofit economic development corporation and the
13 city clerk or county clerk or clerks whether the proposed creation of
14 such inland port authority exceeds the cap on the total number of inland
15 port districts pursuant to subsection (4) of section 13-3304. If the
16 proposed inland port authority sufficiently meets such criteria and does
17 not exceed such cap, such city, such city and one or more counties, or
18 such county shall create an inland port authority pursuant to subsection
19 (1), (2), or (3) of section 13-3304, whichever is applicable, based on
20 the criteria utilized by the nonprofit economic development corporation
21 pursuant to subsection (1) of this section.
22 Sec. 5. Section 13-3305, Revised Statutes Supplement, 2021, is
23 amended to read:
24 13-3305 (1) The city council of any city which has created an inland
25 port authority pursuant to subsection (1) of section 13-3304 shall
26 designate what areas within the corporate limits, extraterritorial zoning
27 jurisdiction, or both of the city shall comprise the inland port
28 district, subject to the limitations of the Municipal Inland Port
29 Authority Act. The boundaries of any inland port district shall be filed
30 with the city clerk and shall become effective upon approval of the city
31 council. The city council may from time to time enlarge or reduce the
1 area comprising any inland port district, except that such district shall
2 not be reduced to an area less than three hundred acres. Any change of
3 boundaries shall be filed with the city clerk and become effective upon
4 such filing.
5 (2) The city council of any city and county board or boards of any
6 county or counties which have created an inland port authority pursuant
7 to subsection (2) of section 13-3304 shall designate what areas within
8 the corporate limits, extraterritorial zoning jurisdiction, or both of
9 the city or within the county or counties shall comprise the inland port
10 district, subject to the limitations of the Municipal Inland Port
11 Authority Act. The boundaries of any inland port district shall be filed
12 with the city clerk and the county clerk or clerks and shall become
13 effective upon approval of the city council and the county board or
14 boards. The city council and the county board or boards may from time to
15 time enlarge or reduce the area comprising any inland port district,
16 except that such district shall not be reduced to an area less than three
17 hundred acres. Any change of boundaries shall be filed with the city
18 clerk and the county clerk or clerks and become effective upon such
19 filing.
20 (3) The county board of any county which has created an inland port
21 authority pursuant to subsection (3) of section 13-3304 shall designate
22 what areas within the county shall comprise the inland port district,
23 subject to the limitations of the Municipal Inland Port Authority Act.
24 The boundaries of any inland port district shall be filed with the county
25 clerk and shall become effective upon approval of the county board. The
26 county board may from time to time enlarge or reduce the area comprising
27 any inland port district, except that such district shall not be reduced

28 to an area less than three hundred acres. Any change of boundaries shall
29 be filed with the county clerk and become effective upon such filing.

30 (4) Not more than twenty-five percent of the area within an inland
31 port district designated pursuant to this section may be noncontiguous
1 with the remaining portions of such inland port district. Such
2 noncontiguous area shall be no more than one-quarter mile from the
3 remaining portions of such inland port district.

4 (5) Nothing in this section shall require that any real property
5 located within the boundaries of an inland port district be owned by an
6 inland port authority or the city or county or counties in which such
7 real property is located.

8 Sec. 6. Section 13-3307, Revised Statutes Supplement, 2021, is
9 amended to read:

10 13-3307 (1) The State of Nebraska and any municipality, county, or
11 other political subdivision of the state may, in its discretion, with or
12 without consideration, transfer or cause to be transferred to any inland
13 port authority or place in its possession or control, by lease or other
14 contract or agreement, either for a limited period or in fee, any real
15 property within its inland port district.

16 (2) Nothing in this section shall:

17 (a) In any way impair, alter, or change any obligations of such
18 entities, contractual or otherwise, existing prior to August 28, 2021;
19 or -

20 (b) Require that any real property located within the boundaries of
21 an inland port district be owned by an inland port authority or the city
22 or county or counties in which such real property is located.

23 Sec. 7. Section 81-12,150, Revised Statutes Supplement, 2021, is
24 amended to read:

25 81-12,150 The Department of Economic Development may adopt and
26 promulgate rules and regulations to carry out the Site and Building
27 Development Act, including rules and regulations relating to reviewing
28 and prioritizing inland port authority proposals pursuant to section
29 13-3304 and section 4 of this act and providing financial assistance to
30 any inland port authority created under the Municipal Inland Port
31 Authority Act.

1 Sec. 8. Original sections 13-3301, 13-3303, 13-3304, 13-3305,
2 13-3307, and 81-12,150, Revised Statutes Supplement, 2021, are repealed.

3 Sec. 9. Since an emergency exists, this act takes effect when
4 passed and approved according to law.

5 2. On page 1, strike lines 2 through 11 and insert "amend sections
6 13-3301, 13-3303, 13-3304, 13-3305, 13-3307, and 81-12,150, Revised
7 Statutes Supplement, 2021; to define a term; to change certification
8 provisions; to provide for prioritization of inland port authority
9 proposals by the Department of Economic Development; to provide for
10 creation of an inland port authority upon application by a nonprofit
11 economic development corporation; to change provisions relating to inland
12 port districts and rules and regulations relating to inland port
13 authority proposals; to harmonize provisions; to repeal the original
14 sections; and to declare an emergency."

LEGISLATIVE BILL 769. Placed on Select File.

LEGISLATIVE BILL 864. Placed on Select File.

LEGISLATIVE BILL 1065. Placed on Select File with amendment.

[ER125](#) is available in the Bill Room.

BILL ON FIRST READING

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

LEGISLATIVE BILL 1037A. Introduced by Arch, 14.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1037, One Hundred Seventh Legislature, Second Session, 2022; and to declare an emergency.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator M. Hansen name added to LB707.

Senator Sanders name added to LB752.

Senator Jacobson name added to LB825.

Senator Jacobson name added to LB1065.

Senator Vargas name added to LB1112.

Senator Vargas name added to LB1193.

Senator Brandt name added to LR284.

VISITOR(S)

Visitors to the Chamber were fourth-grade students and their teachers from Shoemaker Elementary, Grand Island; and Clara Towey and Trevor Towey, Omaha.

The Doctor of the Day was Dr. George Voigtlander of Lincoln.

ADJOURNMENT

At 11:19 a.m., on a motion by Senator Vargas, the Legislature adjourned until 10:00 a.m., Tuesday, March 8, 2022.

Patrick J. O'Donnell
Clerk of the Legislature

THIRTY-SEVENTH DAY - MARCH 8, 2022**LEGISLATIVE JOURNAL****ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION****THIRTY-SEVENTH DAY**

Legislative Chamber, Lincoln, Nebraska
Tuesday, March 8, 2022

PRAYER

The prayer was offered by Pastor Raymond Wicks, First Baptist Church, Plattsmouth.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Brewer.

ROLL CALL

Pursuant to adjournment, the Legislature met at 10:00 a.m., Senator Hughes presiding.

The roll was called and all members were present except Senator Aguilar who was excused; and Senators Bostar, DeBoer, Hunt, Lathrop, Lindstrom, Linehan, Wayne, and Wishart who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the thirty-sixth day was approved.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 1246. Placed on Select File with amendment.
[ER126](#) is available in the Bill Room.

LEGISLATIVE BILL 707. Placed on Select File with amendment.
[ER127](#)

1 1. On page 1, strike lines 2 through 17 and insert "8-148.06,
2 8-1502, 30-3850, 45-736, 58-210.02, 58-219, 58-220, 58-221, 58-222,
3 58-239, 58-251, 59-1722, 76-2201, 76-2203, 76-2207.23, and 76-2218,
4 Reissue Revised Statutes of Nebraska, sections 1-162.01, 8-108, 8-124,
5 8-148.07, 8-148.08, 30-3881, 62-301, 76-2233.01, 76-2236, and 77-2387,
6 Revised Statutes Cumulative Supplement, 2020, sections 8-101.03, 8-135,

7 8-141, 8-143.01, 8-157.01, 8-183.04, 8-1,140, 8-318, 8-355, 8-1101,
 8 8-1101.01, 8-1704, 8-1707, 8-2724, 8-2903, 8-3005, 8-3007, 8-3024,
 9 21-17,115, 69-2103, 69-2104, 69-2112, 76-2207.30, 76-2221, 76-2230,
 10 76-2231.01, and 76-2232, Revised Statutes Supplement, 2021, and section
 11 4A-108, Uniform Commercial Code, Revised Statutes Supplement, 2021; to
 12 adopt the LIBOR Transition Act; to change provisions relating to firm
 13 ownership under the Public Accountancy Act; to define and redefine terms;
 14 to change provisions relating to banks, financial institutions, bank
 15 subsidiaries, and residential mortgage loans; to adopt updates to federal
 16 law relating to banks, financial institutions, securities, money
 17 transmitters, commodities, financial exploitation of vulnerable adults,
 18 digital asset depository institutions, credit unions, transactions
 19 involving franchises, consumer rental purchase agreements, and funds
 20 transfers; to provide for a limitation under the Nebraska Financial
 21 Innovation Act on digital asset and cryptocurrency custody services; to
 22 change provisions relating to creditors' claims against settlors and
 23 powers of trustees under the Nebraska Uniform Trust Code; to change
 24 definitions under the Nebraska Investment Finance Authority Act and
 25 change provisions relating to the powers of the authority; to recognize
 26 Juneteenth National Independence Day as a bank holiday; to change
 27 provisions relating to continuing education, experience, educational
 1 requirements, and credentials for real property appraisers and public
 2 funds; to harmonize provisions; to provide operative dates; to provide
 3 severability; to repeal the original sections; and to declare an
 4 emergency."

LEGISLATIVE BILL 863. Placed on Select File with amendment.

[ER129](#)

1 1. In the Standing Committee amendments, AM1913:
 2 a. On page 20, line 10, after "or" insert "an"; and
 3 b. On page 34, line 12, strike "~~exempted~~" and insert "~~exempt~~".
 4 2. On page 1, strike beginning with "the" in line 1 through line 7
 5 and insert "insurance; to amend sections 44-361, 44-7,102, 44-2121,
 6 44-2132, 44-2138, 44-4052, 44-5103, 44-5105, 44-5120, 44-5120.01,
 7 44-5132, 44-5137, 44-5139, 44-5141, 44-5143, 44-5144, 44-5149, 44-5153,
 8 and 44-9004, Reissue Revised Statutes of Nebraska; to adopt the Travel
 9 Insurance Act and the Primary Care Investment Act; to prohibit certain
 10 insurance practices relating to a person's status as a living organ
 11 donor; to change provisions regarding premium rebates; to provide
 12 requirements regarding value-added products and services; to provide,
 13 change, and eliminate definitions; to change the requirement for
 14 screening coverage for colorectal cancer; to require the filing of annual
 15 group capital calculations and liquidity stress tests as prescribed and
 16 provide for confidentiality and recognize trade secrets under the
 17 Insurance Holding Company System Act as prescribed; to provide powers and
 18 duties; to change provisions relating to the Insurers Investment Act; to
 19 eliminate travel insurance provisions; to harmonize provisions; to
 20 provide operative dates; to repeal the original sections; and to outright
 21 repeal section 44-4068, Reissue Revised Statutes of Nebraska."

LEGISLATIVE BILL 752. Placed on Select File with amendment.

[ER131](#) is available in the Bill Room.

LEGISLATIVE BILL 805. Placed on Select File with amendment.

[ER130](#)

1 1. On page 1, strike beginning with "the" in line 1 through line 4
 2 and insert "agriculture; to amend sections 2-2303, 2-2309, 2-2311,
 3 2-2312, 2-2315, 2-2318, 23-3803, 23-3804, 23-3805, 23-3806, and 23-3808,

4 Reissue Revised Statutes of Nebraska, and section 2-958.02, Revised
5 Statutes Cumulative Supplement, 2020; to change provisions relating to
6 the Noxious Weed Control Act, the Nebraska Wheat Resources Act, and the
7 Black-Tailed Prairie Dog Management Act; to harmonize provisions; to
8 provide severability; and to repeal the original sections."

LEGISLATIVE BILL 896. Placed on Select File with amendment.

[ER128](#)

1 1. On page 1, strike lines 2 through 6 and insert "to amend section
2 83-182.01, Revised Statutes Cumulative Supplement, 2020; to change
3 provisions relating to structured programming and program evaluations; to
4 define terms; and to repeal the original section."

LEGISLATIVE BILL 1273. Placed on Select File with amendment.

[ER132](#) is available in the Bill Room.

LEGISLATIVE BILL 1273A. Placed on Select File.

LEGISLATIVE BILL 917. Placed on Select File.

LEGISLATIVE BILL 917A. Placed on Select File.

(Signed) Terrell McKinney, Chairperson

Enrollment and Review

LEGISLATIVE BILL 450. Placed on Final Reading.

[ST45](#)

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

1. On page 1, line 2, "and the Small Business Assistance Act" has been inserted after "Act".

LEGISLATIVE BILL 1099. Placed on Final Reading.

[ST44](#)

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

1. On page 1, lines 3 and 4, "to state intent regarding appropriations;" has been struck.

(Signed) Terrell McKinney, Chairperson

Health and Human Services

LEGISLATIVE BILL 1007. Placed on General File with amendment.

[AM2099](#)

1 1. Strike the original sections and insert the following new
2 sections:
3 Section 1. Section 71-5668, Reissue Revised Statutes of Nebraska, is
4 amended to read:
5 71-5668 Each loan repayment recipient shall execute an agreement
6 with the department and a local entity. Such agreement shall be exempt
7 from the requirements of sections 73-501 to 73-510 and shall include, at
8 a minimum, the following terms:
9 (1) The loan repayment recipient agrees to practice his or her
10 profession, and a physician, dentist, nurse practitioner, or physician
11 assistant also agrees to practice an approved specialty, in a designated
12 health profession shortage area for at least three years and to accept
13 medicaid patients in his or her practice;
14 (2) In consideration of the agreement by the recipient, the State of

15 Nebraska and a local entity within the designated health profession
 16 shortage area will provide equal funding for the repayment of the
 17 recipient's qualified educational debts except as provided in subdivision
 18 (5) of this section, in amounts up to thirty thousand dollars per year
 19 per recipient for physicians, dentists, and psychologists and up to
 20 fifteen thousand dollars per year per recipient for physician assistants,
 21 nurse practitioners, pharmacists, physical therapists, occupational
 22 therapists, and mental health practitioners toward qualified educational
 23 debts for up to three years. The department shall make payments directly
 24 to the recipient;
 25 (3) If the loan repayment recipient discontinues practice in the
 26 shortage area prior to completion of the three-year requirement, the
 27 recipient shall repay to the state one hundred fifty percent of the total
 1 amount of funds provided to the recipient for loan repayment with
 2 interest at a rate of eight percent simple interest per year from the
 3 date of default. Upon repayment by the recipient to the department, the
 4 department shall reimburse the local entity its share of the funds which
 5 shall not be more than the local entity's share paid to the loan
 6 repayment recipient; ~~and~~
 7 (4) Any practice or payment obligation incurred by the loan
 8 repayment recipient under the loan repayment program is canceled in the
 9 event of the loan repayment recipient's total and permanent disability or
 10 death; ~~and~~ -
 11 (5) Beginning on July 1, 2022, any agreements entered into by
 12 December 31, 2024, shall first use federal funds from the federal
 13 American Rescue Plan Act of 2021 for the purposes of repaying qualified
 14 educational debts prior to using any state or local funds. Agreements
 15 using federal funds from the federal American Rescue Plan Act of 2021
 16 shall not require equal funding from a local entity. Any federal funds
 17 from the act committed to agreements during this time period shall be
 18 used by December 31, 2026.
 19 Sec. 2. Original section 71-5668, Reissue Revised Statutes of
 20 Nebraska, is repealed.

The Health and Human Services 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.

Jeffrey D. Harrison - Nebraska Rural Health Advisory Commission
 Cherlyn Hunt - Nebraska Rural Health Advisory Commission
 Rebecca A. Schroeder - Nebraska Rural Health Advisory Commission
 Roger D. Wells - Nebraska Rural Health Advisory Commission

Aye: 7. Arch, Cavanaugh, M., Day, Hansen, B., Murman, Walz, Williams.
 Nay: 0. Absent: 0. Present and not voting: 0.

The Health and Human Services 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.

Claire C. Bazata - Nebraska Child Abuse Prevention Fund Board

Aye: 7. Arch, Cavanaugh, M., Day, Hansen, B., Murman, Walz, Williams.
 Nay: 0. Absent: 0. Present and not voting: 0.

The Health and Human Services 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.

Alysson Muotri - Stem Cell Research Advisory Committee

Aye: 7. Arch, Cavanaugh, M., Day, Hansen, B., Murman, Walz, Williams.
Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) John Arch, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 318. Introduced by Blood, 3; Albrecht, 17; Arch, 14; Bostar, 29; Bostelman, 23; Brandt, 32; Brewer, 43; Briese, 41; Cavanaugh, J., 9; Cavanaugh, M., 6; Clements, 2; Day, 49; DeBoer, 10; Dorn, 30; Erdman, 47; Flood, 19; Friesen, 34; Geist, 25; Gragert, 40; Halloran, 33; Hansen, B., 16; Hansen, M., 26; Hilgers, 21; Hilkemann, 4; Hughes, 44; Hunt, 8; Jacobson, 42; Kolterman, 24; Lathrop, 12; Lindstrom, 18; Lowe, 37; McCollister, 20; McDonnell, 5; McKinney, 11; Morfeld, 46; Moser, 22; Murman, 38; Pahls, 31; Pansing Brooks, 28; Sanders, 45; Stinner, 48; Vargas, 7; Walz, 15; Wayne, 13; Williams, 36; Wishart, 27.

WHEREAS, the month of March is Women's History Month and celebrates the significant contributions women of all races, ethnicities, and backgrounds have made to the world; and

WHEREAS, women play a critical role in the vitality and diversity of our communities and are essential to ensuring Nebraska is well represented; and

WHEREAS, while the twentieth century was a pivotal time of growth for women entering politics, women remain underrepresented in the male-dominated field, and thus, providing opportunities to support women in public office is imperative; and

WHEREAS, recognizing women in public office will bring awareness to the fundamental necessity of their work and will inspire young people to serve their communities.

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

1. That the Legislature recognizes March 19, 2022, as Celebrating Women in Public Office Day and calls upon the people of Nebraska to unite in support of the success of women in public office and to observe March 19 with appropriate activities, events, and programs.

Laid over.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 805A. Introduced by Hughes, 44.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 805, One Hundred Seventh Legislature, Second Session, 2022.

LEGISLATIVE BILL 809A. Introduced by Hughes, 44.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 809, One Hundred Seventh Legislature, Second Session, 2022.

LEGISLATIVE BILL 1102A. Introduced by Bostelman, 23.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1102, One Hundred Seventh Legislature, Second Session, 2022.

MOTION(S) - Confirmation Report(s)

Senator Arch moved the adoption of the Health and Human Services Committee report for the confirmation of the following appointment(s) found on page 662:

Commission for the Blind and Visually Impaired
Cheryl Livingston
Linda Mentink

Voting in the affirmative, 35:

Albrecht	Clements	Gragert	Kolterman	Pahls
Arch	Day	Halloran	Lathrop	Pansing Brooks
Blood	Dorn	Hansen, B.	Lowe	Sanders
Bostelman	Erdman	Hansen, M.	McDonnell	Slama
Brandt	Flood	Hilkemann	Morfeld	Stinner
Brewer	Friesen	Hughes	Moser	Walz
Cavanaugh, M.	Geist	Jacobson	Murman	Williams

Voting in the negative, 0.

Present and not voting, 6:

Briese	Hilgers	McKinney
Cavanaugh, J.	McCollister	Vargas

Excused and not voting, 8:

Aguilar	DeBoer	Lindstrom	Wayne
Bostar	Hunt	Linehan	Wishart

The appointments were confirmed with 35 ayes, 0 nays, 6 present and not voting, and 8 excused and not voting.

Senator Arch moved the adoption of the Health and Human Services Committee report for the confirmation of the following appointment(s) found on page 662:

Foster Care Advisory Committee
Richard L. Wiener

Voting in the affirmative, 38:

Albrecht	Cavanaugh, M.	Gragert	Kolterman	Pahls
Arch	Clements	Halloran	Lathrop	Pansing
				Brooks
Blood	Day	Hansen, B.	McCollister	Slama
Bostelman	Dorn	Hansen, M.	McDonnell	Stinner
Brandt	Erdman	Hilgers	McKinney	Walz
Brewer	Flood	Hilkemann	Morfeld	Williams
Briese	Friesen	Hughes	Moser	
Cavanaugh, J.	Geist	Jacobson	Murman	

Voting in the negative, 0.

Present and not voting, 4:

Linehan	Lowe	Sanders	Vargas
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Excused and not voting, 7:

Aguilar	DeBoer	Lindstrom	Wishart
Bostar	Hunt	Wayne	

The appointment was confirmed with 38 ayes, 0 nays, 4 present and not voting, and 7 excused and not voting.

Senator Arch moved the adoption of the Health and Human Services Committee report for the confirmation of the following appointment(s) found on page 662:

Commission for the Deaf and Hard of Hearing
Peggy A. Williams

Voting in the affirmative, 39:

Albrecht	Clements	Hansen, B.	Linehan	Pansing Brooks
Arch	Day	Hansen, M.	Lowe	Sanders
Blood	Dorn	Hilgers	McCollister	Slama
Bostelman	Erdman	Hilkemann	McDonnell	Stinner
Brandt	Flood	Hughes	McKinney	Vargas
Brewer	Geist	Jacobson	Moser	Walz
Cavanaugh, J.	Gragert	Kolterman	Murman	Williams
Cavanaugh, M.	Halloran	Lathrop	Pahls	

Voting in the negative, 0.

Present and not voting, 3:

Briese	Friesen	Morfeld
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Excused and not voting, 7:

Aguilar	DeBoer	Lindstrom	Wishart
Bostar	Hunt	Wayne	

The appointment was confirmed with 39 ayes, 0 nays, 3 present and not voting, and 7 excused and not voting.

Senator Brewer moved the adoption of the Government, Military and Veterans Affairs Committee report for the confirmation of the following appointment(s) found on page 697:

Nebraska Accountability and Disclosure Commission
Ann Ashford

Voting in the affirmative, 40:

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

Voting in the negative, 0.

Present and not voting, 3:

Hunt	Lathrop	Morfeld
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Excused and not voting, 6:

Aguilar	DeBoer	Wayne
Bostar	Lindstrom	Wishart

The appointment was confirmed with 40 ayes, 0 nays, 3 present and not voting, and 6 excused and not voting.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 567.

A BILL FOR AN ACT relating to the Employment Security Law; to amend sections 48-625 and 48-626, Reissue Revised Statutes of Nebraska; to change provisions relating to payment of weekly benefits and maximum annual benefit amounts; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 42:

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

Voting in the negative, 0.

Present and not voting, 1:

Hunt

Excused and not voting, 6:

Aguilar	DeBoer	Wayne
Bostar	Lindstrom	Wishart

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 704.

A BILL FOR AN ACT relating to public health and welfare; to amend sections 38-1414 and 38-1416, Reissue Revised Statutes of Nebraska; to change education requirements for funeral directing and embalming and apprentice licensure; to eliminate reporting requirements relating to caskets; to repeal the original sections; and to outright repeal section 71-609, Reissue Revised Statutes of Nebraska.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 43:

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

Voting in the negative, 0.

Excused and not voting, 6:

Aguilar	DeBoer	Wayne
Bostar	Lindstrom	Wishart

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 749. With Emergency Clause.

A BILL FOR AN ACT relating to the Motor Vehicle Certificate of Title Act; to amend section 60-146, Reissue Revised Statutes of Nebraska; to change an identification inspection provision; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 43:

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

Voting in the negative, 0.

Excused and not voting, 6:

Aguilar	DeBoer	Wayne
Bostar	Lindstrom	Wishart

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 786.

A BILL FOR AN ACT relating to the Nebraska Political Accountability and Disclosure Act; to amend section 49-1496, Reissue Revised Statutes of Nebraska; to change information required for a statement of financial interests; to provide an operative date; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 43:

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

Voting in the negative, 0.

Excused and not voting, 6:

Aguilar	DeBoer	Wayne
Bostar	Lindstrom	Wishart

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 791.

A BILL FOR AN ACT relating to county government and officers; to amend sections 23-1901, 23-1901.02, 33-116, and 39-1506, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to county surveyors, engineers, and highway superintendents; to change a county population requirement; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 43:

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

Voting in the negative, 0.

Present and not voting, 1:

McKinney

Excused and not voting, 5:

Aguilar	Bostar	DeBoer	Lindstrom	Wishart
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 847.

A BILL FOR AN ACT relating to the Political Subdivisions Construction Alternatives Act; to amend section 13-2903, Revised Statutes Supplement, 2021; to redefine political subdivision to include certain utilities and public

power districts; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 44:

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

Voting in the negative, 0.

Excused and not voting, 5:

Aguilar	Bostar	DeBoer	Lindstrom	Wishart
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

GENERAL FILE

LEGISLATIVE BILL 697. Title read. Considered.

SPEAKER HILGERS PRESIDING

Committee [AM1613](#), found on page 483, was adopted with 42 ayes, 0 nays, 2 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review Initial with 39 ayes, 0 nays, 5 present and not voting, and 5 excused and not voting.

LEGISLATIVE BILL 824. Title read. Considered.

Committee [AM1604](#), found on page 483, was adopted with 36 ayes, 0 nays, 7 present and not voting, and 6 excused and not voting.

Advanced to Enrollment and Review Initial with 37 ayes, 0 nays, 6 present and not voting, and 6 excused and not voting.

LEGISLATIVE BILL 795. Title read. Considered.

Advanced to Enrollment and Review Initial with 37 ayes, 0 nays, 6 present and not voting, and 6 excused and not voting.

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LRs 304, 306, 308, 309, and 310 were adopted.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LRs 304, 306, 308, 309, and 310.

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LBs 567, 704, 749e, 786, 791, and 847.

GENERAL FILE

LEGISLATIVE BILL 1147. Title read. Considered.

Senator Friesen offered his amendment, [AM1997](#), found on page 613.

SENATOR WAYNE PRESIDING

The Friesen amendment was adopted with 36 ayes, 0 nays, 7 present and not voting, and 6 excused and not voting.

Advanced to Enrollment and Review Initial with 38 ayes, 0 nays, 5 present and not voting, and 6 excused and not voting.

LEGISLATIVE BILL 807. Title read. Considered.

Advanced to Enrollment and Review Initial with 40 ayes, 0 nays, 3 present and not voting, and 6 excused and not voting.

COMMITTEE REPORT(S)

Judiciary

LEGISLATIVE BILL 829. Placed on General File.

LEGISLATIVE BILL 830. Placed on General File.

LEGISLATIVE BILL 907. Placed on General File.

LEGISLATIVE BILL 851. Placed on General File with amendment.

[AM2102](#)

1 1. On page 2, line 12, strike the new matter.

LEGISLATIVE BILL 1124. Placed on General File with amendment.

[AM2138](#)

1 1. On page 2, line 13, strike "two" and insert "one".

(Signed) Steve Lathrop, Chairperson

Transportation and Telecommunications

LEGISLATIVE BILL 1144. Placed on General File with amendment.
[AM2107](#) is available in the Bill Room.

(Signed) Curt Friesen, Chairperson

Education

LEGISLATIVE BILL 1057. Placed on General File with amendment.
[AM2164](#)

1 1. Strike the original sections and insert the following new
2 sections:
3 Section 1. Section 79-499, Revised Statutes Cumulative Supplement,
4 2020, is amended to read:
5 79-499 (1) If the fall school district membership or the average
6 daily membership of an existing Class III school district shows fewer
7 than ~~forty-five~~ ~~thirty-five~~ students in grades ~~kindergarten~~ ~~nine~~ through
8 twelve, the district shall submit a plan for developing cooperative
9 programs with other ~~school districts~~ ~~high schools~~, including the sharing
10 of curriculum and certificated and noncertificated staff, to the State
11 Committee for the Reorganization of School Districts. The cooperative
12 program plan shall be submitted by the school district by September 1 of
13 the year following such fall school district membership or average daily
14 membership report. A cooperative program plan shall not be required if
15 there is no ~~high~~ school within fifteen miles from such district on a
16 reasonably improved highway. The state committee shall review the plan
17 and provide advice and communication to such school district and other
18 ~~school districts~~ ~~high schools~~.
19 (2) If for two consecutive years the fall school district
20 membership, or for two consecutive years the average daily membership, of
21 an existing Class III school district is fewer than ~~forty-five students~~
22 ~~twenty-five pupils~~ in grades ~~kindergarten~~ ~~nine~~ through twelve as
23 determined by the Commissioner of Education ~~or if for one year an~~
24 ~~existing Class III school district contracts with a neighboring school~~
25 ~~district or districts to provide educational services for all of its~~
26 ~~pupils in grades nine through twelve~~, such school district shall, except
27 as provided in subsection (3) ~~or (4)~~ of this section, be dissolved
1 pursuant to the procedures described in subdivision (3)(b) (4)(b) of this
2 section through the order of the state committee if the ~~high~~ school
3 ~~district~~ is within fifteen miles on a reasonably improved highway of
4 another ~~high~~ school.
5 This subsection does not apply to any school district located on an
6 Indian reservation and substantially or totally financed by the federal
7 government.
8 (3) ~~Any Class III school district which has a fall school district~~
9 ~~membership or an average daily membership of fewer than twenty-five~~
10 ~~students in grades nine through twelve may contract with another school~~
11 ~~district to provide educational services for its pupils in grades nine~~
12 ~~through twelve. Such contract may continue for a period not to exceed one~~
13 ~~year. At the end of such one-year period, the school district may resume~~
14 ~~educational services for grades nine through twelve if the average daily~~
15 ~~membership in grades nine through twelve for such school district has~~
16 ~~reached at least fifty students. If the school district has not achieved~~

17 such fall school district membership or average daily membership, it
 18 shall be dissolved pursuant to the procedures described in subdivision
 19 (4)(b) of this section by order of the state committee entered after
 20 thirty days' notice to the district but without a hearing,
 21 notwithstanding the distance on a reasonably improved highway to the
 22 nearest school district conducting a high school.
 23 (3)(a) (4)(a) Any Class III school district which is maintaining the
 24 only public high school district in the county and which has with a fall
 25 school district membership or an average daily membership of fewer than
 26 forty-five twenty-five students in grades kindergarten nine through
 27 twelve shall be subject to this subsection until such school district
 28 reaches a fall school district membership or an average daily membership
 29 in grades kindergarten nine through twelve of at least forty-five thirty-
 30 five students or, for two consecutive years, fewer than fifteen students
 31 or such school district dissolves. Such school district may continue to
 1 operate the high school if:
 2 (i) The plan submitted pursuant to subsection (1) of this section
 3 provides a broad-based curriculum as determined by the state committee;
 4 and
 5 (ii) At a districtwide election held the second Tuesday of November
 6 by whatever means the county conducts balloting, in the second
 7 consecutive school year that the fall school district membership for
 8 grades kindergarten nine through twelve is fewer than forty-five twenty-
 9 five students, a majority of voters approve a ballot issue to continue to
 10 operate the high school district for the immediately following four
 11 school years year. If such ballot issue succeeds and in the initial
 12 election, the school board shall annually determine if such a
 13 districtwide election is necessary for each subsequent year that the
 14 school district remains is subject to this subsection, except that such
 15 school board or board of education shall conduct a public hearing and,
 16 after receiving testimony at the public hearing, vote whether to continue
 17 to operate the school district every four years thereafter. If such
 18 ballot issue or such vote of the school board or board of education
 19 fails, the school district shall be dissolved pursuant to the procedures
 20 described in subdivision (3)(b) of this section hold such districtwide
 21 election if four years have passed since the last election pursuant to
 22 this section and the school district has remained subject to this
 23 subsection.
 24 (b) The If such ballot issue as provided in subdivision (4)(a)(ii)
 25 of this section fails, or if a school district falls within the
 26 provisions of subsection (2) or (3) of this section, the state committee
 27 shall dissolve the school district and attach the territory to other
 28 school districts based on the preferences of each landowner if such
 29 preference is provided in the time and manner required by the state
 30 committee and would transfer such parcels to a school district with a
 31 boundary contiguous to the school district being dissolved. Landowners
 1 submitting such preferences shall sign a statement that the district of
 2 preference is the district which children who might reside on the
 3 property, at the time of the dissolution or in the future, would be
 4 expected to attend. For property for which a preference is not provided
 5 in the time and manner required by the state committee, the state
 6 committee shall transfer such property to one or more of the school
 7 districts with boundaries contiguous to the district being dissolved in a
 8 manner that will best serve children who might reside on such property,
 9 at the time of the dissolution or in the future, and that will, to the
 10 extent possible, create compact and contiguous districts.
 11 (c) This subsection shall not apply to any school district if the
 12 fall school district membership or an average daily membership falls to
 13 fewer than fifteen students in grades nine through twelve for two
 14 consecutive years.

15 (4) (5) For purposes of this section, when calculating fall school
 16 district membership or average daily membership, a resident school
 17 district as defined in section 79-233 shall not count students attending
 18 an option district as defined in such section and a Class III school
 19 district shall not count foreign exchange students and nonresident
 20 students who are wards of the court or state.
 21 Sec. 2. Section 79-848, Reissue Revised Statutes of Nebraska, is
 22 amended to read:
 23 79-848 Any employee whose contract is terminated because of
 24 reduction in force shall be considered dismissed with honor and shall
 25 upon request be provided a letter to that effect. Such employee shall
 26 have preferred rights to reemployment for a period of twenty-four months
 27 commencing at the end of the contract year of such employee, and the
 28 employee shall be recalled on the basis of length of service to the
 29 school to any position for which he or she is qualified by endorsement or
 30 college preparation to teach. Whenever a school district has, pursuant to
 31 section 79-598, contracted for the instruction of all of the students
 1 residing in such district or has, pursuant to section 79-499, contracted
 2 for the instruction of its students in grades nine through twelve, the
 3 preferred rights to reemployment shall commence at the end of the student
 4 contract period as agreed to by the contracting school district. The
 5 employee shall, upon reappointment, retain any benefits which had accrued
 6 to such employee prior to termination, but such leave of absence shall
 7 not be considered as a year of employment by the district. An employee
 8 under contract to another educational institution may waive recall, but
 9 such waiver shall not deprive the employee of his or her right to
 10 subsequent recall.
 11 Sec. 3. Original section 79-848, Reissue Revised Statutes of
 12 Nebraska, and section 79-499, Revised Statutes Cumulative Supplement,
 13 2020, are repealed.

(Signed) Lynne Walz, Chairperson

Business and Labor

LEGISLATIVE BILL 815. Placed on General File.

(Signed) Ben Hansen, Chairperson

Revenue

LEGISLATIVE BILL 1250. Placed on General File with amendment.

[AM2186](#)

1 1. On page 2, lines 26 and 27, strike the new matter and reinstate
 2 the stricken matter.

(Signed) Lou Ann Linehan, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 319. Introduced by Cavanaugh, M., 6;
 Albrecht, 17; Arch, 14; Blood, 3; Bostar, 29; Bostelman, 23; Brandt, 32;
 Brewer, 43; Briese, 41; Cavanaugh, J., 9; Clements, 2; Day, 49; DeBoer, 10;
 Dorn, 30; Erdman, 47; Flood, 19; Friesen, 34; Gragert, 40; Halloran, 33;
 Hansen, B., 16; Hansen, M., 26; Hilgers, 21; Hilkemann, 4; Hughes, 44;

Hunt, 8; Jacobson, 42; Kolterman, 24; Lathrop, 12; Lindstrom, 18; Lowe, 37; McCollister, 20; McDonnell, 5; McKinney, 11; Morfeld, 46; Moser, 22; Murman, 38; Pahls, 31; Pansing Brooks, 28; Sanders, 45; Stinner, 48; Vargas, 7; Walz, 15; Wayne, 13; Williams, 36; Wishart, 27.

WHEREAS, multiple sclerosis (MS) is an unpredictable, often disabling disease of the central nervous system that interrupts the flow of information between the brain and the body; and

WHEREAS, although there has been significant progress in MS research, including more than twenty disease modifying treatments to slow the progression of the disease, there is still no known cause or cure; and

WHEREAS, an estimated one million people in the United States are living with MS, including more than three thousand two hundred people in Nebraska; and

WHEREAS, the National Multiple Sclerosis Society exists to help each person address the challenges of living with MS by funding cutting-edge research, facilitating professional education, and providing programs and services that help people with MS and their families move their lives forward; and

WHEREAS, MS Awareness Month is recognized annually in March to unite people in Nebraska, the United States, and worldwide in the fight to end MS, to create connections stronger than the ones MS destroys, and to educate people about MS and what they can do to make a difference.

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

1. That the Legislature recognizes March 2022 as Multiple Sclerosis Awareness Month in Nebraska.

2. That a copy of this resolution be sent to the Mid America Chapter of the National Multiple Sclerosis Society.

Laid over.

AMENDMENT(S) - Print in Journal

Senator M. Cavanaugh filed the following amendment to [LB376A](#):

[AM2172](#)

1. Strike the original section and insert the following new

2 sections:

3 Section 1. There is hereby appropriated \$500,000 Federal Funds for

4 FY2022-23 to the Department of Health and Human Services, for Program 33,

5 to aid in carrying out the provisions of Legislative Bill 376, One

6 Hundred Seventh Legislature, Second Session, 2022. The Federal Funds

7 appropriated in this section are from the funds allocated to the State of

8 Nebraska pursuant to the federal American Rescue Plan Act of 2021, Public

9 Law 117-2, Subtitle J-Medicaid, Sec. 9817.

10 Sec. 2. There is hereby appropriated \$1,508,507 from the General

11 Fund and \$6,055,913 Federal Funds for FY2023-24 to the Department of

12 Health and Human Services, for Program 424, to aid in carrying out the

13 provisions of Legislative Bill 376, One Hundred Seventh Legislature,

14 Second Session, 2022. The Federal Funds appropriated in this section are

15 from the funds allocated to the State of Nebraska pursuant to the federal

16 American Rescue Plan Act of 2021, Public Law 117-2, Subtitle J-Medicaid,
17 Sec. 9817.
18 There is included in the appropriation to this program for FY2023-24
19 \$1,508,507 General Funds and \$6,055,913 Federal Funds for state aid,
20 which shall only be used for such purpose.
21 Sec. 3. There is hereby appropriated \$510,131 from the General Fund
22 and \$1,660,224 from federal funds for FY2023-24 to the Department of
23 Health and Human Services, for Program 33, to aid in carrying out the
24 provisions of Legislative Bill 376, One Hundred Seventh Legislature,
25 Second Session, 2022.
26 Sec. 4. There is hereby appropriated \$8,288,373 from federal funds
27 for FY2023-24 to the Department of Health and Human Services, for Program
1 348, to aid in carrying out the provisions of Legislative Bill 376, One
2 Hundred Seventh Legislature, Second Session, 2022.
3 Total expenditures for permanent and temporary salaries and per
4 diems from funds appropriated in this section shall not exceed \$2,044,738
5 for FY2023-24.

NOTICE OF COMMITTEE HEARING(S)

Natural Resources
Room 1525 12:00 PM

Wednesday, March 16, 2022
LR102

(Signed) Bruce Bostelman, Chairperson

BILL ON FIRST READING

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

LEGISLATIVE BILL 1241A. 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 1241, One Hundred Seventh Legislature, Second Session, 2022; and to declare an emergency.

PRESENTED TO THE GOVERNOR

Presented to the Governor on March 8, 2022, at 11:43 a.m. were the following: LBs 567, 704, 749e, 786, 791, and 847.

(Signed) Jamie Leishman
Clerk of the Legislature's Office

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Jacobson name added to LB781.
Senator Briese name added to LB933.

Senator Dorn name added to LB933.
Senator Jacobson name added to LB933.
Senator Brewer name added to LB933.
Senator Blood name added to LB964.
Senator Briese name added to LB1086.
Senator Jacobson name added to LB1086.
Senator Pansing Brooks name added to LR283CA.
Senator Morfeld name added to LR283CA.
Senator Jacobson name added to LR283CA.
Senator M. Hansen name added to LR283CA.
Senator Arch name added to LR317.
Senator Kolterman name added to LR317.

RECESS

At 12:01 p.m., on a motion by Senator M. Hansen, the Legislature recessed until 1:30 p.m.

AFTER RECESS

The Legislature reconvened at 1:30 p.m., Senator Williams presiding.

ROLL CALL

The roll was called and all members were present except Senator Aguilar who was excused; and Senators Blood, Bostar, Briese, J. Cavanaugh, Day, DeBoer, Flood, Hunt, Lathrop, Lindstrom, Slama, Stinner, Vargas, and Walz who were excused until they arrive.

GENERAL FILE

LEGISLATIVE BILL 698A. Title read. Considered.

Advanced to Enrollment and Review Initial with 34 ayes, 0 nays, 1 present and not voting, and 14 excused and not voting.

LEGISLATIVE BILL 804A. Title read. Considered.

Advanced to Enrollment and Review Initial with 36 ayes, 0 nays, 2 present and not voting, and 11 excused and not voting.

LEGISLATIVE BILL 1037A. Title read. Considered.

Senator Arch offered the following amendment:

[AM2193](#)

1 1. On page 2, line 2, strike "\$400,000" and insert "\$-0-".

The Arch amendment was adopted with 40 ayes, 0 nays, and 9 excused and not voting.

Advanced to Enrollment and Review Initial with 36 ayes, 0 nays, 4 present and not voting, and 9 excused and not voting.

WITHDRAW - Amendment to LB450A

Senator McKinney withdrew his amendment, [AM2148](#), found on page 718, to LB450A.

MOTION(S) - Return LB450A to Select File

Senator McKinney moved to return LB450A to Select File for the following specific amendment:

[AM2196](#)

1 1. Strike the original section and insert the following new section:
2 Section 1. There is hereby appropriated (1) \$11,000 from the
3 Innovation Hub Cash Fund and \$5,000,000 from the General Fund for
4 FY2022-23 and (2) \$11,000 from the Innovation Hub Cash Fund and
5 \$5,000,000 from the General Fund for FY2023-24 to the Department of
6 Economic Development, for Program 603, to aid in carrying out the
7 provisions of Legislative Bill 450, One Hundred Seventh Legislature,
8 Second Session, 2022.
9 There is included in the appropriation to this program for FY2022-23
10 \$4,230,810 General Funds for state aid, which shall only be used for such
11 purpose. There is included in the appropriation to this program for
12 FY2023-24 \$4,214,050 General Funds for state aid, which shall only be
13 used for such purpose.
14 Total expenditures for permanent and temporary salaries and per
15 diems from funds appropriated in this section shall not exceed \$134,140
16 for FY2022-23 or \$159,550 for FY2023-24.

The McKinney motion to return prevailed with 37 ayes, 0 nays, 5 present and not voting, and 7 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 450A. The McKinney specific amendment, [AM2196](#), found in this day's Journal, was adopted with 40 ayes, 0 nays, 2 present and not voting, and 7 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

GENERAL FILE

LEGISLATIVE BILL 1112. Title read. Considered.

Committee [AM1942](#), found on page 612, was offered.

Senator McKinney offered his amendment, [AM2101](#), found on page 701, to the committee amendment.

The McKinney amendment was adopted with 35 ayes, 0 nays, 10 present

and not voting, and 4 excused and not voting.

The committee amendment, as amended, was adopted with 34 ayes, 0 nays, 11 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 33 ayes, 0 nays, 12 present and not voting, and 4 excused and not voting.

SELECT FILE

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

LEGISLATIVE BILL 887. [ER121](#), found on page 707, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 698. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 820. Senator M. Hansen offered his amendment, [AM2147](#), found on page 717.

The M. Hansen amendment was adopted with 34 ayes, 0 nays, 11 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 840. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 436. [ER120](#), found on page 707, was adopted.

Senator B. Hansen offered the following amendment:
[AM2157](#)

(Amendments to E&R amendments, ER120)

- 1 1. On page 2, strike lines 23 through 25 and insert the following
- 2 new subdivision:
- 3 "(e) Therapeutic modalities. For purposes of this subdivision, and
- 4 except as provided in subsection (9) of this section, therapeutic
- 5 modalities includes, but is not limited to:
- 6 (i) Physical modalities; and
- 7 (ii) Mechanical modalities, including, but not limited to, dry
- 8 needling; and".
- 9 2. On page 4, line 22, before the stricken "(2)" insert "(9)"; and
- 10 reinstate the stricken matter beginning with "The" in line 22 through
- 11 line 23.

The B. Hansen amendment was adopted with 37 ayes, 0 nays, 8 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE RESOLUTION 283CA. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 998. [ER124](#), found on page 732, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 769. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 864. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 1065. [ER125](#), found on page 736, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 1246. [ER126](#), found on page 739, was adopted.

Advanced to Enrollment and Review for Engrossment.

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

LEGISLATIVE BILL 1173. [ER117](#), found on page 694, was adopted.

Senator Hunt offered the following amendment:

[AM2200](#)

(Amendments to E&R amendments, ER117)

1 1. Insert the following new section:

2 Sec. 8. Section 43-907, Reissue Revised Statutes of Nebraska, is

3 amended to read:

4 43-907 (1) Unless a guardian shall have been appointed by a court
5 of competent jurisdiction, the Department of Health and Human Services
6 shall take custody of and exercise general control over assets owned by
7 children under the charge of the department. Children owning assets shall
8 at all times pay for personal items. Assets over and above a maximum of
9 one thousand dollars and current income shall be available for
10 reimbursement to the state for the cost of care. Assets may be deposited
11 in a checking account, invested in United States bonds, or deposited in a
12 savings account insured by the United States Government. All income
13 received from the investment or deposit of assets shall be credited to
14 the individual child whose assets were invested or deposited. The
15 department shall make and maintain detailed records showing all receipts,
16 investments, and expenditures of assets owned by children under the
17 charge of the department.

18 (2) When the Department of Health and Human Services serves as
19 representative payee or in any fiduciary capacity for a child beneficiary
20 of social security benefits, the department shall provide:

21 (a) Immediate notice to the child beneficiary, in an age-appropriate

22 manner, and the child's guardian ad litem, of (i) the department's
 23 receipt of the child's first payment of social security benefits,
 24 including the amount received, and (ii) where the payment was deposited;
 25 (b) Notice and accounting to the juvenile court on a biannual basis
 26 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 2. Correct the operative date and repealer sections so that the
 27 section added by this amendment becomes operative three calendar months
 28 after the adjournment of this legislative session.
 29 3. Renumber the remaining sections accordingly.

The Hunt amendment was adopted with 29 ayes, 0 nays, 16 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 1236. [ER118](#), found on page 700, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 780. [ER123](#), found on page 732, was adopted.

Senator Wayne offered the following amendment:

[AM2156](#)

1 1. Insert the following new sections:
 2 Section 1. Section 14-1810, Reissue Revised Statutes of Nebraska, is
 3 amended to read:
 4 14-1810 An authority created pursuant to the Transit Authority Law
 5 being a governmental subdivision of the State of Nebraska to exercise
 6 public and essential governmental functions, all property thereof, all
 7 operations thereof, and all rights to operate, of whatsoever character,
 8 and all bonds and equipment trust notes or certificates issued by it,
 9 shall be exempt from any and all forms of assessment and taxation, and

10 from all other governmental and municipal licenses, excises, and charges,
 11 except for assessments under the Nebraska Workers' Compensation Act and
 12 any combined tax due or payments in lieu of contributions as required
 13 under the Employment Security Law.
 14 Sec. 2. Section 18-819, Revised Statutes Cumulative Supplement,
 15 2020, is amended to read:
 16 18-819 All property of a regional metropolitan transit authority
 17 created pursuant to the Regional Metropolitan Transit Authority Act, all
 18 such authority's revenue, income, and operations, and all such
 19 authority's revenue bonds and equipment trust notes or certificates shall
 20 be exempt from any and all forms of assessment and taxation by the state
 21 or any political subdivision thereof, except for assessments under the
 22 Nebraska Workers' Compensation Act and any combined tax due or payments
 23 in lieu of contributions as required under the Employment Security Law.
 24 2. Renumber the remaining sections and correct the repealer
 25 accordingly.

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

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 925. [ER108](#), found on page 651, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 925A. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 717. Senator McDonnell offered the following amendment:

[AM2061](#)

1 1. Insert the following new section:

2 Section 1. Section 81-8,316, Revised Statutes Supplement, 2021, is
 3 amended to read:

4 81-8,316 For purposes of the In the Line of Duty Compensation Act:

5 (1) Firefighter means a member of a paid or volunteer fire
 6 department in Nebraska, including a member of a rescue squad associated
 7 with a paid or volunteer fire department in Nebraska;

8 (2)(a) Killed in the line of duty means losing one's life as a
 9 result of an injury or illness arising on or after January 1, 2022, in
 10 connection with the active performance of duties as a public safety
 11 officer if the death occurs within three years from the date the injury
 12 was received or illness was diagnosed and if that injury or illness arose
 13 from violence or other accidental cause.

14 (b) Killed in the line of duty excludes death resulting from the
 15 willful misconduct or intoxication of the public safety officer;

16 (3) Law enforcement officer has the same meaning as in section
 17 81-1401 means any member of the Nebraska State Patrol, any county or
 18 deputy sheriff, or any member of the police force of any city or village;

19 (4) Public safety officer means:

20 (a) A firefighter;

21 (b) A law enforcement officer;

22 (c) A member of an emergency medical services ambulance squad
 23 operated by a political subdivision or by a private, nonprofit ambulance
 24 service, but excluding any employee of a private, for-profit ambulance

25 service; or
 26 (d) A correctional officer employed by a jail or by the Department
 27 of Correctional Services;
 1 (5) Risk Manager means the Risk Manager appointed under section
 2 81-8,239.01; and
 3 (6) State Claims Board means the board created under section
 4 81-8,220.
 5 2. On page 3, line 15, strike "section" and insert "sections
 6 81-8,316 and"; and in line 16 strike "is" and insert "are".
 7 3. Renumber the remaining sections accordingly.

The McDonnell amendment was adopted with 30 ayes, 0 nays, 14 present and not voting, and 5 excused and not voting.

Senator Friesen offered the following amendment:

[AM2079](#)

1 1. On page 2, line 10, strike "hundred fifty thousand", show the old
 2 matter as stricken, and insert "million".

The Friesen amendment lost with 21 ayes, 2 nays, 21 present and not voting, and 5 excused and not voting.

Pending.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 320. Introduced by Hunt, 8.

WHEREAS, for decades the profession of social work has been dedicated to improving human well-being and fulfilling the needs of all people especially the most vulnerable; and

WHEREAS, "The Time is Right for Social Work" is the theme of this year's National Social Work Month and embodies how social workers rose to meet the most pressing challenge of all of our lifetimes, the COVID-19 pandemic, even as our nation continues to grapple with systemic racism, economic inequality, global warming, and other crises; and

WHEREAS, social workers are the largest group of mental health care providers in the United States, and work daily to help people, whether in person or remotely, overcome substance use disorders and mental illnesses such as depression or anxiety; and

WHEREAS, social workers aid people in overcoming issues such as death and grief and support people and communities in recovering from increasing natural disasters such as fires, hurricanes, and earthquakes brought on by climate change; and

WHEREAS, social workers help the United States live up to its values by successfully advocating for equal rights for all, including black people, indigenous people, people of color, LBGTQA people, religious groups, and others; and

WHEREAS, the profession of social work is one of the fastest growing careers in the United States, with more than seven hundred fifteen thousand

social workers today and nearly eight hundred thousand professionals expected to be employed as social workers by 2030; and

WHEREAS, social workers continue to champion changes that make our society a better place to live, including advocating for a livable wage, improved workplace safety, and social safety net programs that help ameliorate poverty, hunger, and homelessness; and

WHEREAS, social workers possess the necessary expertise to assist the United States in some of its most pressing issues, such as public health and well-being, especially during the pandemic, equal rights, improved health care and mental health care for all, and immigration reform; and

WHEREAS, social workers serve in all facets of our society to meet the needs of people no matter their individual circumstances and empower them to live to their fullest potential.

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

1. That the Legislature recognizes March 2022 as Social Work Month.
2. That the Legislature encourages all Nebraskans to join with the National Association of Social Workers and the Nebraska Chapter of the National Association of Social Workers in celebration and support of the profession of social work.

Laid over.

AMENDMENT(S) - Print in Journal

Senator Bostelman filed the following amendment to [LB1102A](#):

[AM2212](#)

1 1. On page 2, line 3, strike "334" and insert "513".

Senator Arch filed the following amendment to [LB1037](#):

[AM2149](#)

(Amendments to E&R amendments, ER110)

- 1 1. On page 1, strike lines 13 through 19 and insert the following
- 2 new subsection:
- 3 "(3) The evaluation shall be collaborative and shall include
- 4 involvement by members of the Legislature and members of the executive
- 5 departments described in this subsection. The evaluation shall be
- 6 completed with input from:
- 7 (a) The chairpersons of the Executive Board of the Legislative
- 8 Council, the Government, Military and Veterans Affairs Committee of the
- 9 Legislature, and the Health and Human Services Committee of the
- 10 Legislature or the designees of such chairpersons;
- 11 (b) Other members of the Legislature as such chairpersons deem
- 12 appropriate;
- 13 (c) The Department of Administrative Services;
- 14 (d) The Department of Health and Human Services; and
- 15 (e) Any other using agencies, as defined in section 81-145, deemed
- 16 appropriate to participate by the Department of Administrative
- 17 Services."

Senator McDonnell filed the following amendment to [LB964](#):
[AM2146](#)

1 1. Insert the following new section:

2 Sec. 2. Section 81-1373, Reissue Revised Statutes of Nebraska, is

3 amended to read:

4 81-1373 (1) For the purpose of implementing the state employees'
5 right to organize for the purpose of collective bargaining, there are
6 hereby created twelve bargaining units for all state agencies except the
7 University of Nebraska, the Nebraska state colleges, and other
8 constitutional offices. The units shall consist of state employees whose
9 job classifications are occupationally and functionally related and who
10 share a community of interest. The bargaining units shall be:

11 (a) Maintenance, Trades, and Technical, which unit is composed of
12 generally recognized blue collar and technical classes, including highway
13 maintenance workers, carpenters, plumbers, electricians, print shop
14 workers, auto mechanics, engineering aides and associates, and similar
15 classes;

16 (b) Administrative Support, which unit is composed of clerical and
17 administrative nonprofessional classes, including typists, secretaries,
18 accounting clerks, computer operators, office service personnel, and
19 similar classes;

20 (c) Health and Human Care Nonprofessional, which unit is composed of
21 institutional care classes, including nursing aides, psychiatric aides,
22 therapy aides, and similar classes;

23 (d) Social Services and Counseling, which unit is composed of
24 generally professional-level workers providing services and benefits to
25 eligible persons. Classes shall include job service personnel, income
26 maintenance personnel, social workers, counselors, and similar classes;

27 (e) Administrative Professional, which unit is composed of
1 professional employees with general business responsibilities, including
2 accountants, buyers, personnel specialists, data processing personnel,
3 and similar classes;

4 (f) Protective Service, which unit is composed of institutional
5 security personnel, including correctional officers, building security
6 guards, and similar classes;

7 (g) Law Enforcement, which unit is composed of employees holding
8 powers of arrest, including Nebraska State Patrol officers and sergeants,
9 conservation officers, fire marshal personnel, and similar classes.
10 Sergeants, investigators, and patrol officers employed by the Nebraska
11 State Patrol as authorized in section 81-2004 shall be presumed to have a
12 community of interest with each other and shall be included in this
13 bargaining unit notwithstanding any other provision of law which may
14 allow for the contrary;

15 (h) Health and Human Care Professional, which unit is composed of
16 community health, nutrition, and health service professional employees,
17 including nurses, doctors, psychologists, pharmacists, dietitians,
18 licensed therapists, and similar classes;

19 (i) Examining, Inspection, and Licensing, which unit is composed of
20 employees empowered to review certain public and business activities,
21 including driver-licensing personnel, revenue agents, bank and insurance
22 examiners who remain in the State Personnel System under sections 8-105
23 and 44-119, various public health and protection inspectors, and similar
24 classes;

25 (j) Engineering, Science, and Resources, which unit is composed of
26 specialized professional scientific occupations, including civil and
27 other engineers, architects, chemists, geologists and surveyors, and
28 similar classes;

29 (k) Teachers, which unit is composed of employees required to be
30 licensed or certified as a teacher; and

31 (l) Supervisory, which unit is composed of employees who are

1 supervisors as defined in section 48-801.
 2 All employees who are excluded from bargaining units pursuant to the
 3 Industrial Relations Act, all employees of the personnel division of the
 4 Department of Administrative Services, and all employees of the Division
 5 of Employee Relations of the Department of Administrative Services shall
 6 be excluded from any bargaining unit of state employees.
 7 (2) Any employee organization, including one which represents other
 8 state employees, may be certified or recognized as provided in the
 9 Industrial Relations Act as the exclusive collective-bargaining agent for
 10 a supervisory unit, except that such unit shall not have full collective-
 11 bargaining rights but shall be afforded only meet-and-confer rights.
 12 (3)(a) ~~(3) It is the intent of the Legislature that the professional~~
 13 ~~staff employee classifications, including the managerial-professional and~~
 14 ~~managerial employee classification, classifications and the office and~~
 15 ~~service staff employee classification, classifications be grouped in~~
 16 ~~broad occupational units for the University of Nebraska and the Nebraska~~
 17 ~~state colleges established on a university-wide or college-system-wide~~
 18 ~~basis, including all campuses within the system.~~
 19 (b) Any unit entirely composed of supervisory employees of the
 20 University of Nebraska or the Nebraska state colleges shall be afforded
 21 only meet-and-confer rights.
 22 (c) ~~Any bargaining unit seeking to represent an academic-~~
 23 ~~administrative staff employee classification consisting of faculty,~~
 24 ~~including adjunct faculty, of the University of Nebraska or of any~~
 25 ~~administrative unit of the university may organize and seek recognition~~
 26 ~~or certification by the commission on an administrative unit-wide basis~~
 27 ~~as otherwise determined pursuant to the Industrial Relations Act.~~
 28 (d) The bargaining units for academic, faculty, and teaching
 29 employees of the ~~University of Nebraska and the Nebraska state colleges~~
 30 ~~shall continue as they existed on April 9, 1987, plus the addition of~~
 31 ~~Kearney State College, and any adjustments thereto or new units therefor~~
 1 shall continue to be determined pursuant to the Industrial Relations Act.
 2 (4) Other constitutional offices shall continue to subscribe to the
 3 procedures for unit determination in the Industrial Relations Act, except
 4 that the commission is further directed to determine the bargaining units
 5 in such manner as to (a) reduce the effect of overfragmentation of
 6 bargaining units on the efficiency of administration and operations of
 7 the constitutional office and (b) be consistent with the administrative
 8 structure of the constitutional office. Any unit entirely composed of
 9 supervisory employees of a constitutional office shall be afforded only
 10 meet-and-confer rights.
 11 2. Renumber the remaining section and correct the repealer
 12 accordingly.

Senator Flood filed the following amendment to LB707:
AM2205

(Amendments to Standing Committee amendments, AM1859)

1 1. Insert the following new section:
 2 Sec. 29. Section 8-3009, Revised Statutes Supplement, 2021, is
 3 amended to read:
 4 8-3009 (1) At all times, a digital asset depository shall maintain
 5 unencumbered liquid assets denominated in United States dollars valued at
 6 not less than one hundred percent of the value of any outstanding
 7 stablecoin issued by the digital asset depository ~~digital assets in~~
 8 ~~custody.~~
 9 (2) For purposes of this section, liquid assets means:
 10 (a) United States currency held on the premises of the digital asset
 11 depository that is not a digital asset depository institution;
 12 (b) United States currency held for the digital asset depository by
 13 a federal reserve bank or a Federal Deposit Insurance Corporation-insured

14 financial institution which has a main-chartered office in this state,
 15 any branch thereof in this state, or any branch of the financial
 16 institution which maintained a main-chartered office in this state prior
 17 to becoming a branch of such financial institution; or
 18 (c) Investments which are highly liquid and obligations of the
 19 United States Treasury or other federal agency obligations, consistent
 20 with rules and regulations or order adopted by the director.
 21 2. Correct the operative date and repealer sections so that the
 22 section added by this amendment becomes operative three calendar months
 23 after the adjournment of this legislative session.
 24 3. Renumber the remaining sections and correct internal references
 25 accordingly.

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

[AM2207](#)

1 1. On page 3, line 19, strike "act" and insert "Nebraska Human Life
 2 Protection Act".

SELECT FILE

LEGISLATIVE BILL 717. Senator Clements offered the following amendment:

[FA73](#)

On page 2, line 10, strike two hundred and fifty and insert one hundred.

The Clements amendment lost with 5 ayes, 25 nays, 16 present and not voting, and 3 excused and not voting.

Senator Lowe requested a machine vote on the advancement of the bill.

Advanced to Enrollment and Review for Engrossment with 32 ayes, 4 nays, 10 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 1037. [ER110](#), found on page 667, was adopted.

Senator Wayne withdrew his amendment, [AM2047](#), found on page 646.

Senator Arch offered his amendment, [AM2149](#), found in this day's Journal.

The Arch amendment was adopted with 43 ayes, 0 nays, 3 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 964. Senator McDonnell offered his amendment, [AM2146](#), found in this day's Journal.

The McDonnell amendment was adopted with 37 ayes, 1 nay, 8 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

MOTION(S) - Place LB773 on General File

Senator Brewer offered his motion, [MO151](#), found on page 722, to place LB773 on General File pursuant to Rule 3, Section 20(b).

Senator Brewer moved for a call of the house. The motion prevailed with 36 ayes, 2 nays, and 11 not voting.

Senator Slama requested a roll call vote on the motion to place LB773 on General File.

Voting in the affirmative, 30:

Albrecht	Clements	Gragert	Jacobson	Moser
Arch	Dorn	Halloran	Kolterman	Murman
Bostelman	Erdman	Hansen, B.	Lindstrom	Pahls
Brandt	Flood	Hilgers	Linehan	Sanders
Brewer	Friesen	Hilkemann	Lowe	Slama
Briese	Geist	Hughes	McDonnell	Williams

Voting in the negative, 12:

Bostar	Day	Lathrop	Vargas
Cavanaugh, J.	Hansen, M.	McKinney	Walz
Cavanaugh, M.	Hunt	Morfeld	Wishart

Excused and not voting, 7:

Aguilar	DeBoer	Pansing Brooks	Wayne
Blood	McCollister	Stinner	

The Brewer motion to place LB773 on General File prevailed with 30 ayes, 12 nays, and 7 excused and not voting.

AMENDMENT(S) - Print in Journal

Senator Wayne filed the following amendment to [LB917](#):
[AM2204](#) is available in the Bill Room.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Linehan name added to LB933.

VISITOR(S)

Visitors to the Chamber were a group from Girl Scouts Spirit of Nebraska; a group from Leadership Kearney; a group from Southwest Nebraska Leadership Institute, McCook; students and teachers from St. Libory Elementary, Grand Island; students from the University of Nebraska-Lincoln; and a group from Leadership Sarpy County.

The Doctor of the Day was Dr. Christi Keim of Lincoln.

ADJOURNMENT

At 5:11 p.m., on a motion by Senator Pahls, the Legislature adjourned until 9:00 a.m., Wednesday, March 9, 2022.

Patrick J. O'Donnell
Clerk of the Legislature

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

THIRTY-NINTH DAY - MARCH 10, 2022**LEGISLATIVE JOURNAL****ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION****THIRTY-NINTH DAY**

Legislative Chamber, Lincoln, Nebraska
Thursday, March 10, 2022

PRAYER

The prayer was offered by Pastor Jeff Scheich, Christ Lincoln-Yankee Hill, Lincoln.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Clements.

ROLL CALL

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

The roll was called and all members were present except Senators Bostar, Day, B. Hansen, M. Hansen, Lathrop, Pansing Brooks, Wayne, and Wishart who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the thirty-eighth day was approved.

BILL ON FIRST READING

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

LEGISLATIVE BILL 902A. Introduced by Aguilar, 35.

A BILL FOR AN ACT relating to appropriations; to amend Laws 2021, LB380, section 167; to appropriate funds to carry out the provisions of Legislative Bill 902, One Hundred Seventh Legislature, Second Session, 2022; and to repeal the original section.

GENERAL FILE

LEGISLATIVE BILL 773. Title read. Considered.

Senator Brewer, [AM1757](#), found on page 509, was offered.

Senator J. Cavanaugh, [AM1794](#), found on page 518, to [AM1757](#), was offered.

Pending.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 436. Placed on Final Reading.

LEGISLATIVE BILL 698. Placed on Final Reading.

LEGISLATIVE BILL 769. Placed on Final Reading.

LEGISLATIVE BILL 804. Placed on Final Reading.

LEGISLATIVE BILL 820. Placed on Final Reading.

LEGISLATIVE BILL 840. Placed on Final Reading.

LEGISLATIVE BILL 864. Placed on Final Reading.

LEGISLATIVE BILL 887. Placed on Final Reading.

[ST47](#)

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

1. On page 4, line 15, "school" has been struck, shown as stricken, and "state college" inserted.

LEGISLATIVE BILL 998. Placed on Final Reading.

LEGISLATIVE BILL 1065. Placed on Final Reading.

LEGISLATIVE BILL 1246. Placed on Final Reading.

LEGISLATIVE RESOLUTION 283CA. Placed on Final Reading.

LEGISLATIVE BILL 1112. Placed on Select File with amendment.

[ER135](#)

1 1. Strike the original sections and all amendments thereto and

2 insert the following new sections:

3 Section 1. Sections 1 to 5 of this act shall be known and may be

4 cited as the Computer Science and Technology Education Act.

5 Sec. 2. The Legislature finds and declares that it is the policy of

6 this state to promote computer science and technology education in each

7 school district in order to (1) provide students the skills and

8 competencies to compete in a twenty-first-century workforce, (2) develop

9 skills that translate to high-skill, high-wage jobs, and (3) encourage

10 the creation and retention of new, high-paying jobs in Nebraska.

11 Sec. 3. For purposes of the Computer Science and Technology

12 Education Act, computer science and technology education includes, but is

13 not limited to, knowledge and skills regarding computer literacy,

14 educational technology, digital citizenship, information technology, and

15 computer science.

16 Sec. 4. Beginning with school year 2024-25, each school district,

17 in consultation with the State Department of Education, shall include

18 computer science and technology education in the instructional program of

19 its elementary and middle schools, as appropriate, and beginning in
20 school year 2026-27, require each student attending a public school to
21 complete at least one five-credit high school course or the equivalent of
22 a one-semester high school course in computer science and technology
23 prior to graduation. Such computer science and technology education
24 course offered by a school district may be made available in a
25 traditional classroom setting, a blended-learning environment, or an
26 online-based or other technology-based format that is tailored to meet
27 the need of each participating student.

1 Sec. 5. On or before December 1, 2025, and on or before December 1
2 of each year thereafter, in order to promote and support computer science
3 and technology education, each school district shall provide an annual
4 computer science and technology education status report to its school
5 board and the State Department of Education, including, but not limited
6 to, student progress in computer science and technology courses and other
7 district-determined measures of computer science and technology education
8 progress from the previous school year.

9 Sec. 6. Section 79-729, Revised Statutes Supplement, 2021, is
10 amended to read:

11 79-729 The Legislature recognizes the importance of assuring that
12 all persons who graduate from Nebraska high schools possess certain
13 minimum levels of knowledge, skills, and understanding. Each high school
14 student shall complete a minimum of two hundred high school credit hours
15 prior to graduation. At least eighty percent of the minimum credit hours
16 shall be core curriculum courses prescribed by the State Board of
17 Education. For students attending a public school, beginning ~~Beginning~~ in
18 school year 2023-24, at least five of the minimum credit hours shall be a
19 high school course in personal finance or financial literacy, and
20 beginning in school year 2026-27, at least five of the minimum credit
21 hours shall be a high school course or the equivalent of a one-semester
22 high school course in computer science and technology. The State Board of
23 Education may establish recommended statewide graduation guidelines. This
24 section does not apply to high school students whose individualized
25 education programs prescribe a different course of instruction. This
26 section does not prohibit the governing board of any high school from
27 prescribing specific graduation guidelines as long as such guidelines do
28 not conflict with this section. For purposes of this section, high school
29 means grades nine through twelve and credit hour shall be defined by
30 appropriate rules and regulations of the State Board of Education but
31 shall not be less than the amount of credit given for successful
1 completion of a course which meets at least one period per week for at
2 least one semester.

3 Sec. 7. Section 79-760.01, Revised Statutes Supplement, 2021, is
4 amended to read:

5 79-760.01 (1) The State Board of Education shall adopt measurable
6 academic content standards for at least the grade levels required for
7 statewide assessment pursuant to section 79-760.03. The standards shall
8 cover the subject areas of reading, writing, mathematics, science, and
9 social studies.

10 (2) The board shall also adopt measurable academic content standards
11 for financial literacy as part of the social studies standards. ~~The board~~
12 shall also adopt measurable academic content standards for computer
13 science and technology education under the mathematics, science, or
14 career and technical education standards.

15 (3) Academic content standards adopted or recommended pursuant to
16 this section shall be sufficiently clear and measurable to be used for
17 testing student performance with respect to mastery of the content
18 described in the state standards.

19 (4) The State Board of Education shall develop a plan to review and
20 update standards for each subject area every seven years. The state board

21 plan shall include a review of commonly accepted standards adopted by
 22 school districts.
 23 Sec. 8. Section 79-3003, Revised Statutes Supplement, 2021, is
 24 amended to read:
 25 79-3003 Beginning with school year 2023-24, each school district, in
 26 consultation with the State Department of Education, shall include
 27 financial literacy instruction, as appropriate, in the instructional
 28 program of its elementary and middle schools and require each student
 29 attending a public school to complete at least one five-credit high
 30 school course in personal finance or financial literacy prior to
 31 graduation.
 1 Sec. 9. Original sections 79-729, 79-760.01, and 79-3003, Revised
 2 Statutes Supplement, 2021, are repealed.
 3 2. On page 1, strike beginning with "and" in line 1 through line 5
 4 and insert ", 79-760.01, and 79-3003, Revised Statutes Supplement, 2021;
 5 to adopt the Computer Science and Technology Education Act; to provide
 6 and change graduation requirements; to change duties relating to academic
 7 content standards; and to repeal the original sections."

(Signed) Terrell McKinney, Chairperson

BILL ON FIRST READING

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

LEGISLATIVE BILL 910A. Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 910, One Hundred Seventh Legislature, Second Session, 2022; to reduce appropriations; and to declare an emergency.

AMENDMENT(S) - Print in Journal

Senator McCollister filed the following amendment to [LB1045](#):
[AM2274](#)

(Amendments to Standing Committee amendments, AM2081)

- 1 1. Strike section 1.
- 2 2. Renumber the remaining sections accordingly.

Senator McCollister filed the following amendment to [LB1045](#):
[AM2275](#)

(Amendments to Standing Committee amendments, AM2081)

- 1 1. Strike sections 3 to 5.
- 2 2. Renumber the remaining section and correct the repealer
- 3 accordingly.

Senator M. Hansen filed the following amendment to [LB1045](#):
[AM2267](#)

(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 development of carbon-free generation.
- 4 with the remainder remitted".

Senator DeBoer filed the following amendment to [LB741](#):

[AM2163](#)

(Amendments to Standing Committee amendments, AM1683)

1 1. On page 3, strike beginning with "(a)" in line 15 through line
2 16.

Senator Brandt filed the following amendment to [LB741](#):

[AM2177](#) is available in the Bill Room.

Senator McCollister filed the following amendment to [LB1150](#):

[AM2236](#) is available in the Bill Room.

Senator M. Cavanaugh filed the following amendment to [LB91](#):

[FA86](#)

Amend ER116: Strike "may" on p. 1, line 13 and replace with "shall"

GENERAL FILE

LEGISLATIVE BILL 773. Senator J. Cavanaugh renewed his amendment, [AM1794](#), found on page 518 and considered in this day's Journal, to the Brewer amendment.

Pending.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 328. Introduced by Aguilar, 35.

PURPOSE: The purpose of this resolution is to propose an interim study to determine whether rules and regulations guiding the inspection and permitting of mobile food units are being applied consistently between jurisdictions and, if not, how to streamline such rules and regulations to better promote business success. The study shall include, but not be limited to:

- (1) Identifying the jurisdictions responsible for regulating mobile food units in Nebraska;
- (2) Reviewing the state and local rules and regulations applicable to these jurisdictions;
- (3) Determining whether such rules and regulations are being applied consistently between jurisdictions;
- (4) Assessing the business uncertainty that results from an inconsistent application of rules and regulations between jurisdictions; and
- (5) Developing proposed revisions to the Nebraska Pure Food Act and any rules and regulations adopted and promulgated under the act or any other laws in order to create certainty and promote business success for mobile food units.

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

1. That the Agriculture Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 329. Introduced by Kolterman, 24.

WHEREAS, the Concordia University Bulldogs men's basketball team won the 2021-2022 Great Plains Athletic Conference Postseason Tournament; and

WHEREAS, the Bulldogs earned the No. 2 seed for the tournament after splitting the regular season title with Briar Cliff University; and

WHEREAS, the Bulldogs captured the tournament title by defeating the University of Jamestown in the championship game by a score of 77-70; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the amazing students of Concordia University.

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

1. That the Legislature congratulates Concordia University's men's basketball team for their outstanding season and for winning the 2021-2022 Great Plains Athletic Conference Postseason Tournament.

2. That a copy of this resolution be sent to the Concordia University men's basketball team and Head Coach Ben Limback.

Laid over.

AMENDMENT(S) - Print in Journal

Senator Albrecht filed the following amendment to LB933:

[AM2283](#)

(Amendments to Final Reading copy)

- 1 1. On page 3, line 19, strike "act" and insert "Nebraska Human Life
- 2 Protection Act".

Senator M. Cavanaugh filed the following amendment to LB59:

[FA87](#)

Page 2, line 16 strike "shall" and replace with "may"

Senator M. Cavanaugh filed the following amendment to LB75:

[FA88](#)

Page 4, line 8 strike "shall not" and replace with "may"

Senator M. Cavanaugh filed the following amendment to LB705:

[FA89](#)

Page 2, line 3 strike "no person shall" and replace with "people shall not"

Senator M. Cavanaugh filed the following amendment to LB1148:

[FA90](#)

Page 2, line 10 strike "shall" and replace with "may"

Senator M. Cavanaugh filed the following amendment to [LB971](#):

[FA91](#)

Page 2, line 4 insert "Nebraska" before "brain"

Senator M. Cavanaugh filed the following amendment to [LB691](#):

[FA92](#)

Page 3, line 5 strike "relationship"

Senator M. Cavanaugh filed the following amendment to [LB1178](#):

[FA93](#)

Page 2, line 14 strike "shall and replace with "may"

Senator Morfeld filed the following amendment to [LB852](#):

[AM2272](#)

1 1. Insert the following sections:

2 Sec. 2. (1) The State Department of Education shall establish a
 3 mental health first aid training program for teachers and other personnel
 4 employed by a school district or an educational service unit
 5 participating in a grant under subsection (2) of section 79-1054.
 6 (2) The mental health first aid training is to be delivered by
 7 trainers who are properly certified by a national organization for
 8 behavioral health to provide training meeting the requirements of this
 9 section. The program shall also provide an opportunity for teachers and
 10 other designated personnel to complete the training necessary to become
 11 certified by a national organization for behavioral health to provide
 12 mental health first aid training to other teachers and designated
 13 personnel.

14 (3) Mental health first aid training shall include training on:

15 (a) The skills, resources, and knowledge necessary to assist
 16 students in crisis to connect with appropriate local mental health care
 17 services;

18 (b) Mental health resources, including the location of local
 19 community mental health centers; and

20 (c) Action plans and protocols for referral to such resources.

21 (4) A recipient of mental health first aid training shall also
 22 receive instruction in preparation to:

23 (a) Safely de-escalate crisis situations;

24 (b) Recognize the signs and symptoms of mental illness, including
 25 such psychiatric conditions as major clinical depression and anxiety
 26 disorders; and

27 (c) Timely refer a student to mental health services in the early
 1 stages of the development of a mental disorder to avoid subsequent
 2 behavioral health care and to enhance the effectiveness of mental health
 3 services. Except as provided in section 43-2101, any such referral shall
 4 be approved by the student's parent or guardian.

5 (5) It is the intent of the Legislature that the mental health first
 6 aid training program under this section shall be funded using lottery
 7 funds under section 9-812.

8 Sec. 3. Section 79-1054, Revised Statutes Cumulative Supplement,
 9 2020, is amended to read:

10 79-1054 (1)(a) This subsection applies until July 1, 2024.

11 (b) (4) The State Board of Education shall establish a competitive
 12 innovation grant program with funding from the Nebraska Education
 13 Improvement Fund pursuant to section 9-812. Grantees shall be a school

14 district, an educational service unit, or a combination of entities that
 15 includes at least one school district or educational service unit. For
 16 grantees that consist of a combination of entities, a participating
 17 school district or educational service unit shall be designated to act as
 18 the fiscal agent and administer the program funded by the grant. The
 19 state board shall only award grants pursuant to applications that the
 20 state board deems to be sufficiently innovative and to have a high chance
 21 of success.

22 ~~(c)~~ (2) An application for a grant pursuant to ~~this subsection~~ (1)
 23 ~~of this section~~ shall describe:

24 ~~(i)~~ (a) Specific measurable objectives for improving education
 25 outcomes for early childhood students, elementary students, middle school
 26 students, or high school students or for improving the transitions
 27 between any successive stages of education or between education and the
 28 workforce;

29 ~~(ii)~~ (b) The method for annually evaluating progress toward a
 30 measurable objective, with a summative evaluation of progress submitted
 31 to the state board and electronically to the Education Committee of the
 1 Legislature on or before July 1, 2019;

2 ~~(iii)~~ (c) The potential for the project to be both scalable and
 3 replicable; and

4 ~~(iv)~~ (d) 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)~~ (c) 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. 4. Section 2 of this act becomes operative on July 1, 2024. The
 5 other sections of this act become operative on their effective date.
 6 Sec. 5. Original section 79-1054, Revised Statutes Cumulative
 7 Supplement, 2020, is repealed.

Senator Bostelman filed the following amendment to LB888:
[AM2201](#)

(Amendments to AM1995)

1 1. On page 1, line 14, after "genocide" insert "as recognized by the
 2 Congress of the United States or the United Nations as of January 1,
 3 2022".

Senator M. Cavanaugh filed the following amendment to LB697:
[FA94](#)

Page 2, line 11 strike "facility"

Senator M. Cavanaugh filed the following amendment to LB824:
[FA95](#)

Page 3, line 3 after "judgment" insert "or medical training"

Senator M. Cavanaugh filed the following amendment to LB795:
[FA96](#)

Page 3, line 1 strike "thousand" and replace with "million"

Senator M. Cavanaugh filed the following amendment to LB1147:
[FA97](#)

Page 2, line 10 strike "means" and replace with "is defined as"

Senator Williams filed the following amendment to LB1069:
[AM1867](#)

1 1. On page 4, strike beginning with "Grants" in line 9 through
 2 "application" in line 11, show the old matter as stricken, and insert "An
 3 applicant shall provide matching funds of at least one-half of the amount

4 of workforce housing grant funds awarded".

5 2. On page 5, line 28, strike "(4) If", show as stricken, and insert

6 "(4)(a) Before July 1, 2027, if".

7 3. On page 6, after line 1 insert the following new subdivision:

8 "(b) On and after July 1, 2027, if a nonprofit development

9 organization fails to engage in the initial qualified activity within

10 twenty-four months after receiving initial grant funding, the nonprofit

11 development organization shall return the grant funds to the department

12 for transfer to the General Fund."; and in line 10, strike "Affordable

13 Housing Trust", show as stricken, and insert "General".

14 4. On page 7, line 6, strike "credit to the Affordable Housing

15 Trust", show as stricken, and insert "transfer to the General".

Senator M. Cavanaugh filed the following amendment to LB807:

[FA98](#)

Page 2, line 12 strike "shall" and replace with "may"

Senator M. Cavanaugh filed the following amendment to LB779:

[FA99](#)

Page 2, line 13 strike "shall" and insert "may"

Senator M. Cavanaugh filed the following amendment to LB808:

[FA100](#)

Page 2, line 9 strike "Any" and insert "All"

Senator M. Cavanaugh filed the following amendment to LB1092:

[FA101](#)

Page 2, line 2 strike "may" and replace with "shall"

Senator M. Cavanaugh filed the following amendment to LB1204:

[FA102](#)

Amend AM1894 Page 3, line 17 strike "shall" and replace with "may"

Senator M. Cavanaugh filed the following amendment to LB1184:

[FA103](#)

Amend AM1962: Page 1, line 7 strike "and" and insert "for"

Senator M. Cavanaugh filed the following amendment to LB1165:

[FA104](#)

Page 5, line 14 strike "shall" and insert "may"

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Wayne name added to LB704.

Senator Wayne name added to LB705.

Senator Wayne name added to LB1037.

RECESS

At 11:58 a.m., on a motion by Senator Clements, the Legislature recessed until 1:30 p.m.

AFTER RECESS

The Legislature reconvened at 1:30 p.m., Senator Arch presiding.

ROLL CALL

The roll was called and all members were present except Senators Bostar, Briese, M. Cavanaugh, Day, Geist, Halloran, Linehan, Pansing Brooks, Slama, Stinner, Walz, and Wishart who were excused until they arrive.

GENERAL FILE

LEGISLATIVE BILL 773. Senator Brewer renewed his amendment, [AM1757](#), found on page 509 and considered in this day's Journal.

Senator J. Cavanaugh renewed his amendment, [AM1794](#), found on page 518 and considered in this day's Journal, to the Brewer amendment.

Senator Halloran moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 34 ayes, 0 nays, and 15 not voting.

Senator Morfeld moved for a call of the house. The motion prevailed with 33 ayes, 8 nays, and 8 not voting.

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

Voting in the affirmative, 14:

Blood	DeBoer	Lathrop	Morfeld	Wayne
Cavanaugh, J.	Hansen, M.	McCollister	Pansing Brooks	Wishart
Cavanaugh, M.	Hunt	McKinney	Vargas	

Voting in the negative, 30:

Aguilar	Briese	Geist	Jacobson	Moser
Albrecht	Clements	Halloran	Kolterman	Murman
Arch	Dorn	Hansen, B.	Lindstrom	Sanders
Bostelman	Erdman	Hilgers	Linehan	Slama
Brandt	Flood	Hilkemann	Lowe	Stinner
Brewer	Friesen	Hughes	McDonnell	Williams

Present and not voting, 3:

Gragert Pahls Walz

Excused and not voting, 2:

Bostar Day

The J. Cavanaugh amendment lost with 14 ayes, 30 nays, 3 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

Senator Morfeld asked unanimous consent to withdraw his amendment, [AM1908](#), found on page 706, and replace it with his substitute amendment, [AM2297](#), to the Brewer amendment. No objections. So ordered.
[AM2297](#)

(Amendments to AM1757)

1 1. Strike the original sections and all amendments thereto and

2 insert the following new sections:

3 Section 1. Section 69-2436, Revised Statutes Supplement, 2021, is

4 amended to read:

5 69-2436 (1) A permit to carry a concealed handgun is valid

6 throughout the state for a period of five years after the date of

7 issuance. ~~There shall be no fee for issuance or renewal of a permit~~ The

8 ~~fee for issuing a permit is one hundred dollars.~~

9 (2) The Nebraska State Patrol shall renew a permit holder's permit to

10 carry a concealed handgun for a renewal period of five years, subject to

11 continuing compliance with the requirements of section 69-2433, except as

12 provided in subsection (4) of section 69-2443. ~~Renewal~~ ~~The renewal fee is~~

13 ~~fifty dollars, and renewal~~ may be applied for no earlier than four months

14 before expiration of the permit and no later than thirty business days

15 after the date of expiration of the permit. At least four months before

16 expiration of a permit to carry a concealed handgun, the Nebraska State

17 Patrol shall send to the permit holder by United States mail or

18 electronically notice of expiration of the permit.

19 (3) ~~The expense of issuing, renewing, and administering permits~~

20 ~~shall be paid from the budget of the Nebraska Commission on Law~~

21 ~~Enforcement and Criminal Justice.~~

22 (3) ~~The applicant shall submit the fee with the application to the~~

23 ~~Nebraska State Patrol. The fee shall be remitted to the State Treasurer~~

24 ~~for credit to the Nebraska State Patrol Cash Fund.~~

25 Sec. 2. Original section 69-2436, Revised Statutes Supplement,

26 2021, is repealed.

SENATOR HUGHES PRESIDING

Pending.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 717. Placed on Final Reading.

[ST48](#)

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

1. On page 1, line 2, "section" has been struck and "sections 81-8,316 and" inserted and "to redefine a term;" has been inserted after the semicolon; and in line 4 "section" has been struck and "sections" inserted.

LEGISLATIVE BILL 780. Placed on Final Reading.

[ST49](#)

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

1. In the E & R amendments, ER123, on page 1, line 2, "14-1810," has been inserted after "sections"; and in line 3 ", and section 18-819, Revised Statutes Cumulative Supplement, 2020; to provide for applicability of the Nebraska Workers' Compensation Act and the Employment Security Law to transit authorities" has been inserted after "Nebraska".
2. On page 5, line 3, "14-1810," has been inserted after "sections"; and in line 4 "and section 18-819, Revised Statutes Cumulative Supplement, 2020," has been inserted after the comma.

LEGISLATIVE BILL 848. Placed on Final Reading.

LEGISLATIVE BILL 925. Placed on Final Reading.

LEGISLATIVE BILL 925A. Placed on Final Reading.

LEGISLATIVE BILL 964. Placed on Final Reading.

[ST46](#)

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

1. On page 1, the matter beginning with "the" in line 1 through line 4 has been struck and "state employees; to amend section 81-1373, Reissue Revised Statutes of Nebraska, and section 81-1174, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to reimbursement for expenses as prescribed; to authorize collective bargaining on an administrative unit-wide basis as prescribed; and to repeal the original sections." inserted.
2. On page 4, line 15, "section 81-1373, Reissue Revised Statutes of Nebraska, and" has been inserted after "Original"; and in line 16 "is" has been struck and "are" inserted.

LEGISLATIVE BILL 1037. Placed on Final Reading.

LEGISLATIVE BILL 1173. Placed on Final Reading.

[ST50](#)

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

1. In the E&R amendments, ER117:
 - a. On page 21, line 25, "7, 8, 10, 11, 12, 13, 14, 15, 17, 18, 20, and 22" has been struck and "7, 8, 9, 11, 12, 13, 14, 15, 16, 18, 19, 21, and 23" inserted; and in line 29 "43-907," has been inserted after "sections"; and
 - b. On page 22, line 10, "43-907," has been inserted after "sections".

LEGISLATIVE BILL 1236. Placed on Final Reading.

[ST51](#)

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

1. In the Standing Committee amendments, AM1986, on page 2, line 25, "Nebraska Liquor Control Commission" has been struck and "commission" inserted.

(Signed) Terrell McKinney, Chairperson

AMENDMENT(S) - Print in Journal

Senator Erdman filed the following amendment to [LB750](#):

[AM2294](#)

(Amendments to Standing Committee amendments, AM1966)

1. Insert the following new section:
 - 2 Sec. 5. Section 60-142.11, Reissue Revised Statutes of Nebraska, is

3 amended to read:

4 60-142.11 The owner of an assembled vehicle may apply for a
 5 certificate of title by presenting a certificate of title for one major
 6 component part, a ~~notarized~~ bill of sale for all other major component
 7 parts replaced, a statement that an inspection has been conducted on the
 8 vehicle, and a vehicle identification number as described in section
 9 60-148. The certificate of title shall indicate the year of the vehicle
 10 as the year application for title was made and the make of the vehicle as
 11 assembled.
 12 2. Renumber the remaining sections and correct the repealer and
 13 internal references accordingly.

Senator Geist filed the following amendment to LB876:
AM2282

(Amendments to Standing Committee amendments, AM2188)

1 1. Insert the following new section:

2 Sec. 22. Section 9-1204, Revised Statutes Supplement, 2021, is
 3 amended to read:

4 9-1204 (1) Of the tax imposed by section 9-1203, seventy-five
 5 percent shall be remitted to the State Treasurer for credit as follows:
 6 Two and one-half percent to the Compulsive Gamblers Assistance Fund, two
 7 and one-half percent to the General Fund, and seventy percent to the
 8 Property Tax Credit Cash Fund. The remaining twenty-five percent of the
 9 tax shall be remitted to the county treasurer of the county in which the
 10 licensed racetrack enclosure is located to be distributed as provided in
 11 subsection (2) of this section.
 12 (2)(a) The county treasurer shall distribute ten percent of the
 13 amount remitted to such county treasurer pursuant to subsection (1) of
 14 this section to the county agricultural society in the county in which
 15 the licensed racetrack enclosure is located if such county agricultural
 16 society has been formed in the county under the County Agricultural
 17 Society Act, except that funds distributed to the county agricultural
 18 society under this subsection shall not exceed an amount equal to ten
 19 dollars per capita for the county based on the population established by
 20 the later of the most recent federal decennial census or the most recent
 21 American Community Survey 5-Year Estimate by the United States Bureau of
 22 the Census, with the per-capita dollar amount adjusted annually by the
 23 county treasurer using the Producer Price Index by Commodity: Final
 24 Demand: Finished Goods, published by the United States Department of
 25 Labor, Bureau of Labor Statistics, at the beginning of each county
 26 agricultural society fiscal year.
 1 (b) Following any distribution to a county agricultural society
 2 pursuant to subdivision (2)(a) of this section, the county treasurer
 3 shall distribute the remaining funds as follows: (i) ~~(1)~~ If the licensed
 4 racetrack enclosure is located completely within an unincorporated area
 5 of a county, the remaining amount of the twenty-five percent shall be
 6 distributed to the county in which such licensed racetrack enclosure is
 7 located; or (ii) ~~(2)~~ if the licensed racetrack enclosure is located at
 8 least partially within the limits of a city or village in such county,
 9 one-half of the remaining amount of the twenty-five percent shall be
 10 distributed to such county and one-half of the remaining amount of the
 11 twenty-five percent to the city or village in which such licensed
 12 racetrack enclosure is at least partially located.
 13 (3) Any funds distributed pursuant to subdivision (2)(a) of this
 14 section shall be used for the purpose of (a) capital construction on and
 15 renovation, repair, improvement, and maintenance of improvements and real
 16 property comprising the county fairgrounds or (b) the purchase of
 17 equipment.
 18 (4) Any county agricultural society which receives a distribution
 19 under this section shall publish a summary of expenditures made with such

20 distribution each fiscal year on the county agricultural society's
21 website or in a newspaper of general circulation within such county. The
22 summary shall be published within six months after the end of the county
23 agricultural society's fiscal year.
24 2. Renumber the remaining sections and correct the repealer
25 accordingly.

MOTION(S) - Print in Journal

Senator Wayne filed the following motion to LB1013:
MO152
Indefinitely postpone pursuant to Rule 6, Section 3(f).

Senator Wayne filed the following motion to LB1014:
MO153
Indefinitely postpone pursuant to Rule 6, Section 3(f).

GENERAL FILE

LEGISLATIVE BILL 773. The Morfeld amendment, AM2297, found in this day's Journal, to the Brewer amendment, was renewed.

Pending.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Wayne name added to LB795.
Senator Wayne name added to LB1092.

VISITOR(S)

Visitors to the Chamber were Nebraska Civic Leaders from Omaha Public Schools; Oleh Leonchuk, exchange student, Ukraine, and sponsor Yvonne Zegers; twelve store and regional directors for Hy-Vee; and fifth-grade students from Norfolk Middle School.

The Doctor of the Day was Dr. Brett Copley of Syracuse.

ADJOURNMENT

At 5:02 p.m., on a motion by Senator Briese, the Legislature adjourned until 9:00 a.m., Friday, March 11, 2022.

Patrick J. O'Donnell
Clerk of the Legislature

FORTIETH DAY - MARCH 11, 2022**LEGISLATIVE JOURNAL****ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION****FORTIETH DAY**

Legislative Chamber, Lincoln, Nebraska
Friday, March 11, 2022

PRAYER

The prayer was offered by Father Ryan Lewis, St. Elizabeth Ann Seton Catholic Church, Omaha.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Albrecht.

ROLL CALL

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

The roll was called and all members were present except Senators Bostar, Day, DeBoer, B. Hansen, Hunt, McCollister, Slama, Walz, and Wayne who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the thirty-ninth 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 10, 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

Baxter, Todd
 Charter Communications, Inc.
 Conrad, Danielle
 ACLU Nebraska (Withdrawn 03/09/2022)
 Milone, Tiffany
 OpenSky Policy Institute
 Wicks, Cheryl
 Mosaic

COMMITTEE REPORT(S)
 Executive Board

LEGISLATIVE BILL 686. Placed on General File.

LEGISLATIVE BILL 777. Placed on General File with amendment.

[AM2131](#)

1 1. Strike the original sections and insert the following new
 2 sections:
 3 Section 1. (1) The Legislative Council, through the Executive Board
 4 of the Legislative Council, shall develop and maintain a publicly
 5 accessible, digital Internet archive of closed captioned video coverage
 6 of the Legislature, including all floor debate and public committee
 7 hearings indexed by legislative bill or resolution number or by date,
 8 beginning with the coverage of the One Hundred Eighth Legislature, Second
 9 Session, in January 2024 or as soon as live, closed captioned video
 10 coverage of the Legislature is available for use, whichever is sooner, as
 11 provided in section 79-1316.
 12 (2) All applicable historical video coverage of the Legislature
 13 shall be collected and added to the digital archive as available.
 14 Applicable historical video coverage shall only consist of video coverage
 15 of the Legislature captured by the Nebraska Educational
 16 Telecommunications Commission and closed captioned prior to January 1,
 17 2024.
 18 (3) Such archive is intended solely for educational and
 19 informational purposes and to enhance access for the public in keeping
 20 with the Legislature's commitment to transparency in state government.
 21 (4) To the extent that funds from the federal American Rescue Plan
 22 Act of 2021, Public Law 117-2, Subtitle M, Sec. 9901, are available for
 23 use by the Executive Board of the Legislative Council in the development
 24 and maintenance of the digital archive of video coverage of the
 25 Legislature, such funding shall be requested and utilized by the
 26 executive board for such purposes.
 27 Sec. 2. Section 50-114, Reissue Revised Statutes of Nebraska, is
 1 amended to read:
 2 50-114 (1) It shall be the duty of the Clerk of the Legislature to
 3 attend the sessions of the Legislature, to call the roll, read the
 4 journals, bills, memorials, resolutions, petitions, and all other papers
 5 or documents necessary to be read in the Legislature, to keep a correct
 6 journal of the proceedings in the Legislature, and to do and perform such
 7 other duties as may be imposed upon ~~the clerk him~~ by the Legislature or
 8 by the Executive Board of the Legislative Council.
 9 (2) The records of all floor debate and committee hearings as
 10 prepared and permanently maintained by the Clerk of the Legislature are
 11 the official records of the Legislature.
 12 (3) Any government website offering access to audio and video
 13 recordings of the proceedings of the Legislature or of a committee or
 14 division of the Legislature shall require notification to any website

15 user, using appropriate technology, that such recordings shall not be
 16 used for political or commercial purposes.

17 Sec. 3. Section 50-402, Reissue Revised Statutes of Nebraska, is
 18 amended to read:

19 50-402 The Legislative Council shall occupy and maintain offices in
 20 the State Capitol.

21 It shall be the duty of the council:

22 (1) To collect information concerning the government and general
 23 welfare of the state;

24 (2) To examine the effects of previously enacted statutes and
 25 recommend amendments thereto;

26 (3) To deal with important issues of public policy and questions of
 27 statewide interest;

28 (4) To prepare a legislative program in the form of bills or
 29 otherwise as in its opinion the welfare of the state may require, to be
 30 presented at the next session of the Legislature;

31 (5) To study federal aid to the state and its political subdivisions
 1 and advise the Legislature of money, land, or buildings available from
 2 the federal government, matching funds necessary, grants and aids, and
 3 what new legislation will be needed;

4 (6) To establish and maintain a complete and efficient bill drafting
 5 service for the purpose of aiding and assisting members of the
 6 Legislature and the executive departments of the state in the preparation
 7 of bills, resolutions, and measures and in drafting the same in proper
 8 form, and for this purpose there shall be assigned to the council for
 9 such work, rooms in the State Capitol conveniently situated in reference
 10 to the legislative chamber;

11 (7) To provide, through the Revisor of Statutes, for the publication
 12 of supplements and replacement volumes of the statutes of Nebraska; ~~and~~

13 (8) To provide, through the Executive Board of the Legislative
 14 Council, for the development and maintenance of a publicly accessible,
 15 indexed, digital Internet archive of closed captioned video coverage of
 16 the Legislature as provided in section 1 of this act; and

17 ~~(9)~~ (8) To set up subcommittees within the executive board to carry
 18 out functions such as investigation of any area which it may decide is in
 19 the public interest with power to employ such additional personnel as may
 20 be needed to carry out the intent and activities of the executive board
 21 or the Legislature.

22 Sec. 4. Section 79-1312, Reissue Revised Statutes of Nebraska, is
 23 amended to read:

24 79-1312 Sections 79-1312 to 79-1322 and sections 7 and 8 of this act
 25 shall be known and may be cited as the Nebraska Educational
 26 Telecommunications Act.

27 Sec. 5. Section 79-1313, Reissue Revised Statutes of Nebraska, is
 28 amended to read:

29 79-1313 The Nebraska Educational Telecommunications Act creates the
 30 Nebraska Educational Telecommunications Commission for the purpose of (1)
 31 promoting and establishing noncommercial educational telecommunications
 1 facilities within the State of Nebraska, (2) providing noncommercial
 2 educational telecommunications programs throughout the State of Nebraska
 3 by digital broadcast, by closed-circuit transmission, by Internet-based
 4 delivery, or by other telecommunications technology distribution systems,
 5 ~~and~~ (3) operating statewide educational and public radio and television
 6 networks, facilities, and services, and (4) providing closed captioned
 7 live video coverage of the Legislature as provided in section 79-1316.

8 The commission shall seek funding from federal, state, foundation, and
 9 private sources for capital construction and annual operations.

10 Sec. 6. Section 79-1316, Reissue Revised Statutes of Nebraska, is
 11 amended to read:

12 79-1316 The powers and duties of the Nebraska Educational

13 Telecommunications Commission are:

14 (1) To promote and sponsor a noncommercial educational television
15 network to serve a series of interconnecting units throughout the State
16 of Nebraska;

17 (2) To promote and support locally operated or state-operated
18 noncommercial educational radio stations with satellite receiving
19 capabilities and improved transmitter coverage;

20 (3) To apply for and to receive and hold such authorizations,
21 licenses, and assignments of channels from the Federal Communications
22 Commission as may be necessary to conduct such educational
23 telecommunications programs by standard radio and television broadcast or
24 by other telecommunications technology broadcast systems and to prepare,
25 file, and prosecute before the Federal Communications Commission all
26 applications, reports, or other documents or requests for authorization
27 of any kind necessary or appropriate to achieve the purposes set forth in
28 the Nebraska Educational Telecommunications Act;

29 (4) To receive gifts and contributions from public and private
30 sources to be expended in providing educational telecommunications
31 facilities and programs;

1 (5) To acquire real estate and other property as an agency of the
2 State of Nebraska and to hold and use the same for educational
3 telecommunications purposes;

4 (6) To contract for the construction, repair, maintenance, and
5 operation of telecommunications facilities;

6 (7) To contract with common carriers, qualified under the laws of
7 the State of Nebraska, to provide interconnecting channels or satellite
8 facilities in support of radio, television, and other telecommunications
9 technology services unless it is first determined by the Nebraska
10 Educational Telecommunications Commission that state-owned
11 interconnecting channels can be constructed and operated that would
12 furnish a comparable quality of service at a cost to the state that would
13 be less than if such channels were provided by qualified common carriers;

14 (8) To provide for programming for the visually impaired, other
15 print-handicapped persons, and the deaf and hard of hearing as authorized
16 by the Federal Communications Commission under subsidiary communications
17 authority rules, through contracts with appropriate nonprofit
18 corporations or organizations which have been created for such purpose;

19 (9) To arrange for the operation of statewide educational
20 telecommunications networks, as directed by the Nebraska Educational
21 Telecommunications Commission, consistent with the provisions of the
22 federal Communications Act of 1934, as amended, and applicable rules and
23 regulations, with policies of the Federal Communications Commission, in
24 cooperation with the State Board of Education insofar as elementary and
25 secondary education programs are concerned, and in cooperation with the
26 Coordinating Commission for Postsecondary Education insofar as
27 postsecondary education programs are concerned;

28 (10) After taking into consideration the needs of the entire state,
29 to establish and maintain general policies relating to the nature and
30 character of educational telecommunications broadcasts or transmissions;

31 (11) To review, or cause to be reviewed by a person designated by
1 the commission, all programs presented on the network prior to broadcast
2 or transmission to insure that the programs are suitable for viewing and
3 listening. Such suitability shall be determined by evaluating the content
4 of the program, and screening the programs if necessary, as to their
5 educational value and whether they enhance the cultural appreciation of
6 the viewer and listener and do not appeal to his or her prurient
7 interest. When it is obvious from an examination of the descriptive
8 program materials that a program is suitable for presenting on the
9 network, no further review shall be required;

10 (12) To cooperate with federal or state agencies for the purpose of

11 obtaining matching federal or state funds and providing educational
 12 telecommunications facilities of all types throughout the state and to
 13 make such reports as may be required of recipients of matching funds;
 14 (13) To arrange for and provide digital radio and television
 15 broadcast and other telecommunications technology transmissions of
 16 noncommercial educational telecommunications programs to Nebraska
 17 citizens and institutions, but no tax funds shall be used for program
 18 advertising which may only be financed out of funds received from
 19 foundations or individual gifts;
 20 (14) To coordinate with Nebraska agencies that deal with
 21 telecommunications activities and are supported in whole or in part by
 22 public funds;
 23 (15) To adopt bylaws for the conduct of its affairs;
 24 (16) To make certain that the facilities are not used for any
 25 purpose which is contrary to the United States Constitution or the
 26 Constitution of Nebraska or for broadcasting propaganda or attempting to
 27 influence legislation;
 28 (17) To publish such informational material as it deems necessary
 29 and it may, at its discretion, charge appropriate fees therefor. The
 30 proceeds of all such fees shall be remitted to the State Treasurer for
 31 credit to the State Educational Telecommunications Fund and shall be used
 1 by the commission solely for publishing such informational material. The
 2 commission shall provide to newspapers, radio stations, and other news
 3 media program schedules informing the public of programs approved by the
 4 commission; ~~and~~
 5 (18) To maintain a digital archive of programs and educational
 6 content containing stories, events, individuals, and performances which
 7 are significant or prominent in Nebraska history; ~~and -~~
 8 (19) To provide live, closed captioned video coverage of the
 9 Legislature, including all floor debate and public committee hearings,
 10 beginning with coverage of the One Hundred Eighth Legislature, Second
 11 Session, in January 2024 or as soon as the commission has closed
 12 captioning capabilities, whichever is sooner.
 13 Sec. 7. Nothing in the Nebraska Educational Telecommunications Act
 14 shall be construed to require the Nebraska Educational Telecommunications
 15 Commission to post or distribute any work in a manner that would
 16 constitute a violation of federal copyright law.
 17 Sec. 8. To the extent that funds from the federal American Rescue
 18 Plan Act of 2021, Public Law 117-2, Subtitle M, Sec. 9901, are available
 19 for use by the Nebraska Educational Telecommunications Commission in the
 20 development and maintenance of live closed captioned video coverage of
 21 the Legislature, such funding shall be requested and utilized by the
 22 commission for such purposes.
 23 Sec. 9. The Revisor of Statutes shall assign section 1 of this act
 24 to Chapter 50.
 25 Sec. 10. Original sections 50-114, 50-402, 79-1312, 79-1313, and
 26 79-1316, Reissue Revised Statutes of Nebraska, are repealed.

LEGISLATIVE RESOLUTION 18CA. Placed on General File with amendment.

[AM2216](#)

1 1. Strike the original sections and insert the following new
 2 sections:
 3 Section 1. At the general election in November 2022, the following
 4 proposed amendment to the Constitution of Nebraska shall be submitted to
 5 the electors of the State of Nebraska for approval or rejection:
 6 To amend Article III, section 12:
 7 III-12 (1) No person shall be eligible to serve as a member of the
 8 Legislature for four years next after the expiration of ~~three two~~
 9 consecutive terms regardless of the district represented.

10 (2) For a person serving as a member of the Legislature as of
 11 January 1, 2022, if, as of such date:
 12 (a) Such person is serving a second consecutive term, the changes
 13 made to subsection (1) of this section by Laws 2022, LR18CA, shall not
 14 apply until four years next after the expiration of such term;
 15 (b) Such person is not serving a second consecutive term and is not
 16 reelected to a second consecutive term, the changes made to subsection
 17 (1) of this section by Laws 2022, LR18CA, shall not apply until four
 18 years next after the expiration of the term such person is serving as of
 19 January 1, 2022; and
 20 (c) Such person is not serving a second consecutive term and is
 21 reelected to a second consecutive term, the changes made to subsection
 22 (1) of this section by Laws 2022, LR18CA, shall not apply until four
 23 years next after the expiration of such second consecutive term.
 24 (2) Service prior to January 1, 2001, as a member of the Legislature
 25 shall not be counted for the purpose of calculating consecutive terms in
 26 subsection (1) of this section.
 27 (3) For the purpose of this section, service in office for more than
 1 one-half of a term shall be deemed service for a term.
 2 Sec. 2. The proposed amendment shall be submitted to the electors
 3 in the manner prescribed by the Constitution of Nebraska, Article XVI,
 4 section 1, with the following ballot language:
 5 A constitutional amendment to change the limit on legislative terms
 6 from two consecutive terms to three consecutive terms.
 7 For
 8 Against.

(Signed) Dan Hughes, Chairperson

GENERAL FILE

LEGISLATIVE BILL 773. Considered.

Senator Morfeld withdrew his amendment, [AM2297](#), found on page 802 and considered on page 805.

The Brewer amendment, [AM1757](#), found on page 509 and considered on pages 792 and 802, was renewed.

Senator M. Cavanaugh offered her amendment, [AM1907](#), found on page 706, to the Brewer amendment.

SENTATOR WILLIAMS PRESIDING

Pending.

COMMITTEE REPORT(S) Appropriations

LEGISLATIVE BILL 1012. Placed on General File with amendment. [AM2000](#) is available in the Bill Room.

LEGISLATIVE BILL 1011. Placed on General File with amendment. [AM1999](#) is available in the Bill Room.

LEGISLATIVE BILL 1013. Placed on General File with amendment.AM2001

1 1. Strike the original sections and insert the following new
2 sections:

3 Section 1. Section 84-612, Revised Statutes Supplement, 2021, is
4 amended to read:

5 84-612 (1) There is hereby created within the state treasury a fund
6 known as the Cash Reserve Fund which shall be under the direction of the
7 State Treasurer. The fund shall only be used pursuant to this section.

8 (2) The State Treasurer shall transfer funds from the Cash Reserve
9 Fund to the General Fund upon certification by the Director of
10 Administrative Services that the current cash balance in the General Fund
11 is inadequate to meet current obligations. Such certification shall
12 include the dollar amount to be transferred. Any transfers made pursuant
13 to this subsection shall be reversed upon notification by the Director of
14 Administrative Services that sufficient funds are available.

15 (3) In addition to receiving transfers from other funds, the Cash
16 Reserve Fund shall receive federal funds received by the State of
17 Nebraska for undesignated general government purposes, federal revenue
18 sharing, or general fiscal relief of the state.

19 (4) The State Treasurer shall transfer fifty-four million seven
20 hundred thousand dollars on or after July 1, 2019, but before June 15,
21 2021, from the Cash Reserve Fund to the Nebraska Capital Construction
22 Fund on such dates and in such amounts as directed by the budget
23 administrator of the budget division of the Department of Administrative
24 Services.

25 (5) The State Treasurer shall transfer two hundred fifteen million
26 five hundred eighty thousand dollars from the Cash Reserve Fund to the
27 Nebraska Capital Construction Fund on or after July 1, 2022, but before
1 June 15, 2023, on such dates and in such amounts as directed by the
2 budget administrator of the budget division of the Department of
3 Administrative Services.

4 (6) The State Treasurer shall transfer fifty-three million five
5 hundred thousand dollars from the Cash Reserve Fund to the Perkins County
6 Canal Project Fund on or before June 30, 2023, on such dates and in such
7 amounts as directed by the budget administrator of the budget division of
8 the Department of Administrative Services.

9 (7) ~~No (5) The State Treasurer shall transfer thirty million dollars~~
10 ~~from the Cash Reserve Fund to the General Fund after November 15, 2020,~~
11 ~~but before December 31, 2020, on such date as directed by the budget~~
12 ~~administrator of the budget division of the Department of Administrative~~
13 ~~Services. Except for the transfer authorized in this subsection, no funds~~
14 ~~shall be transferred from the Cash Reserve Fund to fulfill the~~
15 ~~obligations created under the Nebraska Property Tax Incentive Act unless~~
16 ~~the balance in the Cash Reserve Fund after such transfer will be at least~~
17 ~~equal to five hundred million dollars.~~

18 (8) (6) The State Treasurer shall transfer ~~thirty~~ thirty five million
19 dollars from the Cash Reserve Fund to the Military Base Development and
20 Support United States Space Command Headquarters Assistance Fund on or
21 before June 30, 2023, but not before July 1, 2022, on such dates and in
22 such amounts as directed by the budget administrator of the budget
23 division of the Department of Administrative Services. The transfer in
24 this subsection shall not occur unless the State of Nebraska is selected
25 as the site of the United States Space Command headquarters.

26 (9) The State Treasurer shall transfer eight million three hundred
27 thousand dollars from the Cash Reserve Fund to the Trail Development and
28 Maintenance Fund on or after July 1, 2022, but before July 30, 2022, on
29 such dates and in such amounts as directed by the budget administrator of
30 the budget division of the Department of Administrative Services.

31 (10) The State Treasurer shall transfer fifty million dollars from

1 the Cash Reserve Fund to the Nebraska Rural Projects Fund on or after
2 July 1, 2022, but before July 15, 2023, on such dates and in such amounts
3 as directed by the budget administrator of the budget division of the
4 Department of Administrative Services.
5 (11) The State Treasurer shall transfer thirty million dollars from
6 the Cash Reserve Fund to the Rural Workforce Housing Investment Fund on
7 or after July 1, 2022, but before July 15, 2023, on such dates and in
8 such amounts as directed by the budget administrator of the budget
9 division of the Department of Administrative Services.
10 (12) The State Treasurer shall transfer twenty million dollars from
11 the Cash Reserve Fund to the Intern Nebraska Cash Fund on or after July
12 1, 2022, but before June 15, 2023, on such dates and in such amounts as
13 directed by the budget administrator of the budget division of the
14 Department of Administrative Services.
15 (13) The State Treasurer shall transfer twenty million dollars from
16 the Cash Reserve Fund to the Middle Income Workforce Housing Investment
17 Fund on July 15, 2022, or as soon thereafter as administratively
18 possible, and in such amounts as directed by the budget administrator of
19 the budget division of the Department of Administrative Services.
20 (14) The State Treasurer shall transfer eighty million dollars from
21 the Cash Reserve Fund to the Jobs and Economic Development Initiative
22 Fund on or after July 1, 2022, but before July 15, 2023, on such dates
23 and in such amounts as directed by the budget administrator of the budget
24 division of the Department of Administrative Services.
25 (15) The State Treasurer shall transfer twenty million dollars from
26 the Cash Reserve Fund to the Site and Building Development Fund on July
27 15, 2022, or as soon thereafter as administratively possible, and in such
28 amounts as directed by the budget administrator of the budget division of
29 the Department of Administrative Services.
30 (16) The State Treasurer shall transfer fifty million dollars from
31 the Cash Reserve Fund to the Surface Water Irrigation Infrastructure Fund
1 on or after July 15, 2022, but before January 1, 2023, on such dates and
2 in such amounts as directed by the budget administrator of the budget
3 division of the Department of Administrative Services.
4 Sec. 2. Original section 84-612, Revised Statutes Supplement, 2021,
5 is repealed.
6 Sec. 3. Since an emergency exists, this act takes effect when
7 passed and approved according to law.

(Signed) John Stinner, Chairperson

BILL ON FIRST READING

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

LEGISLATIVE BILL 697A. Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 697, One Hundred Seventh Legislature, Second Session, 2022.

AMENDMENT(S) - Print in Journal

Senator Bostelman filed the following amendment to [LB1045](#):
[AM2263](#)

(Amendments to Standing Committee amendments, AM2081)

1 1. On page 5, strike lines 1 through 8 and insert the following new
2 subdivision:
3 "(6) Reliable or reliability means the ability of an electric
4 supplier to supply the aggregate electric power and energy requirements
5 of its electricity consumers in Nebraska at all times under normal
6 operating conditions, taking into account scheduled and unscheduled
7 outages, including sudden disturbances or unanticipated loss of system
8 components that are to be reasonably expected for any electric utility
9 following prudent utility practices;".

Senator Linehan filed the following amendment to [LB1218](#):
[AM2284](#)

(Amendments to Standing Committee amendments, AM2213)

1 1. Strike sections 1 to 8 and insert the following new sections:
2 Section 1. Sections 1 to 8 of this act shall be known and may be
3 cited as the Teach in Nebraska Today Act.
4 Sec. 2. For purposes of the Teach in Nebraska Today Act:
5 (1) Default has the same meaning as in 20 U.S.C. 1085, as such
6 section existed on January 1, 2022;
7 (2) Department means the State Department of Education;
8 (3) Program means the Teach in Nebraska Today Program created in
9 section 3 of this act;
10 (4) Teacher aid means and includes:
11 (a) Student loan repayment assistance provided pursuant to
12 subsection (2) of section 6 of this act; and
13 (b) Stipends provided pursuant to subsection (3) of section 6 of
14 this act; and
15 (5) Teaching full-time means (a) teaching an average of at least
16 four hours per contract day performing instructional duties as a full-
17 time employee of an approved or accredited public, private,
18 denominational, or parochial school in this state or (b) teaching an
19 average of at least four hours per contract day performing dual-credit
20 instructional duties for students of approved or accredited public,
21 private, denominational, or parochial schools in this state while
22 employed full-time at an accredited public or private nonprofit college
23 or university in this state.
24 Sec. 3. The Teach in Nebraska Today Program is created. The
25 department shall administer the program. The purpose of the program is to
26 attract individuals to the teaching profession who have expressed an
1 interest in teaching and to support the employment of those individuals
2 as classroom teachers by providing teacher aid for service as a classroom
3 teacher in this state.
4 Sec. 4. (1) Teacher aid under the program shall be available to an
5 individual who applies for the aid and who:
6 (a) Is a resident of the State of Nebraska; and
7 (b) Is teaching full-time or has a contract to teach full-time at
8 the time of application for the program.
9 (2) The amount of teacher aid awarded to an eligible applicant
10 pursuant to this section shall be limited to five thousand dollars per
11 year. An eligible applicant may be awarded teacher aid for up to five
12 years. The five years of awards are not required to be consecutive but
13 shall not extend beyond eight years in total.
14 (3) If the funds available for teacher aid in any year are
15 insufficient to provide aid to all eligible applicants described in

16 subsection (1) of this section, the department shall establish priorities
17 for awarding teacher aid with renewal applications given priority over
18 initial applications. For initial applications, priority shall be given
19 as follows:

20 (a) First priority shall be given to applicants who (i) have no more
21 than one year of full-time teaching experience and (ii) demonstrate
22 financial need;

23 (b) Second priority shall be given to applicants who (i) have no
24 more than one year of full-time teaching experience and (ii) do not
25 demonstrate financial need;

26 (c) Third priority shall be given to applicants who (i) have more
27 than one year but no more than three years of full-time teaching
28 experience and (ii) demonstrate financial need; and

29 (d) Fourth priority shall be given to applicants who (i) have more
30 than one year but no more than three years of full-time teaching
31 experience and (ii) do not demonstrate financial need.

1 Sec. 5. Applications for teacher aid must be submitted no later
2 than June 10, 2023, and no later than June 10 of each year thereafter, on
3 a form developed by the department. The department shall determine
4 whether to approve or deny each application and shall notify each
5 applicant of such determination no later than September 10, 2023, and no
6 later than September 10 of each year thereafter. Teacher aid awarded
7 under the program shall be paid, in whole or in part as provided in
8 section 6 of this act, no later than November 10, 2023, and no later than
9 November 10 of each year thereafter.

10 Sec. 6. (1) Teacher aid awarded under the program shall be paid as
11 student loan repayment assistance pursuant to subsection (2) of this
12 section or as a stipend pursuant to subsection (3) of this section. The
13 applicant shall select the method of payment on his or her application.

14 (2)(a) Student loan repayment assistance awarded under the program
15 shall be paid in one of the following two ways as directed by the
16 applicant on his or her application:

17 (i) Directly to the lender or loan servicer that holds the
18 outstanding balance of the student loan in one lump-sum payment; or

19 (ii) Directly to the lender or loan servicer that holds the
20 outstanding balance of the student loan in monthly payments. Such monthly
21 payments shall be made:

22 (A) In twelve equal payments; or

23 (B) If requested by the applicant, in smaller amounts over a longer
24 period of time, not to exceed twenty-four months. In such case, payments
25 shall be equal for the first twelve months or until such time as the
26 applicant's payment amount is recalculated by the lender or loan servicer
27 and then, if adjusted, shall be equal for the next twelve-month period.

28 Any unpaid funds at the end of twenty-four months may be requested to be
29 paid in a lump-sum payment to the lender or loan servicer or shall be
30 considered forfeited by the applicant. Applicants who are awarded student
31 loan repayment assistance in more than one year may have their awards
1 divided across no more than one hundred twenty monthly payments under the
2 program.

3 (b) An eligible applicant may receive student loan repayment
4 assistance under the program for the repayment of a student loan that was
5 received through any lender and that was incurred in the applicant's own
6 name for his or her own educational expenses at any accredited public or
7 private nonprofit college or university in this state or any other state.
8 If the loan is not a state or federal guaranteed student loan, the note
9 or other writing governing the terms of the loan must require the loan
10 proceeds to be used for expenses incurred by the applicant to attend an
11 accredited public or private nonprofit college or university in this
12 state or any other state.

13 (c) Student loan repayment assistance awarded under the program may

14 be applied to the principal amount of the loan and to interest that
 15 accrues.
 16 (d) The department may contract with a third-party vendor to
 17 administer the student loan repayment assistance provided pursuant to
 18 this subsection.
 19 (3) Stipends awarded under the program shall be paid directly to the
 20 applicant and may be used for the applicant's living expenses. Stipends
 21 shall only be available if the applicant is not in default on any student
 22 loan at the time of application.
 23 Sec. 7. The total amount of teacher aid awarded pursuant to the
 24 program shall not exceed five million dollars in any fiscal year.
 25 Sec. 8. The State Board of Education may adopt and promulgate rules
 26 and regulations to carry out the Teach in Nebraska Today Act.
 27 2. On page 14, strike lines 9 through 12 and insert the following
 28 new subsection:
 29 "(18) There shall be subtracted from the federal adjusted gross
 30 income of individuals any amount received by the individual as teacher
 31 aid under the Teach in Nebraska Today Act, to the extent such amount is
 1 included in federal adjusted gross income. For purposes of this
 2 subsection, teacher aid has the same meaning as in section 2 of this
 3 act."

RESOLUTION(S)

LEGISLATIVE RESOLUTION 330. Introduced by Linehan, 39.

PURPOSE: The purpose of this resolution is to propose an interim study to determine what percentage should be used to forecast revenue when preparing fiscal notes and determine if state agencies or political subdivisions should use the same percentage when preparing their estimates on the fiscal impact of a specific bill. The study should also examine how the percentage interplays with the Nebraska Economic Forecasting Advisory Board when calculating the increase or decrease in projected revenue.

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

1. That the Appropriations 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 and the Clerk of the Legislature.

Referred to the Executive Board.

GENERAL FILE

LEGISLATIVE BILL 773. The Brewer amendment, [AM1757](#), found on page 509 and considered on pages 792, 802, and in this day's Journal, was renewed.

The M. Cavanaugh amendment, [AM1907](#), found on page 706 and considered in this day's Journal, to the Brewer amendment, was renewed.

Senator Morfeld offered the following motion:

[MO154](#)

Bracket until April 20, 2022.

Senator M. Cavanaugh requested a point of order.

The M. Cavanaugh requested point of order was not recognized by the Chair.

Pending.

MOTION - Adjournment

Senator M. Hansen moved to adjourn until 10:00 a.m., Monday, March 14, 2022.

Senator Wayne requested a machine vote on the motion to adjourn.

The M. Hansen motion to adjourn failed with 4 ayes, 35 nays, 8 present and not voting, and 2 excused and not voting.

GENERAL FILE

LEGISLATIVE BILL 773. The Brewer amendment, [AM1757](#), found on page 509 and considered on pages 792, 802, and in this day's Journal, was renewed.

The M. Cavanaugh amendment, [AM1907](#), found on page 706 and considered in this day's Journal, to the Brewer amendment, was renewed.

The Morfeld motion, [MO154](#), found and considered in this day's Journal, to bracket until April 20, 2022, was renewed.

Senator Brewer offered the following motion:

[MO155](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Brewer moved for a call of the house. The motion prevailed with 33 ayes, 1 nay, and 15 not voting.

Senator Brewer requested a roll call vote on the motion to invoke cloture.

Voting in the affirmative, 36:

Aguilar	Clements	Halloran	Linehan	Slama
Albrecht	Day	Hansen, B.	Lowe	Stinner
Arch	Dorn	Hilgers	McCollister	Wayne
Blood	Erdman	Hilkemann	McDonnell	Williams
Bostelman	Flood	Hughes	Moser	
Brandt	Friesen	Jacobson	Murman	
Brewer	Geist	Kolterman	Pahls	
Briese	Gragert	Lindstrom	Sanders	

Voting in the negative, 9:

Bostar Cavanaugh, M. Hansen, M. Morfeld Vargas
Cavanaugh, J. DeBoer Lathrop Pansing Brooks

Present and not voting, 3:

McKinney Walz Wishart

Excused and not voting, 1:

Hunt

The Brewer motion to invoke cloture prevailed with 36 ayes, 9 nays, 3 present and not voting, and 1 excused and not voting.

Senator M. Cavanaugh requested a roll call vote on the Morfeld motion to bracket.

Voting in the affirmative, 5:

Cavanaugh, J. Cavanaugh, M. Hansen, M. Lathrop Morfeld

Voting in the negative, 42:

Aguilar	Clements	Halloran	Lowe	Slama
Albrecht	Day	Hansen, B.	McCollister	Stinner
Arch	DeBoer	Hilgers	McDonnell	Vargas
Blood	Dorn	Hilkemann	McKinney	Wayne
Bostar	Erdman	Hughes	Moser	Williams
Bostelman	Flood	Jacobson	Murman	Wishart
Brandt	Friesen	Kolterman	Pahls	
Brewer	Geist	Lindstrom	Pansing Brooks	
Briese	Gragert	Linehan	Sanders	

Present and not voting, 1:

Walz

Excused and not voting, 1:

Hunt

The Morfeld motion to bracket failed with 5 ayes, 42 nays, 1 present and not voting, and 1 excused and not voting.

The M. Cavanaugh amendment, AM1907, lost with 9 ayes, 33 nays, 6 present and not voting, and 1 excused and not voting.

The Brewer amendment, AM1757, was adopted with 39 ayes, 2 nays, 7 present and not voting, and 1 excused and not voting.

Senator Flood requested a roll call vote on the advancement of the bill.

Senator Blood requested the roll call vote be taken in reverse order.

Voting in the affirmative, 35:

Aguilar	Briese	Geist	Jacobson	Murman
Albrecht	Clements	Gragert	Kolterman	Pahls
Arch	Day	Halloran	Lindstrom	Sanders
Blood	Dorn	Hansen, B.	Linehan	Slama
Bostelman	Erdman	Hilgers	Lowe	Stinner
Brandt	Flood	Hilkemann	McDonnell	Wayne
Brewer	Friesen	Hughes	Moser	Williams

Voting in the negative, 9:

Bostar	Cavanaugh, M.	Hansen, M.	Morfeld	Vargas
Cavanaugh, J.	DeBoer	Lathrop	Pansing Brooks	

Present and not voting, 4:

McCollister	McKinney	Walz	Wishart
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Excused and not voting, 1:

Hunt

Advanced to Enrollment and Review Initial with 35 ayes, 9 nays, 4 present and not voting, and 1 excused and not voting.

The Chair declared the call raised.

BILL ON FINAL READING

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB767 with 37 ayes, 5 nays, 6 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 767.

A BILL FOR AN ACT relating to pharmacy benefit managers; to adopt the Pharmacy Benefit Manager Licensure and Regulation Act; to eliminate

provisions relating to pharmacy benefit managers; to provide an operative date; to provide severability; and to outright repeal section 71-2484, Revised Statutes Cumulative Supplement, 2020.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 48:

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

Voting in the negative, 0.

Excused and not voting, 1:

Hunt

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

MOTION(S) - Return LB767A to Select File

Senator Wayne moved to return LB767A to Select File for the following specific amendment:

[FA110](#)

Strike section 1.

Senator Wayne withdrew his motion to return.

The Wayne amendment, FA110, was not considered.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 767A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 767, One Hundred Seventh Legislature, Second Session, 2022.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 48:

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

Voting in the negative, 0.

Excused and not voting, 1:

Hunt

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 1099. With Emergency Clause.

A BILL FOR AN ACT relating to economic development; to create the Nebraska Hydrogen Hub Industry Work Group; to provide duties for the Department of Economic Development; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 47:

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

Voting in the negative, 0.

Present and not voting, 2:

Hunt Wishart

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE BILL 519. Placed on Select File with amendment.
[ER138](#) is available in the Bill Room.

LEGISLATIVE BILL 598. Placed on Select File with amendment.
[ER136](#)

1 1. Strike the original sections and all amendments thereto and

2 insert the following new sections:

3 Section 1. Sections 1 to 5 of this act shall be known and may be

4 cited as the Small Business Stabilization Grant Program Act.

5 Sec. 2. The purpose of the Small Business Stabilization Grant

6 Program Act is to provide grant funds to eligible businesses that are

7 experiencing a significant loss of revenue as a result of a qualifying

8 event.

9 Sec. 3. For purposes of the Small Business Stabilization Grant

10 Program Act:

11 (1) Department means the Department of Economic Development;

12 (2) Eligible business means a for-profit business that:

13 (a) Is located in this state; and

14 (b) Had no more than one million dollars of gross revenue in the

15 most recently completed calendar year; and

16 (3) Qualifying event means any natural disaster, pandemic, or other

17 event for which a state of emergency proclamation is issued by the

18 Governor pursuant to section 81-829.40.

19 Sec. 4. (1) If a qualifying event occurs, the department shall

20 establish a grant program to provide financial assistance to eligible

21 businesses that have experienced a significant loss of revenue as a

22 result of such qualifying event. An eligible business shall be considered

23 to have experienced a significant loss of revenue if its gross revenue

24 over a period of one month or more has declined by at least fifty percent

25 from the amount of gross revenue received over the same period in the

26 prior year.

27 (2) Whenever such a grant program is established, an eligible

1 business may submit an application to the department with sufficient

2 documentation to show the loss of revenue required under subsection (1)

3 of this section.

4 (3) If the applicant is an eligible business and meets the

5 requirements of subsection (1) of this section, the department shall

6 approve the application and shall notify the applicant of such approval.

7 (4) The department shall consider applications in the order in which

8 they are received and may approve applications within the limits of

9 available appropriations.

10 (5) Each grant approved under this section shall be no more than

11 twelve thousand dollars.

12 Sec. 5. The department may adopt and promulgate rules and

13 regulations to carry out the Small Business Stabilization Grant Program
14 Act.

15 Sec. 6. Since an emergency exists, this act takes effect when
16 passed and approved according to law.

LEGISLATIVE BILL 1023. Placed on Select File with amendment.

[ER139](#)

1 1. On page 1, strike beginning with "water" in line 1 through line 3
2 and insert "state government; to amend section 50-802, Reissue Revised
3 Statutes of Nebraska; to adopt the Jobs and Economic Development
4 Initiative Act and the Water Recreation Enhancement Act; to change
5 provisions relating to the Statewide Tourism And Recreational Water
6 Access and Resource Sustainability Special Committee of the Legislature;
7 to repeal the original section; and to declare an emergency."

LEGISLATIVE BILL 1015. Placed on Select File.

LEGISLATIVE BILL 1073. Placed on Select File with amendment.

[ER137](#)

1 1. On page 1, strike beginning with "amend" in line 1 through line
2 14 and insert "require the Governor to apply for emergency rental
3 assistance under the federal American Rescue Plan Act of 2021; and to
4 declare an emergency."

(Signed) Terrell McKinney, Chairperson

AMENDMENT(S) - Print in Journal

Senator M. Cavanaugh filed the following amendment to LB29:

[FA105](#)

On page 2, line 8 strike "may" and replace with "shall"

Senator M. Cavanaugh filed the following amendment to LB855:

[FA106](#)

On page 2, line 23 insert "(FQHC)" after "services"

Senator M. Cavanaugh filed the following amendment to LB905:

[FA107](#)

On page 1, line 14 strike "means" and replace with "is defined as"

Senator M. Cavanaugh filed the following amendment to LB1082:

[FA108](#)

On page 2, line 5 after "Services" insert "(DHHS)"

Senator M. Cavanaugh filed the following amendment to LB1137:

[FA109](#)

On page 2, line 10 strike "means" and replace with "is defined as"

Senator McKinney filed the following amendment to LB927:

[AM2242](#)

(Amendments to Standing Committee amendments, AM2023)

1 1. On page 4, strike beginning with "to" in line 22 through line 26,
2 show as stricken, and insert ". Fifty-five percent of such funds shall be

3 used to showcase important historical aspects of such areas or areas
4 within close geographic proximity of the area with a high concentration
5 of poverty and to assist with the reduction of street and gang violence
6 in such areas. Forty-five percent of such funds shall be used to assist
7 with small business and entrepreneurship growth in such areas."
8 2. On page 5, line 24, after the period insert "Applications may be
9 submitted to either of the committee members described in subdivisions
10 (3)(c)(i) and (ii) of this section."
11 3. On page 6, after line 13 insert the following new subdivisions:
12 "(e) For any committee formed under subdivision (3)(b) of this
13 section:
14 (i) The two committee members described in subdivisions (3)(c)(i)
15 and (ii) of this section shall share joint responsibility of all
16 committee operations and meetings. Applications for funding may be
17 submitted to either of such members; and
18 (ii) All applications, reports, and other records of the committee
19 shall be accessible to any member of the committee.
20 (f) Each recipient of funding from a committee formed under
21 subdivision (3)(b) of this section shall submit an itemized report to
22 such committee on the use of such funds. A recipient shall not be
23 eligible to receive funding for more than three consecutive years unless
24 such recipient is able to justify continued funding based on the
25 following criteria:
26 (i) The number of people served by the project;
1 (ii) The relevance and scale of the project;
2 (iii) The desirability of the social or environmental outcomes of
3 the project and how such outcomes will be achievable and measurable;
4 (iv) The economic impact on the area with a high concentration of
5 poverty; and
6 (v) The recipient's sustainability plan."; in line 14 strike "(e)",
7 show as stricken, and insert "(g)"; and in line 23 strike "(f)", show as
8 stricken, and insert "(h)".

Senator M. Cavanaugh filed the following amendment to LB742:

[FA111](#)

Page 2 line 15, strike "a newspaper" and insert "newspapers"

Senator M. Cavanaugh filed the following amendment to LB983:

[FA112](#)

Page 2 line 13, strike "store" and replace with "storage of"

GENERAL FILE

LEGISLATIVE BILL 809. Title read. Considered.

Committee [AM2004](#), found on page 631, was offered.

SENATOR FLOOD PRESIDING

Committee [AM2004](#), was adopted with 35 ayes, 0 nays, 12 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 35 ayes, 0 nays, 12 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 809A. Title read. Considered.

Advanced to Enrollment and Review Initial with 34 ayes, 0 nays, 13 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 800. Title read. Considered.

SPEAKER HILGERS PRESIDING

Committee [AM2035](#), found on page 697, was adopted with 34 ayes, 1 nay, 11 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review Initial with 35 ayes, 1 nay, 10 present and not voting, and 3 excused and not voting.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LBs 767, 767A, and 1099e.

AMENDMENT(S) - Print in Journal

Senator Williams filed the following amendment to [LB1069](#):

[AM2299](#)

- 1 1. On page 4, strike beginning with "Grants" in line 9 through
- 2 "application" in line 11, show the old matter as stricken, and insert "An
- 3 applicant shall provide matching funds of at least one-half of the amount
- 4 of workforce housing grant funds awarded".
- 5 2. On page 5, line 31, strike "Affordable", show as stricken, and
- 6 insert "General".
- 7 3. On page 6, line 1, strike "Housing Trust" and show as stricken;
- 8 and in line 10, strike "Affordable Housing Trust", show as stricken, and
- 9 insert "General".
- 10 4. On page 7, line 6, strike "credit to the Affordable Housing
- 11 Trust", show as stricken, and insert "transfer to the General".

GENERAL FILE

LEGISLATIVE BILL 750. Title read. Considered.

Committee [AM1966](#), found on page 633, was offered.

Senator Friesen asked unanimous consent to withdraw his amendment, [AM2038](#), found on page 635, and replace it with his substitute amendment, [AM2067](#), found on page 666, to the committee amendment. No objections. So ordered.

The Friesen amendment was adopted with 38 ayes, 0 nays, 9 present and not voting, and 2 excused and not voting.

Senator Geist offered her amendment, [AM1967](#), found on page 646, to the committee amendment.

The Geist amendment was adopted with 37 ayes, 0 nays, 9 present and not voting, and 3 excused and not voting.

Senator Albrecht offered her amendment, [AM2085](#), found on page 701, to the committee amendment.

The Albrecht amendment was adopted with 35 ayes, 0 nays, 11 present and not voting, and 3 excused and not voting.

Senator Erdman offered his amendment, [AM2294](#), found on page 803, to the committee amendment.

The Erdman amendment was adopted with 36 ayes, 0 nays, 11 present and not voting, and 2 excused and not voting.

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

Advanced to Enrollment and Review Initial with 40 ayes, 0 nays, 7 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 344. Title read. Considered.

Committee [AM83](#), found on page 466, First Session, 2021, was offered.

Senator Friesen offered his amendment, [AM1880](#), found on page 593, to the committee amendment.

Senator Kolterman offered the following motion:

[MO156](#)

Recommit to Transportation and Telecommunications Committee.

SENATOR HUGHES PRESIDING

Senator Kolterman withdrew his motion to recommit to committee.

The Friesen amendment was adopted with 41 ayes, 0 nays, 7 present and not voting, and 1 excused and not voting.

The committee amendment, as amended, was adopted with 42 ayes, 0 nays, 6 present and not voting, and 1 excused and not voting.

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

LEGISLATIVE BILL 344A. Title read. Considered.

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

LEGISLATIVE BILL 1102. Title read. Considered.

Committee [AM1893](#), found on page 618, was adopted with 40 ayes, 0 nays, 8 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review Initial with 40 ayes, 0 nays, 8 present and not voting, and 1 excused and not voting.

LEGISLATIVE BILL 1102A. Title read. Considered.

Senator Bostelman offered his amendment, [AM2212](#), found on page 765.

The Bostelman amendment was adopted with 36 ayes, 0 nays, 12 present and not voting, and 1 excused and not voting.

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

LEGISLATIVE BILL 927. Title read. Considered.

Committee [AM2023](#), found on page 635, was offered.

Senator McKinney offered his amendment, [AM2242](#), found in this day's Journal, to the committee amendment.

Pending.

PRESENTED TO THE GOVERNOR

Presented to the Governor on March 11, 2022, at 1:12 p.m. were the following: LBs 767, 767A, and 1099e.

(Signed) Jamie Leishman
Clerk of the Legislature's Office

NOTICE OF COMMITTEE HEARING(S) Transportation and Telecommunications Room 1113 12:00 PM

Tuesday, March 22, 2022
AM1880 to LB344

(Signed) Curt Friesen, Chairperson

AMENDMENT(S) - Print in Journal

Senator M. Cavanaugh filed the following amendment to [LB908](#):
[FA113](#)
Page 5 line 11, remove "in" and replace with "within"

Senator M. Cavanaugh filed the following amendment to [LB856](#):

[FA114](#)

Page 2, line 13 insert "The" before "Department"

Senator M. Cavanaugh filed the following amendment to [LB1007](#):

[FA115](#)

Amend AM2099: page 1, line 16 strike "will" and insert "shall"

Senator Clements filed the following amendment to [LB1241](#):

[AM2173](#)

(Amendments to E&R amendments, ER111)

1 1. Insert the following new sections:

2 Sec. 5. Sections 5 to 11 of this act shall be known and may be

3 cited as the Law Enforcement Attraction and Retention Act.

4 Sec. 6. (1) The Legislature finds that:

5 (a) The State of Nebraska and cities and counties in this state have

6 experienced a dramatic decrease in applications for law enforcement

7 officer positions;

8 (b) Law enforcement officers in Nebraska are leaving the law

9 enforcement profession;

10 (c) Law enforcement agencies are not retaining law enforcement

11 officers at a rate sufficient to ensure public safety;

12 (d) Law enforcement officers are the critical element of public

13 safety in Nebraska communities; and

14 (e) Maintaining a robust law enforcement workforce is in the best

15 interests of all Nebraskans.

16 (2) The purpose of the Law Enforcement Attraction and Retention Act

17 is to provide financial incentives to attract and retain law enforcement

18 officers.

19 Sec. 7. For purposes of the Law Enforcement Attraction and

20 Retention Act:

21 (1) Council means the Nebraska Police Standards Advisory Council;

22 and

23 (2) Law enforcement officer has the same meaning as in section

24 81-1401.

25 Sec. 8. (1) The council shall accept applications for retention

26 incentive payments from individual law enforcement officers in Nebraska.

1 (2) To be eligible for a tier 1 retention incentive payment, a law

2 enforcement officer must complete twelve months of full-time employment

3 as a law enforcement officer after July 1, 2022. No law enforcement

4 officer shall receive more than one tier 1 retention incentive payment.

5 (3) To be eligible for a tier 2 retention incentive payment, a law

6 enforcement officer must complete three years of full-time employment as

7 a law enforcement officer after July 1, 2022. No law enforcement officer

8 shall receive more than one tier 2 retention incentive payment.

9 (4) To be eligible for a tier 3 retention incentive payment, a law

10 enforcement officer must complete five years of full-time employment as a

11 law enforcement officer after July 1, 2022. No law enforcement officer

12 shall receive more than one tier 3 retention incentive payment.

13 (5) Full-time law enforcement officers employed by a law enforcement

14 agency that employs more than seventy-five full-time law enforcement

15 officers shall only be eligible for a tier 1 retention incentive payment,

16 and such payment shall be seven hundred fifty dollars.

17 (6) For full-time law enforcement officers employed by a law

18 enforcement agency that employs seventy-five or fewer full-time law

19 enforcement officers:

20 (a) The tier 1 retention incentive payment shall be one thousand

21 five hundred dollars;
 22 (b) The tier 2 retention incentive payment shall be two thousand
 23 five hundred dollars; and
 24 (c) The tier 3 retention incentive payment shall be three thousand
 25 dollars.
 26 Sec. 9. (1) The council shall accept applications for grants from
 27 law enforcement agencies in Nebraska. The grants shall be used to provide
 28 hiring bonuses to newly hired full-time law enforcement officers.
 29 (2) A law enforcement agency shall be eligible for a grant under
 30 this section if:
 31 (a) The law enforcement agency employs fewer than one hundred fifty
 1 full-time law enforcement officers; and
 2 (b) The law enforcement agency is not at the recommended level of
 3 staffing under standards set by the council.
 4 Sec. 10. The council may adopt and promulgate rules and regulations
 5 to carry out the Law Enforcement Attraction and Retention Act.
 6 Sec. 11. The Law Enforcement Attraction and Retention Act terminates
 7 on June 30, 2028.
 8 Sec. 12. Sections 5, 6, 7, 8, 9, 10, and 11 of this act become
 9 operative on July 1, 2022. The other sections of this act become
 10 operative on their effective date.
 11 2. Renumber the remaining sections accordingly.

Senator Arch filed the following amendment to [LB752](#):
[AM2302](#)

(Amendments to E & R amendments, ER131)

1 1. Insert the following new sections:
 2 Sec. 7. Section 38-131, Revised Statutes Cumulative Supplement,
 3 2020, is amended to read:
 4 38-131 (1) An applicant for an initial license to practice as a
 5 registered nurse, a licensed practical nurse, a physical therapist, a
 6 physical therapy assistant, a psychologist, an advanced emergency medical
 7 technician, an emergency medical technician, an audiologist, a speech-
 8 language pathologist, a licensed independent mental health practitioner,
 9 an occupational therapist, an occupational therapy assistant, or a
 10 paramedic or to practice a profession which is authorized to prescribe
 11 controlled substances shall be subject to a criminal background check. A
 12 criminal background check may also be required for initial licensure or
 13 reinstatement of a license governed by the Uniform Credentialing Act if a
 14 criminal background check is required by an interstate licensure compact.
 15 Except as provided in subsection (3) of this section, the applicant shall
 16 submit with the application a full set of fingerprints which shall be
 17 forwarded to the Nebraska State Patrol to be submitted to the Federal
 18 Bureau of Investigation for a national criminal history record
 19 information check. The applicant shall authorize release of the results
 20 of the national criminal history record information check to the
 21 department. The applicant shall pay the actual cost of the fingerprinting
 22 and criminal background check.
 23 (2) This section shall not apply to a dentist who is an applicant
 24 for a dental locum tenens under section 38-1122, to a physician or
 25 osteopathic physician who is an applicant for a physician locum tenens
 26 under section 38-2036, or to a veterinarian who is an applicant for a
 1 veterinarian locum tenens under section 38-3335.
 2 (3) An applicant for a temporary educational permit as defined in
 3 section 38-2019 shall have ninety days from the issuance of the permit to
 4 comply with subsection (1) of this section and shall have his or her
 5 permit suspended after such ninety-day period if the criminal background
 6 check is not complete or revoked if the criminal background check reveals
 7 that the applicant was not qualified for the permit.
 8 Sec. 10. Section 38-2101, Reissue Revised Statutes of Nebraska, is

9 amended to read:

10 38-2101 Sections 38-2101 to 38-2139 and section 16 of this act shall
 11 be known and may be cited as the Mental Health Practice Act.
 12 Sec. 16. The only persons credentialed pursuant to the Mental Health
 13 Practice Act that are eligible to be licensed professional counselors
 14 under the Licensed Professional Counselors Interstate Compact are
 15 licensed independent mental health practitioners with a certification in
 16 professional counseling.
 17 2. On page 33, line 22, after the second comma insert "G".
 18 3. On page 35, line 17, strike "license" and insert "Licensee"; and
 19 in line 29 strike "Member States" and insert "Home State".
 20 4. On page 37, line 10, after "state" insert "or through the process
 21 described in Article 5".
 22 5. Renumber the remaining sections, correct internal references, and
 23 correct the repealer accordingly.

Senator Hilkemann filed the following amendment to [LB981](#):
[AM2134](#)

(Amendments to Standing Committee amendments, AM1993)

1 1. Insert the following new section:
 2 Sec. 2. There is hereby appropriated \$1,000,000 from the General
 3 Fund for FY2022-23 to the Game and Parks Commission, for Program 550.
 4 There is included in the appropriation to this program for FY2022-23
 5 \$1,000,000 for purposes of providing a twenty percent match for a grant
 6 as required under the federal Rebuilding American Infrastructure with
 7 Sustainability and Equity discretionary grant program, which shall only
 8 be used for such purpose.
 9 The Game and Parks Commission shall coordinate with the Department
 10 of Transportation to apply for a five-million-dollar federal Rebuilding
 11 American Infrastructure with Sustainability and Equity discretionary
 12 grant for the completion of a statewide, long-range study for the
 13 development and improvement of Nebraska's trail network.
 14 Total expenditures for permanent and temporary salaries and per
 15 diems from funds appropriated in this section shall not exceed \$55,825
 16 for FY2022-23.

VISITOR(S)

Visitors to the Chamber were Senator Williams' niece Sally and great-niece Cella Guthmiller and her friend Emma Charvat; fourth-grade students and their teacher from Oakdale School; and fourth-grade students from Avery Elementary School, Bellevue.

The Doctor of the Day was Dr. Pat Hotovy of York.

ADJOURNMENT

At 2:59 p.m., on a motion by Senator Lathrop, the Legislature adjourned until 10:00 a.m., Monday, March 14, 2022.

Patrick J. O'Donnell
 Clerk of the Legislature

FORTY-FIRST DAY - MARCH 14, 2022**LEGISLATIVE JOURNAL****ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION****FORTY-FIRST DAY**

Legislative Chamber, Lincoln, Nebraska
Monday, March 14, 2022

PRAYER

The prayer was offered by Pastor Peter Sample, Calvary Bible Church, Neligh.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator DeBoer.

ROLL CALL

Pursuant to adjournment, the Legislature met at 10:00 a.m., President Foley presiding.

The roll was called and all members were present except Senator M. Hansen who was excused; and Senators Albrecht, Bostar, Geist, Hunt, McCollister, McKinney, Morfeld, Pansing Brooks, Vargas, Wayne, and Wishart who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the fortieth day was approved.

AMENDMENT(S) - Print in Journal

Senator Flood filed the following amendment to [LB1144](#):

[AM2316](#)

(Amendments to Standing Committee amendments, AM2107)

1 1. On page 10, line 24, strike "may" and insert "shall".

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LRs 313, 314, 315, 316, and 317 were adopted.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LRs 313, 314, 315, 316, and 317.

GENERAL FILE

LEGISLATIVE BILL 283. Title read. Considered.

Advanced to Enrollment and Review Initial with 40 ayes, 3 nays, 2 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 779. Title read. Considered.

Senator M. Cavanaugh offered her amendment, [FA99](#), found on page 800.

Senator M. Cavanaugh withdrew her amendment.

Advanced to Enrollment and Review Initial with 42 ayes, 0 nays, 4 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 808. Title read. Considered.

Senator M. Cavanaugh offered her amendment, [FA100](#), found on page 800.

Senator M. Cavanaugh withdrew her amendment.

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

LEGISLATIVE BILL 1092. Title read. Considered.

Senator M. Cavanaugh offered her amendment, [FA101](#), found on page 800.

Senator M. Cavanaugh withdrew her amendment.

Advanced to Enrollment and Review Initial with 43 ayes, 0 nays, 4 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 1204. Title read. Considered.

Committee [AM1894](#), found on page 599, was offered.

Senator M. Cavanaugh offered her amendment, [FA102](#), found on page 800, to the committee amendment.

Senator M. Cavanaugh withdrew her amendment.

The committee amendment was adopted with 39 ayes, 0 nays, 7 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review Initial with 37 ayes, 0 nays, 9 present and not voting, and 3 excused and not voting.

COMMITTEE REPORT(S)
Appropriations

LEGISLATIVE BILL 977. Placed on General File with amendment.

AM2310

1 1. Strike the original sections and insert the following new
2 sections:
3 Section 1. Section 81-12,147, Revised Statutes Supplement, 2021, is
4 amended to read:
5 81-12,147 (1) Except as provided in subsection (2) of this section,
6 the Department of Economic Development shall use the Site and Building
7 Development Fund to finance loans, grants, subsidies, credit
8 enhancements, and other financial assistance for industrial site and
9 building development and for expenses of the department as appropriated
10 by the Legislature for administering the fund. The following activities
11 are eligible for assistance from the fund:
12 (a) Grants or zero-interest loans to villages, cities, or counties
13 to acquire land, infuse infrastructure, or otherwise make large sites and
14 buildings ready for industrial development;
15 (b) Matching funds for new construction, rehabilitation, or
16 acquisition of land and buildings to assist villages, cities, and
17 counties;
18 (c) Technical assistance, design and finance services, and
19 consultation for villages, cities, and counties for the preparation and
20 creation of industrial-ready sites and buildings;
21 (d) Loan guarantees for eligible projects;
22 (e) Projects making industrial-ready sites and buildings more
23 accessible to business and industry;
24 (f) Infrastructure projects necessary for the development of
25 industrial-ready sites and buildings;
26 (g) Projects that mitigate the economic impact of a closure or
27 downsizing of a private-sector entity by making necessary improvements to
1 buildings and infrastructure; ~~and~~
2 (h) Public and private sector initiatives that will improve the
3 military value of military installations by making necessary improvements
4 to buildings and infrastructure; ~~and~~ -
5 (i) Grants to any city of the second class which partners with
6 public power utilities for purposes of expanding electrical system
7 capacities and enhancing redundancy and resilience.
8 (2) The Department of Economic Development shall use the subaccount
9 of the Site and Building Development Fund described in subsection (2) of
10 section 81-12,146 to provide financial assistance to any inland port
11 authority created under the Municipal Inland Port Authority Act to help
12 finance large shovel-ready commercial and industrial sites developed
13 under such act.
14 Sec. 2. Section 84-612, Revised Statutes Supplement, 2021, is
15 amended to read:
16 84-612 (1) There is hereby created within the state treasury a fund
17 known as the Cash Reserve Fund which shall be under the direction of the
18 State Treasurer. The fund shall only be used pursuant to this section.
19 (2) The State Treasurer shall transfer funds from the Cash Reserve
20 Fund to the General Fund upon certification by the Director of

21 Administrative Services that the current cash balance in the General Fund
 22 is inadequate to meet current obligations. Such certification shall
 23 include the dollar amount to be transferred. Any transfers made pursuant
 24 to this subsection shall be reversed upon notification by the Director of
 25 Administrative Services that sufficient funds are available.

26 (3) In addition to receiving transfers from other funds, the Cash
 27 Reserve Fund shall receive federal funds received by the State of
 28 Nebraska for undesignated general government purposes, federal revenue
 29 sharing, or general fiscal relief of the state.

30 (4) The State Treasurer shall transfer fifty-four million seven
 31 hundred thousand dollars on or after July 1, 2019, but before June 15,
 1 2021, from the Cash Reserve Fund to the Nebraska Capital Construction
 2 Fund on such dates and in such amounts as directed by the budget
 3 administrator of the budget division of the Department of Administrative
 4 Services.

5 (5) The State Treasurer shall transfer thirty million dollars from
 6 the Cash Reserve Fund to the General Fund after November 15, 2020, but
 7 before December 31, 2020, on such date as directed by the budget
 8 administrator of the budget division of the Department of Administrative
 9 Services. Except for the transfer authorized in this subsection, no funds
 10 shall be transferred from the Cash Reserve Fund to fulfill the
 11 obligations created under the Nebraska Property Tax Incentive Act unless
 12 the balance in the Cash Reserve Fund after such transfer will be at least
 13 equal to five hundred million dollars.

14 (6) The State Treasurer shall transfer fifty million dollars from
 15 the Cash Reserve Fund to the United States Space Command Headquarters
 16 Assistance Fund on or before June 30, 2023, but not before July 1, 2022,
 17 on such dates and in such amounts as directed by the budget administrator
 18 of the budget division of the Department of Administrative Services. The
 19 transfer in this subsection shall not occur unless the State of Nebraska
 20 is selected as the site of the United States Space Command headquarters.

21 (7) The State Treasurer shall transfer fifteen million dollars from
 22 the Cash Reserve Fund to the Site and Building Development Fund on or
 23 before June 30, 2022, on such dates and in such amounts as directed by
 24 the budget administrator of the budget division of the Department of
 25 Administrative Services.

26 Sec. 3. Original sections 81-12,147 and 84-612, Revised Statutes
 27 Supplement, 2021, are repealed.

28 Sec. 4. Since an emergency exists, this act takes effect when
 29 passed and approved according to law.

LEGISLATIVE BILL 1163. Placed on General File with amendment.

[AM2277](#)

1 1. Strike original section 7 and insert the following new section:
 2 Sec. 8. Since an emergency exists, this act takes effect when passed
 3 and approved according to law.
 4 2. Renumber the remaining section and correct the repealer
 5 accordingly.

(Signed) John Stinner, Chairperson

AMENDMENT(S) - Print in Journal

Senator Hilgers filed the following amendment to [LB1023](#):
[AM2300](#) is available in the Bill Room.

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

[AM2318](#)

(Amendments to Standing Committee amendments, AM1999)

1 1. On page 67, line 19, after the period insert "No expenditures for
2 permanent and temporary salaries and per diems for state employees shall
3 be made from such Cash Funds appropriated for grants for the services
4 described in this section.".

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Sanders name added to LB779.

Senator Blood name added to LB829.

Senator Blood name added to LB851.

Senator Blood name added to LB853.

Senator Blood name added to LB856.

RECESS

At 12:10 p.m., on a motion by Senator B. Hansen the Legislature recessed until 1:30 p.m.

AFTER RECESS

The Legislature reconvened at 1:30 p.m., Senator Hughes presiding.

ROLL CALL

The roll was called and all members were present except Senators Bostelman, J. Cavanaugh, Clements, Dorn, Erdman, Flood, Halloran, B. Hansen, Hilkemann, Hunt, Kolterman, McCollister, McDonnell, Morfeld, Pansing Brooks, Stinner, Vargas, Wayne, and Wishart who were excused until they arrive.

AMENDMENT(S) - Print in Journal

Senator Linehan filed the following amendment to [LB1014](#):

[FA116](#)

Amend AM2330: strike any new matter including: Section 1 Definition of Appropriation Period

Senator Linehan filed the following amendment to [LB1014](#):

[FA117](#)

Amend AM2330: strike any new matter including: Section 2 Appropriation language

Senator Linehan filed the following amendment to [LB1014](#):

[FA118](#)

Amend AM2330: strike any new matter including: Section 3 Unexpended balances and certified encumbrances

Senator Linehan filed the following amendment to LB1014:

[FA119](#)

Amend AM2330: strike any new matter including: Section 4 Reappropriation of Balances, FY2021-2022 to FY2022-2023; FY2022-2023 to FY2023-2024; FY2023-2024 to FY2024-2025.

Senator Linehan filed the following amendment to LB1014:

[FA120](#)

Amend AM2330: strike any new matter including: Section 5 Nebraska Accounting System Manual Definitions

Senator Linehan filed the following amendment to LB1014:

[FA121](#)

Amend AM2330: strike any new matter including: Section 6 Drawing and Paying Warrants

Senator Linehan filed the following amendment to LB1014:

[FA122](#)

Amend AM2330: strike any new matter including: Section 7 Public Health and Safety Premium Pay

Senator Linehan filed the following amendment to LB1014:

[FA123](#)

Amend AM2330: strike any new matter including: Agency No. 33 - Game and Parks Commission

Senator Linehan filed the following amendment to LB1014:

[FA124](#)

Amend AM2330: strike any new matter including: Agency No. 72 - Department of Economic Development

Senator Linehan filed the following amendment to LB1014:

[FA125](#)

Amend AM2330: strike any new matter including: Agency No. 13 - State Department of Education

MOTION - Overrule Speaker's Agenda

Senator M. Cavanaugh moved to change the Speaker's agenda pursuant to Rule 1, Section 16, to take up LB661 at 1:30 p.m., today.

The M. Cavanaugh motion to overrule the Speaker's agenda failed with 0 ayes, 45 nays, and 4 excused and not voting.

COMMITTEE REPORT(S) Judiciary

LEGISLATIVE BILL 833. Placed on General File with amendment.

[AM2335](#)

- 1 1. Strike original section 1 and insert the following new section:
- 2 Section 1. Section 25-228, Revised Statutes Cumulative Supplement,
- 3 2020, is amended to read:
- 4 25-228 (1) Except as otherwise provided in the State Tort Claims Act

5 and the Political Subdivisions Tort Claims Act ~~Notwithstanding any other~~
6 ~~provision of law:~~

7 (a) There shall not be any time limitation for an action against the
8 individual or individuals directly causing an injury or injuries suffered
9 by a plaintiff when the plaintiff was a victim of a violation of section
10 28-319.01 or 28-320.01 if such violation occurred (i) on or after August
11 24, 2017, or (ii) prior to August 24, 2017, if such action was not
12 previously time barred; and

13 (b) ~~There shall not be any time limitation for an An action against~~
14 ~~any person or entity other than the individual directly causing an injury~~
15 ~~or injuries suffered by a plaintiff when the plaintiff was a victim of a~~
16 ~~violation of section 28-319.01 or 28-320.01 if such violation occurred~~
17 ~~(i) on or after the effective date of this act or (ii) prior to the~~
18 ~~effective date of this act, if such action was not previously time barred~~
19 ~~may only be brought within twelve years after the plaintiff's twenty-~~
20 ~~first birthday.~~

21 (2) Criminal prosecution of a defendant under section 28-319.01 or
22 28-320.01 is not required to maintain a civil action for violation of
23 such sections.

LEGISLATIVE BILL 1009. Placed on General File with amendment.
[AM2165](#) is available in the Bill Room.

LEGISLATIVE BILL 1270. Placed on General File with amendment.
[AM1984](#)

1 1. Strike the original sections and insert the following new
2 sections:

3 Section 1. ~~Sections 1 to 7 of this act shall be known and may be~~
4 ~~cited as the Law Enforcement Attraction and Retention Act.~~

5 Sec. 2. (1) ~~The Legislature finds that:~~

6 (a) ~~The State of Nebraska and cities and counties in this state have~~
7 ~~experienced a dramatic decrease in applications for law enforcement~~
8 ~~officer positions;~~

9 (b) ~~Law enforcement officers in Nebraska are leaving the law~~
10 ~~enforcement profession;~~

11 (c) ~~Law enforcement agencies are not retaining law enforcement~~
12 ~~officers at a rate sufficient to ensure public safety;~~

13 (d) ~~Law enforcement officers are the critical element of public~~
14 ~~safety in Nebraska communities; and~~

15 (e) ~~Maintaining a robust law enforcement workforce is in the best~~
16 ~~interests of all Nebraskans.~~

17 (2) ~~The purpose of the Law Enforcement Attraction and Retention Act~~
18 ~~is to provide financial incentives to attract and retain law enforcement~~
19 ~~officers.~~

20 Sec. 3. ~~For purposes of the Law Enforcement Attraction and~~
21 ~~Retention Act:~~

22 (1) ~~Council means the Nebraska Police Standards Advisory Council;~~
23 ~~and~~

24 (2) ~~Law enforcement officer has the same meaning as in section~~
25 ~~81-1401.~~

26 Sec. 4. (1) ~~The council shall accept applications for retention~~
27 ~~incentive payments from individual law enforcement officers in Nebraska.~~

1 (2) ~~To be eligible for a tier 1 retention incentive payment, a law~~
2 ~~enforcement officer must complete twelve months of full-time employment~~
3 ~~as a law enforcement officer after July 1, 2022. No law enforcement~~
4 ~~officer shall receive more than one tier 1 retention incentive payment.~~

5 (3) ~~To be eligible for a tier 2 retention incentive payment, a law~~
6 ~~enforcement officer must complete three years of full-time employment as~~
7 ~~a law enforcement officer after July 1, 2022. No law enforcement officer~~

8 shall receive more than one tier 2 retention incentive payment.
 9 (4) To be eligible for a tier 3 retention incentive payment, a law
 10 enforcement officer must complete five years of full-time employment as a
 11 law enforcement officer after July 1, 2022. No law enforcement officer
 12 shall receive more than one tier 3 retention incentive payment.
 13 (5) Full-time law enforcement officers employed by a law enforcement
 14 agency that employs more than seventy-five full-time law enforcement
 15 officers shall only be eligible for a tier 1 retention incentive payment,
 16 and such payment shall be seven hundred fifty dollars.
 17 (6) For full-time law enforcement officers employed by a law
 18 enforcement agency that employs seventy-five or fewer full-time law
 19 enforcement officers:
 20 (a) The tier 1 retention incentive payment shall be one thousand
 21 five hundred dollars;
 22 (b) The tier 2 retention incentive payment shall be two thousand
 23 five hundred dollars; and
 24 (c) The tier 3 retention incentive payment shall be three thousand
 25 dollars.
 26 Sec. 5. (1) The council shall accept applications for grants from
 27 law enforcement agencies in Nebraska. The grants shall be used to provide
 28 hiring bonuses to newly hired full-time law enforcement officers.
 29 (2) A law enforcement agency shall be eligible for a grant under
 30 this section if:
 31 (a) The law enforcement agency employs fewer than one hundred fifty
 1 full-time law enforcement officers; and
 2 (b) The law enforcement agency is not at the recommended level of
 3 staffing under standards set by the council.
 4 Sec. 6. The council may adopt and promulgate rules and regulations
 5 to carry out the Law Enforcement Attraction and Retention Act.
 6 Sec. 7. The Law Enforcement Attraction and Retention Act terminates
 7 on June 30, 2028.
 8 Sec. 8. This act becomes operative on July 1, 2022.
 9 Sec. 9. Since an emergency exists, this act takes effect when
 10 passed and approved according to law.

(Signed) Steve Lathrop, Chairperson

BILL ON FIRST READING

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

LEGISLATIVE BILL 1112A. Introduced by McKinney, 11.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1112, One Hundred Seventh Legislature, Second Session, 2022.

GENERAL FILE

LEGISLATIVE BILL 1184. Title read. Considered.

Committee [AM1962](#), found on page 606, was offered.

Senator M. Cavanaugh offered her amendment, [FA103](#), found on page 800, to the committee amendment.

Senator M. Cavanaugh withdrew her amendment.

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

Advanced to Enrollment and Review Initial with 43 ayes, 0 nays, 3 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 1165. Title read. Considered.

Senator M. Cavanaugh offered her amendment, [FA104](#), found on page 800.

Senator M. Cavanaugh withdrew her amendment.

Senator M. Cavanaugh moved for a call of the house. The motion failed with 19 ayes, 20 nays, and 10 not voting.

Advanced to Enrollment and Review Initial with 47 ayes, 0 nays, and 2 excused and not voting.

LEGISLATIVE BILL 29. Title read. Considered.

Committee [AM1610](#), found on page 420, was adopted with 47 ayes, 0 nays, and 2 excused and not voting.

Senator M. Cavanaugh offered her amendment, [FA105](#), found on page 824.

Senator M. Cavanaugh withdrew her amendment.

Advanced to Enrollment and Review Initial with 47 ayes, 0 nays, and 2 excused and not voting.

LEGISLATIVE BILL 855. Title read. Considered.

Senator M. Cavanaugh offered her amendment, [FA106](#), found on page 824.

Senator M. Cavanaugh withdrew her amendment.

Advanced to Enrollment and Review Initial with 43 ayes, 0 nays, 3 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 905. Title read. Considered.

Committee [AM1609](#), found on page 483, was offered.

SENATOR LINDSTROM PRESIDING

SENATOR HUGHES PRESIDING

Committee [AM1609](#), was adopted with 42 ayes, 0 nays, 5 present and not voting, and 2 excused and not voting.

Senator M. Cavanaugh withdrew her amendment, [FA107](#), found on page 824.

Advanced to Enrollment and Review Initial with 43 ayes, 0 nays, 5 present and not voting, and 1 excused and not voting.

LEGISLATIVE BILL 1082. Title read. Considered.

PRESIDENT FOLEY PRESIDING

Senator Gragert offered his amendment, [AM1991](#), found on page 723.

The Gragert amendment was adopted with 42 ayes, 0 nays, 5 present and not voting, and 2 excused and not voting.

Senator M. Cavanaugh withdrew her amendment, [FA108](#), found on page 824.

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

LEGISLATIVE BILL 1137. Title read. Considered.

Senator M. Cavanaugh offered her amendment, [FA109](#), found on page 824.

Senator M. Cavanaugh withdrew her amendment.

Advanced to Enrollment and Review Initial with 31 ayes, 3 nays, 13 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 742. Title read. Considered.

Senator M. Cavanaugh offered her amendment, [FA111](#), found on page 825.

Senator M. Cavanaugh withdrew her amendment.

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

LEGISLATIVE BILL 983. Title read. Considered.

Senator M. Cavanaugh withdrew her amendment, [FA112](#), found on page 825.

Advanced to Enrollment and Review Initial with 42 ayes, 0 nays, 4 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 908. Title read. Considered.

Committee [AM1950](#), found on page 609, was adopted with 40 ayes, 1 nay, 5 present and not voting, and 3 excused and not voting.

Senator M. Cavanaugh withdrew her amendment, [FA113](#), found on page 828.

Advanced to Enrollment and Review Initial with 39 ayes, 1 nay, 6 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 856. Title read. Considered.

Senator M. Cavanaugh withdrew her amendment, [FA114](#), found on page 829.

Advanced to Enrollment and Review Initial with 41 ayes, 1 nay, 4 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 1007. Title read. Considered.

Committee [AM2099](#), found on page 741, was offered.

Senator M. Cavanaugh withdrew her amendment, [FA115](#), found on page 829.

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

Advanced to Enrollment and Review Initial with 38 ayes, 0 nays, 7 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 829. Title read. Considered.

Advanced to Enrollment and Review Initial with 39 ayes, 0 nays, 6 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 851. Title read. Considered.

Committee [AM2102](#), found on page 752, was adopted with 37 ayes, 0 nays, 7 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review Initial with 35 ayes, 0 nays, 9 present and not voting, and 5 excused and not voting.

LEGISLATIVE BILL 1124. Title read. Considered.

Committee [AM2138](#), found on page 752, was adopted with 40 ayes, 0 nays, 4 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review Initial with 41 ayes, 0 nays, 4 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 1057. Title read. Considered.

Committee [AM2164](#), found on page 753, was adopted with 42 ayes, 0 nays, 3 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 41 ayes, 0 nays, 4 present and not voting, and 4 excused and not voting.

BILL ON FIRST READING

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

LEGISLATIVE BILL 977A. Introduced by Slama, 1.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 977, One Hundred Seventh Legislature, Second Session, 2022; and to declare an emergency.

MESSAGE(S) FROM THE GOVERNOR

March 14, 2022

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

Dear Mr. O'Donnell:

Engrossed Legislative Bills 567, 704, 749e, 786, 791, and 847 were received in my office on March 8, 2022.

These bills were signed and delivered to the Secretary of State on March 14, 2022.

Sincerely,
(Signed) Pete Ricketts
Governor

AMENDMENT(S) - Print in Journal

Senator Bostelman filed the following amendment to [LB1016](#):
[AM2239](#)

(Amendments to Standing Committee amendments, AM2128)

1 1. On page 7, line 20, after the period insert "For progressive
2 design-build contracts only, the criteria shall also include
3 consideration of the historic reasonableness of the progressive design-
4 builder's costs and expenses when bidding and completing projects,
5 whether such projects were completed using the progressive design-build
6 process or another bidding and contracting process.".

Senator Wishart filed the following amendment to [LB598](#):
[AM2293](#)

(Amendments to E&R amendments, ER136)

1 1. Insert the following new sections:
2 Sec. 6. Section 81-12,157, Revised Statutes Cumulative Supplement,
3 2020, is amended to read:
4 81-12,157 (1) The department shall establish a phase one program to
5 provide grants to small businesses that qualify under the federal grant
6 program for the purposes of planning for an application under the federal
7 grant program. If a small business receives funding under the federal
8 grant program, the department or a nonprofit entity designated by the
9 department may make grants to match up to sixty-five percent of the
10 amount of the federal grant.
11 (2) Planning grants under subsection (1) of this section shall not
12 exceed five thousand dollars per project. Federal award matching grants
13 under this section shall not exceed one hundred thousand dollars. No
14 business shall receive funding for more than one project every two years.
15 (3) The department may award up to ~~six~~ ~~four~~ million dollars per year
16 for grants under this section.
17 Sec. 7. Section 81-12,158, Revised Statutes Cumulative Supplement,
18 2020, is amended to read:
19 81-12,158 (1) The department shall establish a financial assistance
20 program to provide financial assistance to businesses that employ no more
21 than five hundred employees or to individuals for the purposes of
22 creating a prototype of a product stemming from research and development
23 at a business operating in Nebraska or a public or private college or
24 university in Nebraska.
25 (2) Funds shall be matched by nonstate funds equivalent in money
26 equal to fifty percent of the funds requested. Matching funds may be from
1 any nonstate source, including private foundations, federal or local
2 government sources, quasi-governmental entities, or commercial lending
3 institutions, or any other funds whose source does not include funds
4 appropriated by the Legislature. The amount the department may provide
5 shall not exceed one hundred fifty thousand dollars per project.
6 (3) A business or individual applying for financial assistance under
7 this section shall include a business plan that includes a proof-of-
8 concept demonstration.
9 (4) Financial assistance under this section shall be expended within
10 twenty-four months after the date of the awarding decision.
11 (5) The department may award up to ~~six~~ ~~four~~ million dollars per year
12 for financial assistance under this section.
13 Sec. 8. Section 81-12,159, Revised Statutes Cumulative Supplement,
14 2020, is amended to read:
15 81-12,159 (1) The department shall establish an innovation in value-
16 added agriculture program. The purpose of this program is to provide
17 financial assistance to:
18 (a) Support small enterprise formation in the agricultural sector of

19 Nebraska's rural economy, including innovative efforts for value-added
20 enterprises;

21 (b) Support the development of agricultural communities and economic
22 opportunity through innovation in farming and ranching operations, rural
23 communities, and businesses for the development of value-added
24 agricultural products;

25 (c) Enhance the income and opportunity for farming and ranching
26 operations in Nebraska in order to stem the decline in their numbers;

27 (d) Increase the farming and ranching operations' share of the food-
28 system profit;

29 (e) Enhance opportunities for farming and ranching operations to
30 participate in electronic commerce and new and emerging markets that
31 strengthen rural economic opportunities; and

1 (f) Encourage the production and marketing of specialty crops in
2 Nebraska and support the creation and development of agricultural
3 enterprises and businesses that produce and market specialty crops in
4 Nebraska.

5 (2) Agricultural cooperatives, farming or ranching operations, and
6 private businesses and enterprises operating in Nebraska shall be
7 eligible for financial assistance under this section.

8 (3) An entity receiving financial assistance shall provide a match
9 of twenty-five percent for such assistance.

10 (4) The department may award up to ~~six~~ ~~four~~ million dollars per year
11 for financial assistance under this section.

12 Sec. 9. Section 81-12,160, Revised Statutes Cumulative Supplement,
13 2020, is amended to read:

14 81-12,160 (1) The department shall establish a financial assistance
15 program to provide financial assistance to businesses operating in
16 Nebraska that employ no more than five hundred employees or to
17 individuals that have a prototype of a product or process for the
18 purposes of commercializing such product or process. The applicant shall
19 submit a feasibility study stating the potential sales and profit
20 projections for the product or process.

21 (2) The department shall create a program with the following
22 provisions to support commercialization of a product or process:

23 (a) Commercialization infrastructure documentation, including market
24 assessments and start-up strategic planning;

25 (b) Promotion, marketing, advertising, and consulting;

26 (c) Management and business planning support;

27 (d) Linking companies and entrepreneurs to mentors;

28 (e) Preparing companies and entrepreneurs to acquire venture
29 capital; and

30 (f) Linking companies to sources of capital.

31 (3) Funds shall be matched by nonstate funds equal to fifty percent
1 of the funds requested. Matching funds may be from any nonstate source,
2 including private foundations, federal or local government sources,
3 quasi-governmental entities, or commercial lending institutions, or any
4 other funds whose source does not include funds appropriated by the
5 Legislature.

6 (4) The department shall not provide more than five hundred thousand
7 dollars to any one project. Each year the department may award up to ~~six~~
8 ~~four~~ million dollars under this section.

9 (5) Financial assistance provided under this section shall be
10 expended within twenty-four months after the date of the awarding
11 decision.

12 (6) To carry out this section, the department shall contract with
13 one statewide venture development organization that is incorporated in
14 the State of Nebraska and exempt for federal tax purposes under section
15 501(c)(3) of the Internal Revenue Code.

16 Sec. 10. Section 81-12,161, Revised Statutes Cumulative Supplement,

17 2020, is amended to read:

18 81-12,161 (1) The department shall establish a financial assistance
19 program to provide financial assistance to businesses operating in
20 Nebraska that use the faculty or facilities of a public or private
21 college or university in Nebraska for applied research and development of
22 new products or use intellectual property generated at a public or
23 private college or university in Nebraska.

24 (2) A business may apply for up to two awards in any four-year
25 period per project. The department may provide up to one hundred thousand
26 dollars for the first phase of a project. If the first phase is
27 successful and agreed-upon contractual requirements are met during the
28 first phase, the department may provide up to four hundred thousand
29 dollars for the second phase of the project.

30 (3) Funds shall be matched by nonstate funds equivalent in money
31 equal to one hundred percent of the funds requested for both phases of
1 the project. Matching funds may be from any nonstate source, including
2 private foundations, federal or local government sources, quasi-
3 governmental entities, or commercial lending institutions, or any other
4 funds whose source does not include funds appropriated by the
5 Legislature.

6 (4) The department may award up to ~~six~~ four million dollars per year
7 for financial assistance under this section.

8 Sec. 11. Section 81-12,162, Revised Statutes Cumulative Supplement,
9 2020, is amended to read:

10 81-12,162 (1) The department shall establish a small business
11 investment program. The program:

12 (a) Shall provide grants to microloan delivery or microloan
13 technical assistance organizations to:

14 (i) Better assure that Nebraska's microenterprises are able to
15 realize their full potential to create jobs, enhance entrepreneurial
16 skills and activity, and increase low-income households' capacity to
17 become self-sufficient;

18 (ii) Provide funding to foster the creation of microenterprises;

19 (iii) Establish the department as the coordinating office for the
20 facilitation of microlending and microenterprise development;

21 (iv) Facilitate the development of a permanent, statewide
22 infrastructure of microlending support organizations to serve Nebraska's
23 microenterprise and self-employment sectors;

24 (v) Enable the department to provide grants to community-based
25 microenterprise development organizations in order to encourage the
26 development and growth of microenterprises throughout Nebraska; and

27 (vi) Enable the department to engage in contractual relationships
28 with statewide microlending support organizations which have the capacity
29 to leverage additional nonstate funds for microenterprise lending.

30 To the maximum extent possible, the selection process should assure
31 that the distribution of such financial assistance provides equitable
1 access to the benefits of the Business Innovation Act by all geographic
2 areas of the state; and

3 (b) May identify and coordinate other state and federal sources of
4 funds which may be available to the department to enhance the state's
5 ability to facilitate financial assistance pursuant to the program.

6 (2) To establish the criteria for making an award to a microloan
7 delivery or microloan technical assistance organization, the department
8 shall consider:

9 (a) The plan for providing business development services and
10 microloans to microenterprises;

11 (b) The scope of services to be provided by the microloan delivery
12 or microloan technical assistance organization;

13 (c) The plan for coordinating the services and loans provided by the
14 microloan delivery or microloan technical assistance organization with

15 commercial lending institutions;
 16 (d) The geographic representation of all regions of the state,
 17 including both urban and rural communities and neighborhoods;
 18 (e) The ability of the microloan delivery or microloan technical
 19 assistance organization to provide for business development in areas of
 20 chronic economic distress and low-income regions of the state;
 21 (f) The ability of the microloan delivery or microloan technical
 22 assistance organization to provide business training and technical
 23 assistance to microenterprise clients;
 24 (g) The ability of the microloan delivery or microloan technical
 25 assistance organization to monitor and provide financial oversight of
 26 recipients of microloans; and
 27 (h) Sources and sufficiency of operating funds for the
 28 microenterprise development organization.
 29 (3) Awards made by the department to a microloan delivery or
 30 microloan technical assistance organization may be used to:
 31 (a) Satisfy matching fund requirements for other federal or private
 1 grants;
 2 (b) Establish a revolving loan fund from which the microloan
 3 delivery or microloan technical assistance organization may make loans to
 4 microenterprises;
 5 (c) Establish a guaranty fund from which the microloan delivery or
 6 microloan technical assistance organization may guarantee loans made by
 7 commercial lending institutions to microenterprises;
 8 (d) Provide funding for the operating costs of a microloan delivery
 9 or microloan technical assistance organization not to exceed twenty
 10 percent; and
 11 (e) Provide grants to establish loan-loss reserve funds to match
 12 loan capital borrowed from other sources, including federal
 13 microenterprise loan programs.
 14 (4) Any award of financial assistance to a microloan delivery or
 15 microloan technical assistance organization shall meet the following
 16 qualifications:
 17 (a) Funds shall be matched by nonstate funds equivalent in money or
 18 in-kind contributions or a combination of both equal to thirty-five
 19 percent of the grant funds requested. Such matching funds may be from any
 20 nonstate source, including private foundations, federal or local
 21 government sources, quasi-governmental entities, or commercial lending
 22 institutions, or any other funds whose source does not include funds
 23 appropriated by the Legislature;
 24 (b) Microloan funds shall be disbursed in microloans which do not
 25 exceed one hundred thousand dollars or used to capitalize loan-loss
 26 reserve funds for such loans; and
 27 (c) A minimum of fifty percent of the microloan funds shall be used
 28 by a microenterprise development assistance organization for small
 29 business technical assistance.
 30 The department shall contract with a statewide microenterprise
 31 development assistance organization to carry out this section.
 1 (5) Each year the department may award up to ~~three~~ two million
 2 dollars under this section.
 3 Sec. 12. Original sections 81-12,157, 81-12,158, 81-12,159,
 4 81-12,160, 81-12,161, and 81-12,162, Revised Statutes Cumulative
 5 Supplement, 2020, are repealed.
 6 2. Renumber the remaining section accordingly.

COMMITTEE REPORT(S)
 Enrollment and Review

LEGISLATIVE BILL 773. Placed on Select File.

LEGISLATIVE BILL 809. Placed on Select File with amendment.[ER141](#)

1 1. On page 1, strike beginning with "water" in line 1 through line 7
 2 and insert "natural resources; to amend sections 71-5322, 81-1508.01, and
 3 81-1511, Reissue Revised Statutes of Nebraska, and sections 37-455,
 4 71-5318, 81-1504, 81-1505, 81-1532, 81-15153, and 81-15160, Revised
 5 Statutes Cumulative Supplement, 2020; to redefine a term and to change
 6 provisions relating to certain hunting permits under the Game Law; to
 7 change provisions relating to a fund and powers and duties of the
 8 Department of Environment and Energy under the Drinking Water State
 9 Revolving Fund Act; to provide for powers and duties of the department
 10 relating to the treatment of dredged and fill material under the
 11 Environmental Protection Act; to establish a fund; to provide a penalty;
 12 to change powers of the department under the Wastewater Treatment
 13 Facilities Construction Assistance Act; to include cities of the first
 14 class as grant recipients for certain reimbursement costs under the Waste
 15 Reduction and Recycling Incentive Act; to harmonize provisions; and to
 16 repeal the original sections."

LEGISLATIVE BILL 809A. Placed on Select File.**LEGISLATIVE BILL 800.** Placed on Select File with amendment.[ER143](#)

1 1. On page 1, strike beginning with "cities" in line 1 through line
 2 22 and insert "government; to amend sections 13-2706, 14-102.01,
 3 14-102.02, 14-104, 14-106, 14-107, 14-108, 14-110, 14-111, 14-112,
 4 14-113, 14-115, 14-116, 14-118, 14-120, 14-121, 14-122, 14-123, 14-124,
 5 14-125, 14-136, 14-201, 14-201.03, 14-202, 14-204, 14-205, 14-206,
 6 14-207, 14-210, 14-211, 14-212, 14-213, 14-214, 14-215, 14-216,
 7 14-217.02, 14-218, 14-219, 14-220, 14-221, 14-224, 14-225, 14-226,
 8 14-227, 14-228, 14-229, 14-230, 14-360, 14-361, 14-362, 14-365,
 9 14-365.01, 14-365.02, 14-365.03, 14-365.04, 14-365.05, 14-365.06,
 10 14-365.07, 14-365.08, 14-365.09, 14-365.10, 14-365.11, 14-365.12,
 11 14-365.13, 14-366, 14-367, 14-372, 14-373, 14-373.01, 14-373.02, 14-374,
 12 14-375, 14-376, 14-383, 14-384, 14-385, 14-386, 14-387, 14-388, 14-389,
 13 14-390, 14-391, 14-393, 14-394, 14-395, 14-396, 14-397, 14-399, 14-3,100,
 14 14-3,101, 14-3,105, 14-3,108, 14-3,109, 14-3,111, 14-3,112, 14-3,113,
 15 14-3,114, 14-3,115, 14-3,116, 14-3,117, 14-3,118, 14-3,119, 14-3,120,
 16 14-3,121, 14-3,122, 14-3,123, 14-3,124, 14-3,125, 14-3,126, 14-3,128,
 17 14-401, 14-402, 14-404, 14-405, 14-406, 14-408, 14-409, 14-410, 14-411,
 18 14-412, 14-413, 14-414, 14-416, 14-417, 14-418, 14-501, 14-501.01,
 19 14-503, 14-504, 14-505, 14-506, 14-507, 14-508, 14-509, 14-510, 14-511,
 20 14-512, 14-513, 14-514, 14-515, 14-516, 14-517, 14-518, 14-519, 14-520,
 21 14-521, 14-522, 14-523, 14-524, 14-525, 14-526, 14-527, 14-528, 14-529,
 22 14-530, 14-531, 14-532, 14-533, 14-534, 14-535, 14-536, 14-538, 14-539,
 23 14-540, 14-541, 14-542, 14-543, 14-544, 14-545, 14-546, 14-547, 14-548,
 24 14-549, 14-550, 14-556, 14-557, 14-558, 14-559, 14-560, 14-562, 14-563,
 25 14-564, 14-565, 14-566, 14-568, 14-601, 14-602, 14-603, 14-604, 14-605,
 26 14-606, 14-609, 14-702, 14-704, 14-709, 14-804, 14-805, 14-806, 14-807,
 27 14-808, 14-809, 14-810, 14-811, 14-812, 14-813, 14-814, 14-816, 14-817,
 1 14-818, 14-1201, 14-1202, 14-1203, 14-1204, 14-1205, 14-1206, 14-1207,
 2 14-1211, 14-1212, 14-1215, 14-1216, 14-1217, 14-1218, 14-1219, 14-1220,
 3 14-1221, 14-1222, 14-1223, 14-1224, 14-1225, 14-1226, 14-1227, 14-1228,
 4 14-1229, 14-1230, 14-1231, 14-1232, 14-1233, 14-1234, 14-1235, 14-1236,
 5 14-1237, 14-1238, 14-1239, 14-1240, 14-1241, 14-1242, 14-1243, 14-1244,
 6 14-1245, 14-1246, 14-1247, 14-1248, 14-1249, 14-1250, 14-1251, 14-1252,
 7 14-1702, 14-1703, 14-1704, 14-1705, 14-1706, 14-1707, 14-1708, 14-1709,
 8 14-1710, 14-1711, 14-1712, 14-1713, 14-1714, 14-1715, 14-1716, 14-1717,

9 14-1718, 14-1719, 14-1721, 14-1722, 14-1723, 14-1724, 14-1725, 14-1726,
 10 14-1727, 14-1728, 14-1729, 14-1730, 14-1731, 14-1732, 14-1734, 14-1735,
 11 14-1737, 14-1738, 14-1739, 14-2001, 14-2002, 14-2003, 14-2004, 31-538,
 12 31-539, 31-540, 31-541, 31-735, and 77-2704.15, Reissue Revised Statutes
 13 of Nebraska, sections 13-2703, 13-2705, 13-2707, 13-2707.01, 13-2709,
 14 14-101, 14-101.01, 14-102, 14-103, 14-105, 14-109, 14-117, 14-363,
 15 14-364, 14-392, 14-398, 14-3.102, 14-3.103, 14-3.106, 14-3.107, 14-403,
 16 14-415, 14-419, 14-420, 14-502, 14-553, 14-567, 14-607, 14-1733,
 17 16-6, 109, 19-414, 19-415, 19-5503, and 19-5504, Revised Statutes
 18 Cumulative Supplement, 2020, and sections 14-137, 18-2705, and 77-3523,
 19 Revised Statutes Supplement, 2021; to define and redefine terms and
 20 authorize grants of assistance to tribal governments as prescribed under
 21 the Civic and Community Center Financing Act; to change provisions
 22 relating to city officers, elections, powers, duties, public
 23 improvements, subdividing and platting, consolidation of cities and
 24 villages, ordinances, planning and zoning, fiscal management, city
 25 departments, claims and awards, bridges, parking facilities, and landmark
 26 heritage preservation districts; to provide certain funding for the
 27 development and implementation of an affordable housing action plan as
 28 part of an economic development program under the Local Option Municipal
 29 Economic Development Act; to update a federal reference and change the
 30 contents of a report under the Municipal Density and Missing Middle
 31 Housing Act; to provide for distribution of funds and property and
 1 provide liability for debts and obligations upon discontinuance of
 2 certain sanitary drainage districts; to change the procedure for election
 3 of the board of trustees of a sanitary and improvement district as
 4 prescribed; to eliminate provisions relating to municipal coal yards,
 5 boards of public welfare, superintendency of departments, and taxes and
 6 assessments; to harmonize provisions; to provide operative dates; to
 7 repeal the original sections; to outright repeal sections 14-114, 14-126,
 8 14-223, and 14-554, Reissue Revised Statutes of Nebraska; and to declare
 9 an emergency."
 10 2. On page 2, strike lines 1 through 31.
 11 3. On page 3, strike lines 1 through 4.

LEGISLATIVE BILL 750. Placed on Select File with amendment.
[ER140](#) is available in the Bill Room.

LEGISLATIVE BILL 344. Placed on Select File with amendment.
[ER144](#)

1 1. In the Friesen amendment, AM1880, on page 3, line 8, after "law"
 2 insert an underscored comma; in line 12 after "witnesses" insert an
 3 underscored comma; and in line 14 after "decision" insert an underscored
 4 comma.
 5 2. On page 1, strike beginning with "One-Call" in line 1 through
 6 line 8 and insert "State Fire Marshal; to amend section 81-502.03,
 7 Reissue Revised Statutes of Nebraska, and section 76-2325, Revised
 8 Statutes Cumulative Supplement, 2020; to change provisions relating to
 9 the One-Call Notification System Act; to change civil penalty procedures;
 10 to provide and change powers and duties for the State Fire Marshal; to
 11 repeal the original sections; and to outright repeal section 76-2325.02,
 12 Revised Statutes Cumulative Supplement, 2020."

LEGISLATIVE BILL 344A. Placed on Select File.

(Signed) Terrell McKinney, Chairperson

AMENDMENT(S) - Print in Journal

Senator Clements filed the following amendment to [LB1241](#):

[FA126](#)

Amend AM1273:

Create a New Section: It is the intent of the Legislature to appropriate five million dollars each fiscal year to the Nebraska Police Standards Advisory Council for purposes of carrying out the Law Enforcement Attraction and Retention Act.

Senator Clements filed the following amendment to [LB1241](#):

[AM2353](#)

(Amendments to E&R amendments, ER111)

1 1. Insert the following new sections:

2 Sec. 5. Sections 5 to 12 of this act shall be known and may be

3 cited as the Law Enforcement Attraction and Retention Act.

4 Sec. 6. (1) The Legislature finds that:

5 (a) The State of Nebraska and cities and counties in this state have
6 experienced a dramatic decrease in applications for law enforcement
7 officer positions;

8 (b) Law enforcement officers in Nebraska are leaving the law
9 enforcement profession;

10 (c) Law enforcement agencies are not retaining law enforcement
11 officers at a rate sufficient to ensure public safety;

12 (d) Law enforcement officers are the critical element of public
13 safety in Nebraska communities; and

14 (e) Maintaining a robust law enforcement workforce is in the best
15 interests of all Nebraskans.

16 (2) The purpose of the Law Enforcement Attraction and Retention Act
17 is to provide financial incentives to attract and retain law enforcement
18 officers.

19 Sec. 7. For purposes of the Law Enforcement Attraction and
20 Retention Act:

21 (1) Council means the Nebraska Police Standards Advisory Council;
22 and

23 (2) Law enforcement officer has the same meaning as in section
24 81-1401.

25 Sec. 8. (1) The council shall accept applications for retention
26 incentive payments from individual law enforcement officers in Nebraska.

1 (2) To be eligible for a tier 1 retention incentive payment, a law
2 enforcement officer must complete twelve months of full-time employment
3 as a law enforcement officer after July 1, 2022. No law enforcement
4 officer shall receive more than one tier 1 retention incentive payment.

5 (3) To be eligible for a tier 2 retention incentive payment, a law
6 enforcement officer must complete three years of full-time employment as
7 a law enforcement officer after July 1, 2022. No law enforcement officer
8 shall receive more than one tier 2 retention incentive payment.

9 (4) To be eligible for a tier 3 retention incentive payment, a law
10 enforcement officer must complete five years of full-time employment as a
11 law enforcement officer after July 1, 2022. No law enforcement officer
12 shall receive more than one tier 3 retention incentive payment.

13 (5) Full-time law enforcement officers employed by a law enforcement
14 agency that employs more than seventy-five full-time law enforcement
15 officers shall only be eligible for a tier 1 retention incentive payment,
16 and such payment shall be seven hundred fifty dollars.

17 (6) For full-time law enforcement officers employed by a law
18 enforcement agency that employs seventy-five or fewer full-time law
19 enforcement officers:

20 (a) The tier 1 retention incentive payment shall be one thousand
21 five hundred dollars;

22 (b) The tier 2 retention incentive payment shall be two thousand
 23 five hundred dollars; and
 24 (c) The tier 3 retention incentive payment shall be three thousand
 25 dollars.
 26 Sec. 9. (1) The council shall accept applications for grants from
 27 law enforcement agencies in Nebraska. The grants shall be used to provide
 28 hiring bonuses to newly hired full-time law enforcement officers.
 29 (2) A law enforcement agency shall be eligible for a grant under
 30 this section if:
 31 (a) The law enforcement agency employs fewer than one hundred fifty
 1 full-time law enforcement officers; and
 2 (b) The law enforcement agency is not at the recommended level of
 3 staffing under standards set by the council.
 4 Sec. 10. The council may adopt and promulgate rules and regulations
 5 to carry out the Law Enforcement Attraction and Retention Act.
 6 Sec. 11. It is the intent of the Legislature to appropriate five
 7 million dollars each fiscal year to the council for purposes of carrying
 8 out the Law Enforcement Attraction and Retention Act.
 9 Sec. 12. The Law Enforcement Attraction and Retention Act terminates
 10 on June 30, 2028.
 11 Sec. 13. Sections 5, 6, 7, 8, 9, 10, 11, and 12 of this act become
 12 operative on July 1, 2022. The other sections of this act become
 13 operative on their effective date.
 14 2. Renumber the remaining sections accordingly.

GENERAL FILE

LEGISLATIVE BILL 661. Title read. Considered.

Committee [AM612](#), found on page 656, First, Session, 2021, was adopted with 34 ayes, 2 nays, 7 present and not voting, and 6 excused and not voting.

Pending.

ANNOUNCEMENT

Senator Brewer announced the Government, Military and Veterans Affairs Committee will hold an executive session Tuesday, March 15, 2022, at 3:00 p.m., under the South Balcony.

Senator B. Hansen announced the Business and Labor Committee will hold an executive session Tuesday, March 15, 2022, at 12:00 p.m., in Room 1525.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator M. Hansen name added to LB29.

Senator Bostar name added to LB1184.

AMENDMENT(S) - Refile in Journal

Senator Morfeld refiled his amendment, [AM2297](#), found on page 802 and withdrawn on page 812, to [LB773](#).

VISITOR(S)

Visitors to the Chamber were fourth-grade students and their teachers from Fullerton Elementary School, Fullerton; and fourth-grade students and their teachers from Willowdale Elementary, Omaha.

ADJOURNMENT

At 5:12 p.m., on a motion by Senator DeBoer, the Legislature adjourned until 9:00 a.m., Tuesday, March 15, 2022.

Patrick J. O'Donnell
Clerk of the Legislature

FORTY-SECOND DAY - MARCH 15, 2022

LEGISLATIVE JOURNAL

**ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION**

FORTY-SECOND DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, March 15, 2022

PRAYER

The prayer was offered by Phani Tej Adidam, Hindu Temple Omaha, Omaha.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Dorn.

ROLL CALL

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

The roll was called and all members were present except Senators Bostar, Day, Hughes, Hunt, Lathrop, Lindstrom, Vargas, and Wayne who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the forty-first day was approved.

NOTICE OF COMMITTEE HEARING(S)

Health and Human Services
Room 1510 9:00 AM

Monday, April 11, 2022

Hearing on the Community Block Grant State Plan by the Department of Health and Human Services.

Tuesday, March 22, 2022

Jeffrey Wallman - Nebraska Rural Health Advisory Commission

Douglas A. Bauer - State Board of Health

Joshua M. Vest - State Board of Health

Frances Beaurivage - Commission for the Deaf and Hard of Hearing

Michael A. Greene - Nebraska Rural Health Advisory Commission

Douglas Vander Broek - State Board of Health

Sandra Shaw - Commission for the Deaf and Hard of Hearing

Brooke J. Fitzpatrick - Commission for the Deaf and Hard of Hearing

(Signed) John Arch, Chairperson

GENERAL FILE

LEGISLATIVE BILL 1012. Title read. Considered.

Committee [AM2000](#), found on page 812, was offered.

Senator Friesen offered the following amendment to the committee amendment:

[AM2344](#)

(Amendments to Standing Committee amendments, AM2000)

- 1 1. Strike section 5.
- 2 2. Renumber the remaining sections and correct internal references
- 3 3 accordingly.

SPEAKER HILGERS PRESIDING

SENATOR WILLIAMS PRESIDING

Pending.

AMENDMENT(S) - Print in Journal

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

[AM2362](#)

(Amendments to Standing Committee amendments, AM2001)

- 1 1. On page 4, after line 3 insert the following new subsection:
- 2 "(17) The State Treasurer shall transfer five million dollars from
- 3 the Cash Reserve Fund to the Chief Standing Bear Documentary Fund on or
- 4 before June 30, 2022, on such dates and in such amounts as directed by
- 5 the budget administrator of the budget division of the Department of
- 6 Administrative Services.".

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

[AM2361](#)

(Amendments to Standing Committee amendments, AM1999)

- 1 1. On page 29, line 14, strike "8,669" and insert "5,008,669"; and
- 2 after line 17 insert:
- 3 "There is included in the appropriation to this program for
- 4 FY2022-23 \$5,000,000 Cash Funds for state aid, which shall only be used
- 5 for such purpose. Such funds shall be utilized by the Nebraska State
- 6 Historical Society for the purposes and eligible uses of the Chief
- 7 Standing Bear Documentary Fund.".

RECESS

At 11:56 a.m., on a motion by Senator Wishart, 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 Bostelman, M. Cavanaugh, Day, B. Hansen, Hunt, Lathrop, Lindstrom, and McCollister who were excused until they arrive.

AMENDMENT(S) - Print in Journal

Senator Lathrop filed the following amendment to [LB519](#):

[AM2311](#)

(Amendments to E and R amendments, ER138)

- 1 1. On page 3, line 2, strike "crime of violence" and insert "sexual
- 2 assault".

Senator Brandt filed the following amendment to [LB741](#):

[AM2309](#) is available in the Bill Room.

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LRs 318, 319, and 320 were adopted.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LRs 318, 319, and 320.

GENERAL FILE

LEGISLATIVE BILL 1012. Committee [AM2000](#), found on page 812, and considered in this day's Journal, was renewed.

The Friesen amendment, [AM2344](#), found in this day's Journal, to the committee amendment, was renewed.

The Friesen amendment was withdrawn.

Senator Friesen offered the following amendment to the committee amendment:

[AM2345](#)

(Amendments to Standing Committee amendments, AM2000)

- 1 1. Strike section 6.
- 2 2. Renumber the remaining sections and correct internal references
- 3 3 accordingly.

The Friesen amendment was withdrawn.

Pending.

COMMITTEE REPORT(S)

Business and Labor

LEGISLATIVE BILL 1084. Placed on General File.

LEGISLATIVE BILL 1083. Placed on General File with amendment.

[AM2142](#)

- 1 1. Strike original section 2 and insert the following new section:
- 2 Sec. 2. The following sums of money, or so much thereof as may be
- 3 required, are hereby appropriated from the General Fund or from other
- 4 funds as indicated in the state treasury, not otherwise appropriated, for
- 5 the payment of workers' compensation claims which have been settled by
- 6 the Attorney General in the Nebraska Workers' Compensation Court or in
- 7 which a court judgment has been entered and which require the approval of
- 8 the Legislature for payment.
- 9 \$125,000.00 for a workers' compensation claim, pay to Rick Haave,
- 10 Dowding, Dowding, Dowding and Urbom, 201 N. 8th Street, Suite 242, P.O.
- 11 Box 83103, Lincoln, Nebraska 68501, out of the Workers' Compensation
- 12 Claims Revolving Fund.
- 13 \$100,000.00 for a workers' compensation claim, pay to Kenneth Rezac
- 14 and Nicholas Jantzen, Jantzen Law Office, PC LLO, 301 S. 70th Street,
- 15 Suite 150, Lincoln, Nebraska 68510, out of the Workers' Compensation
- 16 Claims Revolving Fund.
- 17 \$150,000.00 for a workers' compensation claim, pay to the following
- 18 Michael Krafka and Shasteen, Morris, and Ockander, P.C., L.L.O., 7441 O
- 19 Street, Suite 105, Lincoln, Nebraska 68510, out of the Workers'
- 20 Compensation Claims Revolving Fund.
- 21 \$50,000.00 for a workers' compensation claim, pay to Billy Maxwell
- 22 and Travis Spier, Atwood, Holsten, Brown, Deaver, Spier and Israel Law
- 23 Firm, P.C., L.L.O., 575 Fallbrook Boulevard, Suite 206, Lincoln, Nebraska
- 24 68521, out of the Workers' Compensation Claims Revolving Fund.
- 25 The claims included in this section shall be paid through Program
- 26 593 in Agency 65. For informational purposes only, the appropriations
- 27 contained in this section and fund source:

1 FUND SOURCE	DOLLAR AMOUNT
2 GENERAL FUND	\$-0-
3 CASH FUND	\$-0-
4 REVOLVING FUND	\$425,000.00
5 TOTAL	\$425,000.00

- 6 2. On page 4, line 19, strike "\$254,728.26" and insert
- 7 "\$177,211.53".

LEGISLATIVE BILL 1130. Placed on General File with amendment.**AM2206**

1 1. Strike the original sections and insert the following new
 2 sections:
 3 Section 1. Section 48-3704, Reissue Revised Statutes of Nebraska, is
 4 amended to read:
 5 48-3704 (1) The Department of Labor shall execute a memorandum of
 6 understanding with the Nebraska Statewide Workforce and Education
 7 Reporting System before December 31, 2020, to ensure the exchange of
 8 available Department of Labor data throughout the prekindergarten to
 9 postsecondary education to workforce continuum, and may utilize data and
 10 agreements under sections 79-776, 85-110, 85-309, and 85-1511.
 11 (2) On or before December 1, 2022, and on or before each December 1
 12 thereafter, the Nebraska Statewide Workforce and Education Reporting
 13 System shall issue a report electronically to the Clerk of the
 14 Legislature and the Governor. Such report shall provide an overview of
 15 research and analysis conducted, additional data needs for future
 16 analysis, and organizational structure and needs. The Nebraska Statewide
 17 Workforce and Education Reporting System shall issue a report
 18 electronically to the Clerk of the Legislature on or before December 1,
 19 2021. Such report shall make recommendations on the planning and
 20 development of the Nebraska Statewide Workforce and Education Reporting
 21 System, including, but not limited to, additional data and stakeholder
 22 needs and potential future funding.
 23 Sec. 2. Original section 48-3704, Reissue Revised Statutes of
 24 Nebraska, is repealed.

(Signed) Ben Hansen, Chairperson

RESOLUTION(S)**LEGISLATIVE RESOLUTION 331.** Introduced by Albrecht, 17.

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, for the first time ever, there was a dedicated bracket for high school girls at the tournament; and

WHEREAS, South Sioux City High School is the first school in the State of Nebraska to win the Girls State Wrestling Championship; and

WHEREAS, the South Sioux City Lady Cardinals wrestling team have made history for their school; 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 recognizes and congratulates the South Sioux City High School girls wrestling team as the first ever to win the Girls State Wrestling Championship.

2. That a copy of this resolution be sent to the South Sioux City High School.

Laid over.

AMENDMENT(S) - Print in Journal

Senator Wayne filed the following amendment to [LB1024](#):
[AM2341](#) is available in the Bill Room.

GENERAL FILE

LEGISLATIVE BILL 1012. Senator Wayne offered the following amendment to the committee amendment:

[AM2360](#)

(Amendments to Standing Committee amendments, AM2000)

- 1 1. Insert the following new section:
- 2 Sec. 3. The Chief Standing Bear Documentary Fund is created. The
- 3 Nebraska State Historical Society shall administer the fund to produce a
- 4 documentary on Chief Standing Bear. The fund shall consist of transfers
- 5 authorized by the Legislature and any gifts, grants, or bequests for such
- 6 purposes from any source, including federal, state, public, and private
- 7 sources. Any money in the fund available for investment shall be invested
- 8 by the state investment officer pursuant to the Nebraska Capital
- 9 Expansion Act and the Nebraska State Funds Investment Act.
- 10 2. Renumber the remaining sections and correct internal references
- 11 accordingly.

SPEAKER HILGERS PRESIDING

The Wayne amendment was withdrawn.

Senator Wayne offered the following amendment to the committee amendment:

[FA127](#)

Amend AM2000:

1. Page 8 line 9 strike "fifteen" and insert "five".
2. Page 8 line 15 strike "fifteen" and insert "five".

The Wayne amendment was withdrawn.

Senator Wayne offered the following amendment to the committee amendment:

[FA129](#)

Amend AM2000:

Page 5 line 27 strike "fifty" and insert "twenty-five"

SENATOR WILLIAMS PRESIDING

The Wayne amendment was withdrawn.

Pending.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 1102. Placed on Select File with amendment.
[ER142](#) is available in the Bill Room.

LEGISLATIVE BILL 1102A. Placed on Select File.
LEGISLATIVE BILL 283. Placed on Select File.
LEGISLATIVE BILL 779. Placed on Select File.
LEGISLATIVE BILL 808. Placed on Select File.
LEGISLATIVE BILL 1092. Placed on Select File.
LEGISLATIVE BILL 1204. Placed on Select File.

(Signed) Terrell McKinney, Chairperson

AMENDMENT(S) - Print in Journal

Senator Morfeld filed the following amendment to LB1011:
[AM2375](#)

(Amendments to Standing Committee amendments, AM1999)

- 1 1. Insert the following new section:
- 2 Sec. 83. AGENCY NO. 27 — DEPARTMENT OF TRANSPORTATION
- 3 Program No. 305 - Assistance to Local Transit Authorities
- 4

	<u>FY2021-22</u>	<u>FY2022-23</u>
5 <u>GENERAL FUND</u>	-0-	500,000
6 <u>PROGRAM TOTAL</u>	-0-	500,000
- 7 The Department of Transportation shall use the funds appropriated in
- 8 this section to conduct a feasibility study for a high-speed commuter
- 9 rail service between Omaha and Lincoln. Such study shall include cost
- 10 estimates, timelines, and economic impacts for the creation of such
- 11 service.
- 12 2. Renumber the remaining sections and correct internal references
- 13 accordingly.

Senator Morfeld filed the following amendment to LB1011:
[AM2372](#)

(Amendments to Standing Committee amendments, AM1999)

- 1 1. Insert the following new section:
- 2 Sec. 80. AGENCY NO. 25 — DEPARTMENT OF HEALTH AND HUMAN SERVICES
- 3 Program No. 502 - Public Health Aid
- 4

	<u>FY2021-22</u>	<u>FY2022-23</u>
5 <u>GENERAL FUND</u>	500,000	-0-
6 <u>PROGRAM TOTAL</u>	500,000	-0-
- 7 There is included in the appropriation to this program for FY2021-22
- 8 \$500,000 General Funds for state aid, which shall only be used for such
- 9 purpose.
- 10 There is included in the amount shown as aid for this program for
- 11 FY2021-22 \$500,000 General Funds for the Human Immunodeficiency Virus
- 12 (HIV) Surveillance and Prevention Programs for education on the benefits
- 13 of preexposure prophylaxis medication and for the costs of medication.
- 14 2. Renumber the remaining sections and correct internal references
- 15 accordingly.

Senator Morfeld filed the following amendment to LB1014:
[AM2373](#)

- 1 1. Insert the following new section:
- 2 Sec. 14. AGENCY NO. 25 — DEPARTMENT OF HEALTH AND HUMAN SERVICES
- 3 Program No. 502 - Public Health Aid
- 4

	<u>FY2021-22</u>	<u>FY2022-23</u>
5 <u>FEDERAL FUND est.</u>	500,000	-0-
6 <u>PROGRAM TOTAL</u>	500,000	-0-
- 7 There is included in the appropriation to this program for FY2021-22

8 \$500,000 Federal Funds estimate for state aid, which shall only be used
 9 for such purpose.
 10 There is included in the amount shown as aid for this program for
 11 FY2021-22 \$500,000 Federal Funds for the Human Immunodeficiency Virus
 12 (HIV) Surveillance and Prevention Programs for education on the benefits
 13 of preexposure prophylaxis medication and for the costs of medication.
 14 2. Renumber the remaining sections and correct internal references
 15 accordingly.

Senator Wayne filed the following amendment to LB1013:

AM2383

(Amendments to Standing Committee amendments, AM2001)

1 1. On page 4, after line 3 insert the following new subsection:
 2 "(17) The State Treasurer shall transfer two hundred twenty-five
 3 million dollars from the Cash Reserve Fund to the Economic Recovery Fund
 4 on or before June 30, 2022, on such dates and in such amounts as directed
 5 by the budget administrator of the budget division of the Department of
 6 Administrative Services."

RESOLUTION(S)

LEGISLATIVE RESOLUTION 332. Introduced by Bostar, 29.

WHEREAS, Nebraskans for the Arts annually presents the NebraskARTS Award which recognizes select schools or school districts that make notable and worthwhile contributions to the arts and arts education in the State of Nebraska; and

WHEREAS, Sheridan Elementary School demonstrates a high education standard and provides all its students the opportunity to enjoy, excel, and learn through the arts; and

WHEREAS, Sheridan Elementary School provides numerous opportunities for students to improve their craft and share their talent and hard work with their school community; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

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

1. That the Legislature congratulates Sheridan Elementary School for receiving the 2021-22 NebraskARTS Award.

2. That a copy of this resolution be sent to the Sheridan Elementary School principal on behalf of the school's students, teachers, staff, and parents.

Laid over.

LEGISLATIVE RESOLUTION 333. Introduced by McDonnell, 5.

PURPOSE: The purpose of this resolution is to propose an interim study to examine modernization of Nebraska's tax system with the goal of facilitating economic growth. The study shall include, but not be limited to, an examination of the following:

- (1) The current structure of personal and corporate income tax;
- (2) The current structure of sales tax;
- (3) The current structure of tax incentives;
- (4) The current structure of the inheritance tax;
- (5) The current structure of the personal property tax; and
- (6) Recommendations to modify these components in a means that is revenue neutral.

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

1. That the Revenue 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.

GENERAL FILE

LEGISLATIVE BILL 1012. Senator Wayne offered the following amendment to the committee amendment:

[AM2382](#)

(Amendments to Standing Committee amendments, AM2000)

- 1 1. On page 14, strike lines 14 through 16 and insert the following
- 2 new subsection:
- 3 "(12) The department, or any entity with which the department
- 4 contracts for such purpose, may use up to five percent of any
- 5 appropriation to carry out sections 81-1210.01 to 81-1210.03 for
- 6 administrative services.".

The Wayne amendment was withdrawn.

Senator Wayne offered the following motion:

[MO158](#)

Recommit to Appropriations Committee.

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

Senator Wayne withdrew his motion to recommit to committee.

Senator Stinner offered the following motion:

[MO157](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

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

Voting in the affirmative, 38:

Aguilar	Briese	Halloran	Lindstrom	Slama
Albrecht	Clements	Hansen, B.	Lowe	Stinner
Arch	DeBoer	Hilgers	McCollister	Vargas
Blood	Dorn	Hilkemann	McDonnell	Walz
Bostar	Erdman	Hughes	Morfeld	Williams
Bostelman	Flood	Jacobson	Murman	Wishart
Brandt	Geist	Kolterman	Pansing Brooks	
Brewer	Gragert	Lathrop	Sanders	

Voting in the negative, 1:

Moser

Present and not voting, 9:

Cavanaugh, J.	Day	Hansen, M.	Linehan	Wayne
Cavanaugh, M.	Friesen	Hunt	McKinney	

Excused and not voting, 1:

Pahls

The Stinner motion to invoke cloture prevailed with 38 ayes, 1 nay, 9 present and not voting, and 1 excused and not voting.

Committee [AM2000](#), found on page 812, and considered in this day's Journal, was adopted with 41 ayes, 2 nays, 5 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review Initial with 38 ayes, 2 nays, 8 present and not voting, and 1 excused and not voting.

The Chair declared the call raised.

AMENDMENT(S) - Print in Journal

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

[FA130](#)

Amend AM2001: strike "fifty" and insert "twenty-five" on page 3, line 30.

Senator M. Hansen filed the following amendment to [LB1013](#):

[FA132](#)

Amend AM2001: Page 3 line 15 strike "twenty" and insert "thirty"

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

[AM2385](#)

(Amendments to Standing Committee amendments, AM2001)

1 1. On page 4, after line 3 insert the following new subsection:

2 "(17) The State Treasurer shall transfer five million dollars from

3 the Cash Reserve Fund to the Nebraska Film Office Fund on or before June
 4 30, 2022, on such dates and in such amounts as directed by the budget
 5 administrator of the budget division of the Department of Administrative
 6 Services."

Senator Wayne filed the following amendment to LB1011:

FA131

Amend AM1999:

1. Page 20 line 20 strike \$50,001,764 and insert \$25,001,764.
2. Page 20 line 21 strike \$50,090,237 and insert \$25,090,237.
3. Page 20 line 24 strike \$50,000,000 and insert \$25,000,000.
4. Page 20 line 27 strike \$50,000,000 and insert \$25,000,000.

Senator Friesen filed the following amendment to LB1012:

AM2351

(Amendments to Standing Committee amendments, AM2000)

- 1 1. Strike section 31.
- 2 2. Renumber the remaining sections and correct the repealer and
- 3 internal references accordingly.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 334. Introduced by Jacobson, 42; Aguilar, 35; Albrecht, 17; Arch, 14; Blood, 3; Bostar, 29; Bostelman, 23; Brandt, 32; Brewer, 43; Briese, 41; Cavanaugh, J., 9; Cavanaugh, M., 6; Clements, 2; Day, 49; DeBoer, 10; Dorn, 30; Erdman, 47; Flood, 19; Friesen, 34; Geist, 25; Gragert, 40; Halloran, 33; Hansen, B., 16; Hansen, M., 26; Hilgers, 21; Hilkemann, 4; Hughes, 44; Hunt, 8; Kolterman, 24; Lathrop, 12; Lindstrom, 18; Linehan, 39; Lowe, 37; McCollister, 20; McDonnell, 5; McKinney, 11; Morfeld, 46; Moser, 22; Murman, 38; Pahls, 31; Pansing Brooks, 28; Sanders, 45; Slama, 1; Stinner, 48; Vargas, 7; Walz, 15; Wayne, 13; Williams, 36; Wishart, 27.

WHEREAS, St. Patrick Catholic High School in North Platte won the 2022 Class D-1 Boys State Basketball Championship; and

WHEREAS, the St. Patrick Catholic Irish finished the season with a 26 and 2 record after defeating Loomis High School in the championship game by a score of 65 to 57; and

WHEREAS, this is the first title for the Irish since 1928; and

WHEREAS, such a team achievement is made possible through the support of parents, teachers, administrators, classmates, and the community; and

WHEREAS, the players, students, and fans of St. Patrick Catholic High School Basketball have been awarded the Class D Sportsmanship Award; 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 recognizes and congratulates the St. Patrick Catholic High School boys basketball team on winning the 2022 Class D-1 Boys State Basketball Championship.

2. That the Legislature recognizes and congratulates the players, students, and fans of St. Patrick Catholic High School Basketball for their award winning sportsmanship.

3. That copies of this resolution be sent to the St. Patrick Catholic High School boys basketball team.

Laid over.

GENERAL FILE

LEGISLATIVE BILL 1011. Title read. Considered.

SENATOR ARCH PRESIDING

Committee [AM1999](#), found on page 812, was offered.

Senator Lathrop offered his amendment, [FA74](#), found on page 772, to the committee amendment.

Pending.

ANNOUNCEMENT

Senator Bostelman announced the Natural Resources Committee will hold an executive session immediately following the conclusion of their hearing tomorrow, March 16, 2022.

VISITOR(S)

Visitors to the Chamber were fourth-grade students and their teachers from Elmwood Elementary School, Elmwood; TeenPact Nebraska from across the state; fourth-grade students and their teachers from St. Columbkille, Papillion; fourth-grade students and their teachers from Cottonwood Elementary School, Omaha; and sixth-grade students and their teachers from Tri-County Schools, DeWitt.

The Doctor of the Day was Dr. Steven M. Williams of Omaha.

ADJOURNMENT

At 7:57 p.m., on a motion by Senator Hughes, the Legislature adjourned until 9:00 a.m., Wednesday, March 16, 2022.

Patrick J. O'Donnell
Clerk of the Legislature

FORTY-THIRD DAY - MARCH 16, 2022

LEGISLATIVE JOURNAL

**ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION**

FORTY-THIRD DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, March 16, 2022

PRAYER

The prayer was offered by Senator Clements.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Erdman.

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, Bostelman, M. Cavanaugh, Day, B. Hansen, M. Hansen, Hunt, Lindstrom, Morfeld, Pansing Brooks, Wayne, and Wishart who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the forty-second day was approved.

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LRs 321, 322, 323, 324, 325, and 326 were adopted.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LRs 321, 322, 323, 324, 325, and 326.

GENERAL FILE

LEGISLATIVE BILL 1011. Considered.

Committee [AM1999](#), found on page 812, and considered on page 866, was renewed.

Senator Lathrop renewed his amendment, [FA74](#), found on page 772 and considered on page 866, to the committee amendment.

SENATOR WILLIAMS PRESIDING

Pending.

CONFLICT OF INTEREST STATEMENT

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

RESOLUTION(S)

LEGISLATIVE RESOLUTION 335. Introduced by Education Committee: Walz, 15, Chairperson; Day, 49; Linehan, 39; McKinney, 11; Morfeld, 46; Murman, 38; Pansing Brooks, 28; Sanders, 45.

WHEREAS, high state educational attainment is strongly correlated with higher state gross domestic product, higher per capita income, greater labor force participation, greater civic participation, improved health outcomes, and high quality of life; and

WHEREAS, projections are that at least seventy percent of Nebraska's jobs will soon require a degree, certificate, diploma, or other postsecondary or industry credential with economic value in the workforce; and

WHEREAS, Nebraska's current educational attainment, including degrees, certificates, diplomas, and other postsecondary and industry credentials with economic value is approximately fifty-eight percent for Nebraskans age 25 to 34, and approximately fifty-five percent for Nebraskans age 25 to 64; and

WHEREAS, Nebraska is in competition with other states and nations to develop, attract, and retain businesses and industries that require highly skilled employees and pay high wages; and

WHEREAS, most states, including neighboring states, have set ambitious educational attainment goals to reach social and economic development aspirations and use those educational attainment goals to inform education and workforce development policies; and

WHEREAS, state educational attainment goals can focus and organize a myriad of strategies related to workforce development and deployment, economic diversification and innovation, and promotion of diversity and inclusion; and

WHEREAS, state educational attainment goals help state officials, colleges and universities, elementary and secondary schools, employers, and philanthropic and community organizations establish a shared agenda and measure progress at regular intervals; and

WHEREAS, a state educational attainment goal is in the spirit, and touches every aspect, of Nebraskans' aspirations for job growth, vibrant communities, attracting and retaining young people, income growth, and growth in innovation.

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

1. That the Legislature declares it is the goal of the State of Nebraska that at least seventy percent of 25 to 34 year-old Nebraskans have a degree, certificate, diploma, or other postsecondary or industry-recognized credential with economic value by 2030.

2. That the Legislature encourages the Board of Regents of the University of Nebraska, the Board of Trustees of the Nebraska State Colleges, the Board of Governors of each community college area, the State Board of Education, and the Coordinating Commission for Postsecondary Education to adopt the seventy percent attainment goal as evidence of their support for such goal.

3. That the Legislature recognizes the strong contributions of Nebraska's private and parochial schools and independent colleges and universities to the educational attainment of Nebraskans and encourages their support of the seventy percent attainment goal.

4. That the Legislature finds that disparities in educational attainment impede individual and collective well-being and prosperity and must be reduced and eliminated to meet a seventy percent attainment goal.

5. That the Legislature declares that certain fields of study, including science, technology, engineering, manufacturing, agriculture, healthcare, and teaching, have particular strategic importance for the state's ongoing prosperity and encourages schools, colleges, universities, businesses, and community partners to join with the state to increase credential attainment in those fields.

6. That the Legislature encourages recent Nebraska high school graduates to continue their education in Nebraska postsecondary institutions and commends Nebraska postsecondary institutions for their efforts to enroll students from outside the state as a means of meeting the state's goal of growing a larger and more highly educated workforce.

7. That the Legislature encourages the Coordinating Commission for Postsecondary Education to incorporate the seventy percent attainment goal into the comprehensive statewide plan for postsecondary education required under Article VII, section 14, of the Constitution of the State of Nebraska and report on progress toward the goal in the annual report to the Legislature required by section 85-1429.

Laid over.

LEGISLATIVE RESOLUTION 336. Introduced by Hilkemann, 4; Day, 49; Lathrop, 12; Lindstrom, 18; Linehan, 39; McCollister, 20; Pahls, 31; Walz, 15.

WHEREAS, the 2022 Nebraska School Activities Association State Basketball Tournament was held from March 7 through March 12 at Pinnacle Bank Arena in Lincoln; and

WHEREAS, the Millard North High School boys basketball team won the 2022 Class A Boys State Basketball Championship; and

WHEREAS, Coach Tim Cannon and the Millard North Mustangs' outstanding efforts and performance enabled them to win the championship; and

WHEREAS, Senior David Harmon scored a career-high 28 points to lead his fellow Mustangs to a 67-57 victory over Bellevue West; and

WHEREAS, this is the second consecutive Class A state title in boys basketball for Millard North; 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 recognizes and congratulates Coach Tim Cannon, Senior David Harmon, and the rest of the boys basketball team of Millard North High School for winning their second consecutive Class A Boys State Basketball Championship.

2. That copies of this resolution be sent to Coach Tim Cannon and Millard North High School.

Laid over.

GENERAL FILE

LEGISLATIVE BILL 1011. Senator Lathrop renewed his amendment, [FA74](#), found on page 772 and considered on page 866 and in this day's Journal, to the committee amendment.

SPEAKER HILGERS PRESIDING

Pending.

CEREMONIES

The Speaker introduced a group from the Nebraska Association of Former State Legislators.

GENERAL FILE

LEGISLATIVE BILL 1011. Senator Lathrop renewed his amendment, [FA74](#), found on page 772 and considered on page 866 and in this day's Journal, to the committee amendment.

Pending.

AMENDMENT(S) - Print in Journal

Senator Geist filed the following amendment to [LB920](#):
[AM2337](#) is available in the Bill Room.

Senator Geist filed the following amendment to [LB920](#):
[AM2354](#) is available in the Bill Room.

Senator Geist filed the following amendment to [LB920](#):
[AM2355](#) is available in the Bill Room.

Senator Geist filed the following amendment to [LB920](#):
[AM2367](#)

(Amendments to AM2354)

1 1. On page 1, line 7, strike the comma after "adult".

Senator Geist filed the following amendment to [LB920](#):
[AM2368](#)

(Amendments to AM2355)

1 1. On page 1, line 25, strike the comma after "reentry".

MOTION(S) - Print in Journal

Senator Albrecht filed the following motion to [LB933](#):
[MO159](#)

Place on General File pursuant to Rule 3, Section 20(b).

SPEAKER'S MAJOR PROPOSAL

March 16, 2022

Patrick O'Donnell
Clerk of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. O'Donnell:

Please be advised that pursuant to Rule 1, Section 17, the Executive Board has approved Speaker Hilgers' request that LB1014 be designated as a 2022 Speaker's Major Proposal.

Sincerely,
(Signed) Senator Dan Hughes
Chair, Executive Board

RECESS

At 12:01 a.m., on a motion by Senator Hunt, 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 Arch, Friesen, Geist, B. Hansen, Hilkemann, Kolterman, Lindstrom, McCollister, Morfeld, Pansing Brooks, Vargas, and Walz who were excused until they arrive.

SELECT FILE

LEGISLATIVE BILL 1073. [ER137](#), found on page 824, was adopted.

Advanced to Enrollment and Review for Engrossment.

UNANIMOUS CONSENT - Expedite LB1073

Speaker Hilgers asked unanimous consent to expedite LB1073. No objections. So ordered.

GENERAL FILE

LEGISLATIVE BILL 1011. Committee [AM1999](#), found on page 812 and considered in this day's Journal, was renewed.

Senator Lathrop renewed his amendment, [FA74](#), found on page 772, and considered on page 866 and in this day's Journal, to the committee amendment.

The Lathrop amendment was withdrawn.

Pending.

AMENDMENT(S) - Print in Journal

Senator Wayne filed the following amendment to [LB1011](#):
[AM2395](#)

(Amendments to Standing Committee amendments, AM1999)

- 1 1. On page 24, lines 25 and 26, strike "-0-" and insert "500,000";
- 2 and in line 29 after "program" insert "for FY2021-22".
- 3 2. On page 25, after line 4 insert:
- 4 "The Game and Parks Commission is hereby authorized to contract with
- 5 a nonprofit organization to provide drainage and flooding work and
- 6 building repairs for the Mayhew Cabin state historical site with the
- 7 appropriation of \$500,000 Cash Funds in this section to this program for
- 8 FY2022-23".

Senator Wayne filed the following amendment to LB29:

AM2390

- 1 Insert the following new section:
- 2 Sec. 4. Since an emergency exists, this act takes effect when
- 3 passed and approved according to law.
- 4 2. On page 2, line 16; and page 3, line 5, after "Juneteenth" insert
- 5 "National Independence Day".

Senator Erdman filed the following amendment to LB283:

AM2377

- 1 1. Strike original sections 2 and 3 and insert the following new
- 2 sections:
- 3 Sec. 2. Section 49-1301, Reissue Revised Statutes of Nebraska, is
- 4 amended to read:
- 5 49-1301 (1) Except as provided in subsection (2) of this section,
- 6 the standard time of the State of Nebraska shall be the time
- 7 established by the Uniform Time Act of 1966 in both the central Central
- 8 and mountain Rocky Mountain time zones. Beginning January 1, 2023,
- 9 Nebraska shall remain on standard time until the United States Congress
- 10 enacts a law adopting permanent daylight saving time.
- 11 (2)(a) Upon the United States Congress enacting a law adopting
- 12 permanent daylight saving time, the standard time for the State of
- 13 Nebraska shall be, in the central time zone, the Coordinated Universal
- 14 Time minus five hours and, in the mountain time zone, the Coordinated
- 15 Universal Time minus six hours.
- 16 (b) For purposes of this subsection, Coordinated Universal Time
- 17 means the time scale maintained through the General Conference of Weights
- 18 and Measures and interpreted or modified for the United States by the
- 19 United States Secretary of Commerce in coordination with the United
- 20 States Secretary of the Navy.
- 21 Sec. 3. Section 49-1302, Reissue Revised Statutes of Nebraska, is
- 22 amended to read:
- 23 49-1302 Until January 1, 2023, daylight saving Daylight time for
- 24 the State of Nebraska shall be in effect from the second first Sunday in
- 25 March April until the first last Sunday in November October of each year
- 26 at such clock time as is prescribed in the Uniform Time Act of 1966.

SPEAKER'S ANNOUNCEMENT

Pursuant to Rule 4, Section 8, LR335 was referred to the Reference Committee.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

LB/LR	Committee
LR335	Education

(Signed) Dan Hughes, Chairperson
Executive Board

GENERAL FILE

LEGISLATIVE BILL 1011. Senator Lathrop offered his amendment, [FA75](#), found on page 772, to the committee amendment.

Pending.

AMENDMENT(S) - Print in Journal

Senator Dorn filed the following amendment to [LB707](#):

[AM2405](#)

(Amendments to Standing Committee amendments, AM1859)

- 1 1. Insert the following new sections:
- 2 Sec. 59. Section 81-887.03, Reissue Revised Statutes of Nebraska, is
- 3 amended to read:
- 4 81-887.03 ~~All auctioneers of any state shall comply~~ ~~Nothing~~
- 5 ~~contained in sections 81-887.01 to 81-887.03 shall be construed to permit~~
- 6 ~~any person to conduct a sale of real estate without first complying~~ with
- 7 the requirements of the Nebraska Real Estate License Act before
- 8 conducting a sale of real estate in this state.
- 9 Sec. 65. The following sections are outright repealed: Sections
- 10 81-887.01 and 81-887.02, Reissue Revised Statutes of Nebraska.
- 11 2. On page 104, line 24, strike "and 62" and insert "59, 63, and
- 12 65"; and in line 31 strike "and 58-251" and insert "58-251, and
- 13 81-887.03".
- 14 3. Renumber the remaining sections and correct internal references
- 15 and the repealer accordingly.

Senator Hughes filed the following amendment to [LB805A](#):

[AM2396](#)

- 1 1. On page 2, line 2, strike "the General Fund" and insert "Federal
- 2 Funds"; in line 5 after the period insert "The Federal Funds appropriated
- 3 in this section are from the funds allocated to the State of Nebraska
- 4 from the federal Coronavirus State Fiscal Recovery Fund pursuant to the
- 5 federal American Rescue Plan Act of 2021, 42 U.S.C. 802, as amended.";
- 6 and in line 9 strike "General" and insert "Federal".

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 1184. Placed on Select File.

LEGISLATIVE BILL 1165. Placed on Select File.

LEGISLATIVE BILL 29. Placed on Select File.

LEGISLATIVE BILL 855. Placed on Select File.

LEGISLATIVE BILL 905. Placed on Select File with amendment.

[ER145](#)

- 1 1. In the Standing Committee amendments, AM1609:
- 2 a. On page 1, line 17, strike "Post-natal" and insert "Postnatal";
- 3 b. On page 2, line 18, after "and" insert an underscored comma; and
- 4 in line 25 strike ", and" and insert "and";
- 5 c. On page 3, line 16, strike "Post-natal" and insert "Postnatal";
- 6 and
- 7 d. On page 4, line 12, after "and" insert an underscored comma; and

8 in line 19 strike "and" and insert "and".
 9 2. On page 1, strike beginning with "the" in line 1 through line 4
 10 and insert "health care; to amend sections 38-201 and 38-203, Reissue
 11 Revised Statutes of Nebraska, and sections 38-2001 and 38-2002, Revised
 12 Statutes Cumulative Supplement, 2020; to provide for perinatal mental
 13 health screenings under the Advanced Practice Registered Nurse Practice
 14 Act and the Medicine and Surgery Practice Act; to define terms; to
 15 harmonize provisions; and to repeal the original sections."

(Signed) Terrell McKinney, Chairperson

COMMITTEE REPORT(S)
 Enrollment and Review

LEGISLATIVE BILL 1073. Placed on Final Reading.

(Signed) Terrell McKinney, Chairperson

NOTICE OF COMMITTEE HEARING(S)
 Education
 Room 1525 12:15 PM

Wednesday, March 23, 2022
 LR335

(Signed) Lynne Walz, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 337. Introduced by Briese, 41.

PURPOSE: The purpose of this resolution is to propose an interim study to examine laws relating to brand registration of alcoholic beverages of all types and varieties, and the submission of certificates of labeling approval as required by the federal government.

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 338. Introduced by Briese, 41.

PURPOSE: The purpose of this resolution is to propose an interim study to examine all licenses issued by the State Racing and Gaming Commission.

This study shall be conducted to fulfill the requirements of section 84-948 and the Occupational Board Reform Act.

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

1. That the General Affairs Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 339. Introduced by Briese, 41.

PURPOSE: The purpose of this resolution is to propose an interim study to examine matters relating to cemeteries in Nebraska. This study shall include examination of any and all statutes governing cemeteries of any type across the state.

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

1. That the General Affairs Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 340. Introduced by Briese, 41.

PURPOSE: The purpose of this resolution is to propose an interim study to examine any issues within the jurisdiction of the General Affairs Committee of the Legislature.

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

1. That the General Affairs 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 Briese filed the following amendment to LB939:
[AM2418](#) is available in the Bill Room.

Senator Pansing Brooks filed the following amendment to LB741:
[AM2402](#)

(Amendments to Standing Committee amendments, AM1683)

- 1 1. Insert the following new sections:
- 2 Section 1. (1) The Department of Health and Human Services shall
- 3 develop and publish informational materials for women who may become
- 4 pregnant, expectant parents, and parents of infants regarding:
- 5 (a) The incidence of cytomegalovirus;
- 6 (b) The transmission of cytomegalovirus to pregnant women and women
- 7 who may become pregnant;
- 8 (c) Birth defects caused by congenital cytomegalovirus;
- 9 (d) Methods of diagnosing congenital cytomegalovirus;
- 10 (e) Available preventative measures to avoid the infection of women
- 11 who are pregnant or who may become pregnant; and
- 12 (f) Early interventions, treatment, and services available for
- 13 children diagnosed with congenital cytomegalovirus.
- 14 (2) The department shall publish such informational materials on its
- 15 website and make the materials available to child care facilities, school
- 16 nurses, hospitals, birthing facilities as defined in section 71-4736, and
- 17 health care providers offering care to pregnant women and infants.
- 18 Sec. 2. A health care provider offering care to pregnant women may
- 19 provide the informational materials published under section 1 of this act
- 20 to each pregnant woman during the first trimester of pregnancy or when a
- 21 pregnant woman comes under the care of a provider after the first
- 22 trimester of pregnancy.
- 23 Sec. 3. (1) If a newborn infant fails a hearing screening test as
- 24 provided in section 71-4742, the birthing facility performing such
- 25 screening may provide to the parents of the newborn infant the following
- 26 information:
- 1 (a) Potential birth defects caused by congenital cytomegalovirus;
- 2 (b) Testing opportunities for cytomegalovirus, including the
- 3 opportunity to test for cytomegalovirus prior to the infant's discharge
- 4 from the hospital or birthing facility; and
- 5 (c) Early intervention services.
- 6 (2) The informational material published under section 1 of this
- 7 act, and such additional clarifying information as required by the
- 8 parents, may be provided to the parents at the newborn infant's follow-up
- 9 audiology appointment.
- 10 2. Renumber the remaining sections accordingly.

Senator DeBoer filed the following amendment to LB741:
[AM2358](#) is available in the Bill Room.

GENERAL FILE

LEGISLATIVE BILL 1011. Senator Lathrop renewed his amendment, [FA75](#), found on page 772 and considered in this day's Journal, to the committee amendment.

SPEAKER HILGERS PRESIDING

Pending.

AMENDMENT(S) - Print in Journal

Senator Bostar filed the following amendment to [LB800](#):
[AM2352](#)

(Amendments to Standing Committee amendments, AM2035)

1 1. Insert the following new sections:
 2 Sec. 338. Section 77-2501, Reissue Revised Statutes of Nebraska, is
 3 amended to read:
 4 77-2501 Sections 77-2501 to 77-2507 and section 342 of this act
 5 shall be known and may be cited as the Affordable Housing Tax Credit Act.
 6 Sec. 339. Section 77-2502, Reissue Revised Statutes of Nebraska, is
 7 amended to read:
 8 77-2502 For purposes of the Affordable Housing Tax Credit Act:
 9 (1) Allocation year means the year for which the authority awards
 10 Nebraska affordable housing tax credits pursuant to the act;
 11 (2) Authority means the Nebraska Investment Finance Authority;
 12 (3) Eligibility statement means a statement authorized and issued by
 13 the authority certifying that a given project is a qualified project that
 14 qualifies for Nebraska affordable housing tax credits;
 15 (4) Federal low-income housing tax credit means the federal tax
 16 credit provided in section 42 of the Internal Revenue Code of 1986, as
 17 amended;
 18 (5) Nebraska affordable housing tax credit means the nonrefundable
 19 tax credit authorized in section 77-2503;
 20 (6) Qualified project means a qualified low-income building or
 21 buildings, as that term is defined in section 42 of the Internal Revenue
 22 Code of 1986, as amended;
 23 (7) Qualified taxpayer means a taxpayer owning an interest, direct
 24 or indirect, in a qualified project; and
 25 (8) Taxpayer means a person, firm, corporation, or other business
 26 entity subject to the income tax imposed by section 77-2715 or
 1 77-2734.02, an insurance company subject to premium and related
 2 retaliatory tax liability imposed by section 44-150, or 77-908, or
 3 81-523, or a financial institution subject to the franchise tax imposed
 4 by sections 77-3801 to 77-3807.
 5 Sec. 340. Section 77-2503, Reissue Revised Statutes of Nebraska, is
 6 amended to read:
 7 77-2503 (1) An owner of an affordable housing project seeking a
 8 Nebraska affordable housing tax credit shall file an application with the
 9 authority on a form prescribed by the authority. A qualified taxpayer
 10 shall be allowed a nonrefundable tax credit if the authority determines
 11 that the project for which tax credits are sought is a qualified project.
 12 (2) If the requirements of subsection (1) of this section are met,
 13 the authority shall issue an eligibility statement to the owner of such
 14 qualified project stating the amount of Nebraska affordable housing tax
 15 credits allocated to the qualified project. The amount of such tax
 16 credits shall be the amount of federal low-income housing tax credits
 17 available to such project, except as otherwise provided in subsection (4)
 18 of this section. Tax credits for each building in a qualified project
 19 shall be issued for the first six years of the credit period as defined
 20 in 26 U.S.C. 42(f)(1), except that any reduction in the credit allowable
 21 in the first year of the credit period due to the calculation in 26
 22 U.S.C. 42(f)(2) shall be allowable in the seventh year of the credit
 23 period. The authority shall only allocate tax credits to qualified
 24 projects that are placed in service after January 1, 2018.
 25 (3) If the owner of the qualified project is (a) a partnership, (b)
 26 a limited liability company, or (c) a corporation having an election in
 27 effect under subchapter S of the Internal Revenue Code of 1986, as

28 amended, the Nebraska affordable housing tax credit shall be allocated
29 among some or all of the partners, members, or shareholders of the owner
30 of the qualified project in any manner agreed to by such persons, but
31 only if such persons have been admitted as partners or members, or have
1 acquired their shares, on or prior to February 15 of the year in which
2 the tax return, or amended return, claiming the tax credit is filed. A
3 qualified taxpayer may transfer, sell, or assign all or part of his or
4 her ownership interest, including his or her interest in the tax credits
5 authorized in this section. For any tax year in which such an interest is
6 transferred, sold, or assigned pursuant to this subsection, the
7 transferor shall notify the Department of Revenue of the transfer, sale,
8 or assignment and provide the tax identification number of the new owner
9 at least thirty days prior to the new owner claiming the tax credits. The
10 notification shall be in the manner prescribed by the department.
11 (4) The maximum amount of Nebraska affordable housing tax credits
12 awarded to all qualified projects in any given allocation year shall be
13 no more than one hundred percent of the total amount of federal low-
14 income housing tax credits awarded by the authority in the same
15 allocation year. Notwithstanding any other provision of the Affordable
16 Housing Tax Credit Act, the authority is prohibited from awarding to a
17 qualified project any combined amount of federal low-income housing tax
18 credits and Nebraska affordable housing tax credits that is more than
19 necessary to make the qualified project financially feasible.
20 (5) Any Nebraska affordable housing tax credits granted under this
21 section may be used to offset any income taxes due under section 77-2715
22 or 77-2734.02, any premium and related retaliatory taxes due under
23 section 44-150, ~~or 77-908,~~ or 81-523, or any franchise taxes due under
24 sections 77-3801 to 77-3807.
25 (6) The tax credit shall not be used to reduce the tax liability of
26 the qualified taxpayer to less than zero. Any tax credit claimed but not
27 used in a taxable year may be carried forward.
28 Sec. 341. Section 77-2505, Reissue Revised Statutes of Nebraska, is
29 amended to read:
30 77-2505 An insurance company claiming a Nebraska affordable housing
31 tax credit against any premium and related retaliatory taxes due under
1 section 44-150, ~~or 77-908,~~ or 81-523 shall not be required to pay any
2 additional retaliatory tax as a result of claiming the tax credit. The
3 tax credit may fully offset any retaliatory tax imposed under Nebraska
4 law. Any tax credit claimed shall be considered a payment of tax for
5 purposes of subsection (1) of section 77-2734.03.
6 Sec. 342. The changes made in sections 77-2502, 77-2503, and
7 77-2505 by this legislative bill shall apply to taxable years beginning
8 or deemed to begin on or after January 1, 2023.
9 Sec. 345. Section 81-523, Reissue Revised Statutes of Nebraska, is
10 amended to read:
11 81-523 (1) For the purpose of maintaining the office of the State
12 Fire Marshal and such other fire prevention activities as the Governor
13 may direct, every foreign and alien insurance company including
14 nonresident attorneys for subscribers to reciprocal insurance exchanges
15 shall, on or before March 1, pay a tax to the Director of Insurance of
16 three-fourths of one percent of the gross direct writing premiums and
17 assessments received by each of such companies during the preceding
18 calendar year for fire insurance business done in this state.
19 (2) For the purpose set forth in subsection (1) of this section,
20 every domestic insurance company including resident attorneys for
21 subscribers to reciprocal insurance exchanges shall, on or before March
22 1, pay a tax to the Director of Insurance of three-eighths of one percent
23 of the gross direct writing premiums and assessments received by each of
24 such companies during the preceding calendar year for fire insurance
25 business done in this state.

26 (3) The term fire insurance business, as used in subsections (1),
 27 (2), and (4) of this section, shall include, but not be limited to,
 28 premiums of policies on fire risks on automobiles, whether written under
 29 floater form or otherwise.
 30 (4) Return premiums on fire insurance business, subject to the fire
 31 insurance tax, in accordance with subsections (1) and (2) of this
 1 section, may be deducted from the gross direct writing premiums for the
 2 purpose of the tax calculations provided for by subsections (1) and (2)
 3 of this section. In the case of mutual companies and assessment
 4 associations, the dividends paid or credited to policyholders or members
 5 in this state shall be construed to be return premiums.
 6 (5) Any tax collected pursuant to subsections (1) and (2) of this
 7 section shall be remitted to the State Treasurer for credit to the
 8 General Fund.
 9 (6) An insurance company described in this section shall receive a
 10 credit on the tax imposed under this section as provided in the
 11 Affordable Housing Tax Credit Act.
 12 2. Correct the operative date and repealer sections so that the
 13 sections added by this amendment become operative three calendar months
 14 after the adjournment of this legislative session.
 15 3. Renumber the remaining sections and correct internal references
 16 accordingly.

Senator Linehan filed the following amendment to [LB939](#):
[AM2397](#) is available in the Bill Room.

Senator Friesen filed the following amendment to [LB1012](#):
[AM2349](#)
 (Amendments to Standing Committee amendments, AM2000)
 1 1. Strike section 19.
 2 2. Renumber the remaining sections and correct the repealer and
 3 internal references accordingly.

AMENDMENT(S) - Refile in Journal

Senator Friesen refiled his amendment, [AM2344](#), found on page 856 and
 withdrawn on page 858, to [LB1012](#).

COMMITTEE REPORT(S) Judiciary

LEGISLATIVE BILL 920. Placed on General File with amendment.
[AM2286](#) is available in the Bill Room.

LEGISLATIVE BILL 922. Placed on General File with amendment.
[AM2332](#) is available in the Bill Room.

LEGISLATIVE BILL 1213. Placed on General File with amendment.
[AM2336](#)

1 1. Strike the original section and insert the following new
 2 sections:
 3 Section 1. (1) For purposes of this section:
 4 (a) Account means a unique login for each educational research
 5 database user indicating that the user is a student in kindergarten
 6 through grade twelve;

7 (b) Block means limiting access based on the labeling of indexed
8 content such that materials obscene as to minors or harmful to minors can
9 be recognized and removed from search results before presentation to a
10 student in kindergarten through grade twelve;
11 (c) Educational research database means materials in electronic form
12 from a vendor or provider made available to students in kindergarten
13 through grade twelve by any school district, any school, or the Nebraska
14 Library Commission, including, but not limited to, research databases, e-
15 journals, magazine subscriptions, and e-books;
16 (d) Filter means the use of technology developed to prevent a
17 request to a website known to include content obscene as to minors or
18 harmful to minors and to examine content in a response being delivered in
19 order to prevent such obscene or harmful content from being presented to
20 a student in kindergarten through grade twelve;
21 (e) Harmful to minors has the same meaning as in subdivision (6) of
22 section 28-807;
23 (f) Nebraska Library Commission means the organization established
24 in section 51-401, or its successor organization, that provides an
25 infiltrated technology infrastructure, which includes various affiliated
26 school districts, schools, and libraries, used for the purposes of making
27 computer services available to a student in kindergarten through grade
1 twelve;
2 (g) Obscene as to minors is the same as the description of obscene
3 as to minors in section 28-808;
4 (h) School means a public, private, denominational, or parochial
5 school, regardless of whether such school is approved or accredited; and
6 (i) Vendor or provider means an entity that creates, compiles, and
7 maintains an educational research database. Vendor or provider does not
8 include a school district, a school, or the Nebraska Library Commission.
9 (2) A school district, a school, or the Nebraska Library Commission
10 may offer one or more educational research databases to students in
11 kindergarten through grade twelve only if the vendor or provider of the
12 educational research database verifies that the database complies with
13 and will continue to comply with subsection (3) of this section.
14 (3) Any educational research database offered by a school district,
15 a school, or the Nebraska Library Commission to students in kindergarten
16 through grade twelve shall:
17 (a) Have technology protection measures that filter and block access
18 to all materials obscene as to minors or harmful to minors; and
19 (b) Establish an account for each student in kindergarten through
20 grade twelve using such educational research database and require
21 verification of account information when the student accesses such
22 educational research database.
23 (4) A school district or school shall:
24 (a) Provide the account credential of each student in kindergarten
25 through grade twelve to such student's parent or guardian and allow the
26 parent or guardian access to all materials accessible to the student; and
27 (b) Prohibit any shared or group accounts, distinct from the account
28 described in subdivision (3)(b) of this section, for use of any
29 educational research database.
30 (5) Compliance with subdivision (3)(a) of this section is a material
31 element of any contract with a vendor or provider.
1 (6) A student in kindergarten through grade twelve or any parent or
2 guardian of such student may file a complaint with the superintendent of
3 the school district or the principal of the school which such student
4 attends alleging that specific material available on the educational
5 research database used by the school is obscene as to minors or harmful
6 to minors. The complaint shall provide sufficient information to identify
7 and locate the material specified in the complaint.
8 (7)(a) A complaint filed with the principal of a school shall be

9 immediately forwarded to the superintendent of the school district. If a
 10 school does not have a superintendent, the principal or other school
 11 administrator for such school shall conduct the review and make the
 12 determination required by this subsection. The superintendent, principal,
 13 or other school administrator shall review any complaint and within seven
 14 days after receipt of such complaint make a determination as to whether
 15 the specific material contained in the complaint and available on the
 16 educational research database is obscene as to minors or harmful to
 17 minors.

18 (b) If the superintendent or principal or other school administrator
 19 for a school that does not have a superintendent is unable to locate the
 20 material specified in the complaint or determines that such material is
 21 not obscene as to minors or harmful to minors, the superintendent,
 22 principal, or other school administrator shall, within seven days after
 23 receipt of such complaint, notify the individual who made the complaint
 24 of such determination. Such determination shall be ratified or rejected
 25 by a majority vote of the school board of such school, if one exists.

26 (c) If the superintendent or principal or other school administrator
 27 for a school that does not have a superintendent determines that the
 28 material specified in such complaint is obscene as to minors or harmful
 29 to minors, the superintendent, principal, or other administrator shall,
 30 within seven days after receipt of the complaint, notify the provider or
 31 vendor of the need to block or filter the specific material specified in
 1 the complaint. If the vendor or provider is unwilling or unable to block
 2 or filter such material within fourteen days after receiving such
 3 notification, the superintendent, principal, or other administrator shall
 4 notify the school board of such school which shall, by majority vote,
 5 make a determination as to whether the material contained in the
 6 complaint is obscene as to minors or harmful to minors. If the
 7 determination is that the material is obscene as to minors or harmful to
 8 minors and the school district or school is a party to the contract with
 9 the vendor or provider, the school board may, if the school district or
 10 school contracts directly with the vendor or provider, institute a
 11 declaratory judgment or other civil proceeding to determine whether the
 12 vendor or provider is in breach of contract. In addition to any other
 13 defense available to the vendor or provider, it shall be a defense to
 14 such action that the material in such complaint is not obscene as to
 15 minors or harmful to minors. If no school board exists for a school, the
 16 actions authorized under subdivision (7)(c) of this section may be
 17 undertaken by an individual or entity that is a party to the contract
 18 with the vendor or provider.

19 Sec. 2. This act becomes operative on January 1, 2023.

(Signed) Steve Lathrop, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 341. Introduced by Halloran, 33.

WHEREAS, the 2022 Nebraska School Activities Association Class C-2 Girls State Basketball Championship was held on March 12 at Pinnacle Bank Arena in Lincoln; and

WHEREAS, St. Cecilia Catholic High School in Hastings won the 2022 Class C-2 Girls State Basketball Championship; and

WHEREAS, the St. Cecilia Catholic High School girls basketball team defeated Bridgeport by a score of 40 to 38 in the championship game; and

WHEREAS, this is the third state title victory for St. Cecilia Catholic High School in four years; and

WHEREAS, the determination and effort of the St. Cecilia Catholic High School girls basketball team secured this championship; and

WHEREAS, such a team achievement is made possible through the support of parents, teachers, administrators, classmates, and the community; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

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

1. That the Legislature congratulates St. Cecilia Catholic High School girls basketball team on winning the 2022 Class C-2 Girls State Basketball Championship.

2. That a copy of this resolution be sent to St. Cecilia Catholic High School.

Laid over.

GENERAL FILE

LEGISLATIVE BILL 1011. Senator Lathrop renewed his amendment, [FA75](#), found on page 772 and considered in this day's Journal, to the committee amendment.

The Lathrop amendment was withdrawn.

Pending.

AMENDMENT(S) - Print in Journal

Senator J. Cavanaugh filed the following amendment to [LB939](#): [AM2414](#) is available in the Bill Room.

MESSAGE(S) FROM THE GOVERNOR

March 16, 2022

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

Dear Mr. O'Donnell:

Engrossed Legislative Bills 767, 767A, and 1099e were received in my office on March 11, 2022.

These bills were signed and delivered to the Secretary of State on March 16, 2022.

Sincerely,
(Signed) Pete Ricketts
Governor

GENERAL FILE

LEGISLATIVE BILL 1011. Senator Lathrop offered his amendment, [FA76](#), found on page 772, to the committee amendment.

SEANTOR WAYNE PRESIDING

Pending.

AMENDMENT(S) - Print in Journal

Senator Arch filed the following amendment to [LB1012](#):
[AM2389](#)

(Amendments to Standing Committee amendments, AM2000)

1 1. On page 8, line 20, after the period insert "The University of
2 Nebraska Medical Center shall, on or before July 1, 2025, electronically
3 submit to the Clerk of the Legislature and the Appropriations Committee
4 of the Legislature a report detailing the use of funds transferred
5 pursuant to this subsection."

ANNOUNCEMENT

Senator Bostelman announced the Natural Resources Committee will hold an executive session Thursday, March 17, 2022, at 10:00 a.m., under the South Balcony.

VISITOR(S)

Visitors to the Chamber were Legislative Field Experience from across the state; fourth-grade students and their teachers from Grant Elementary, Norfolk; first- through fifth-grade students and their teachers from Hampton Lutheran, Hampton; Senator Sanders' nephew, Chaz Boeder, Aurora; fourth-grade students and their teachers from Zion Classical Academy, Hastings; and Senator Brandt's mother, Janet Brandt Murray, Plymouth.

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

ADJOURNMENT

At 5:18 p.m., on a motion by Senator Bostelman, the Legislature adjourned until 9:00 a.m., Thursday, March 17, 2022.

Patrick J. O'Donnell
Clerk of the Legislature

FORTY-FOURTH DAY - MARCH 17, 2022**LEGISLATIVE JOURNAL****ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION****FORTY-FOURTH DAY**

Legislative Chamber, Lincoln, Nebraska
Thursday, March 17, 2022

PRAYER

The prayer was offered by Senator Williams.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Friesen.

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 Senator Lindstrom who was excused; and Senators Arch, Blood, Bostar, Briese, Day, B. Hansen, M. Hansen, Hunt, McKinney, Morfeld, Pansing Brooks, Walz, Wayne, and Wishart who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the forty-third 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 16, 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

Greene, Steven
 Aunt Bertha
 Husch Blackwell Strategies
 Grand Island Area Economic Development Corporation

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LR329 was adopted.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LR329.

GENERAL FILE

LEGISLATIVE BILL 1011. Considered.

Committee [AM1999](#), found on page 812, and considered on pages 866, 868, and 872, was renewed.

Senator Lathrop renewed his amendment, [FA76](#), found on page 772 and considered on page 884, to the committee amendment.

Senator Stinner offered the following motion:

[MO160](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Stinner moved for a call of the house.

Senator Stinner requested a roll call vote, in reverse order, on the motion to place the house under call.

The motion to place the house under call prevailed with 30 ayes, 2 nays, and 17 not voting.

Senator Stinner requested a roll call vote on the motion to invoke cloture.

Voting in the affirmative, 40:

Aguilar	Clements	Halloran	Lathrop	Pansing Brooks
Albrecht	Day	Hansen, B.	Lowe	Sanders
Arch	DeBoer	Hilgers	McCollister	Slama
Bostar	Dorn	Hilkemann	McDonnell	Stinner
Bostelman	Erdman	Hughes	Morfeld	Vargas
Brandt	Flood	Hunt	Moser	Walz
Brewer	Geist	Jacobson	Murman	Williams
Briese	Gragert	Kolterman	Pahls	Wishart

Voting in the negative, 4:

Friesen Linehan McKinney Wayne

Present and not voting, 2:

Cavanaugh, J. Cavanaugh, M.

Excused and not voting, 3:

Blood Hansen, M. Lindstrom

The Stinner motion to invoke cloture prevailed with 40 ayes, 4 nays, 2 present and not voting, and 3 excused and not voting.

The Lathrop amendment lost with 6 ayes, 36 nays, 4 present and not voting, and 3 excused and not voting.

Senator Wayne requested a roll call vote, in reverse order, on the committee amendment.

Voting in the affirmative, 41:

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

Voting in the negative, 5:

Cavanaugh, M. Friesen Linehan McKinney Wayne

Excused and not voting, 3:

Blood Hansen, M. Lindstrom

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

Advanced to Enrollment and Review Initial with 40 ayes, 6 nays, and 3 excused and not voting.

The Chair declared the call raised.

LEGISLATIVE BILL 1013. Senator Wayne offered his motion, [MO152](#), found on page 805, to indefinitely postpone pursuant to Rule 6, Section 3(f).

SPEAKER HILGERS PRESIDING

Pending.

COMMITTEE REPORT(S)
Natural Resources

LEGISLATIVE BILL 1262. Placed on General File with amendment.
[AM2411](#)

1 1. On page 2, strike beginning with "the" in line 17 through line 31
2 and insert "projects at recreation areas in this state that comply with
3 the federal American Rescue Plan Act of 2021, including, but not limited
4 to, investments in water, sewer, or broadband infrastructure and projects
5 that respond to a negative economic impact."

(Signed) Bruce Bostelman, Chairperson

NOTICE OF COMMITTEE HEARING(S)
Nebraska Retirement Systems
Room 1525 12:00 PM

Wednesday, March 30, 2022
James Schulz - Public Employees Retirement Board
Richard A. DeFusco - Nebraska Investment Council
Presentation of annual report by the Nebraska Investment Council pursuant
to section 72-1243(3)
Presentation of annual report of the Nebraska Public Employees Retirement
Systems pursuant to section 84-1503(3)

(Signed) Mark Kolterman, Chairperson

Executive Board
Room 1524 12:00 PM

Monday, March 28, 2022
LR307

(Signed) Dan Hughes, Chairperson

GENERAL FILE

LEGISLATIVE BILL 1013. Senator Wayne renewed his motion, [MO152](#), found on page 805 and considered in this day's Journal, to indefinitely postpone pursuant to Rule 6, Section 3(f).

Pending.

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE BILL 1012. Placed on Select File with amendment.

[ER148](#)

1 1. On page 1 strike beginning with "section" in line 1 through line
2 7 and insert "sections 81-1210.02 and 81-12,145, Reissue Revised Statutes
3 of Nebraska, sections 75-1101, 81-829.33, 81-1210.01, 81-1210.04,
4 81-12,153, 81-12,154, 81-12,156, 81-12,162, and 83-904, Revised Statutes
5 Cumulative Supplement, 2020, and sections 71-7611, 81-12,147, 81-12,148,
6 81-12,149, 81-12,213, 81-12,218, 82-331, 83-973, 85-424, and 86-324,
7 Revised Statutes Supplement, 2021; to provide for and change fund
8 transfer provisions; to create and change permitted uses of funds; to
9 provide for and change grant provisions; to change provisions relating to
10 internship programs, capital construction, the Business Innovation Act,
11 and the Nebraska Rural Projects Act; to eliminate provisions regarding
12 state agency postage reimbursement and obsolete provisions regarding fund
13 transfers; to harmonize provisions; to repeal the original sections; to
14 outright repeal section 81-167, Reissue Revised Statutes of Nebraska; and
15 to declare an emergency."

LEGISLATIVE BILL 1082. Placed on Select File with amendment.

[ER147](#)

1 1. On page 1, line 2, after "Nebraska" insert ", and section 37-201,
2 Revised Statutes Supplement, 2021".
3 2. On page 2, lines 3, 14, 23, and 26; and page 3, line 10, strike
4 "Game and Parks Commission" and insert "commission".

LEGISLATIVE BILL 1137. Placed on Select File with amendment.

[ER146](#)

1 1. On page 1, line 1, after "the" insert "Nebraska".
2 2. On page 4, line 22, strike "this" and insert "the".

LEGISLATIVE BILL 742. Placed on Select File.

LEGISLATIVE BILL 983. Placed on Select File.

LEGISLATIVE BILL 908. Placed on Select File.

LEGISLATIVE BILL 856. Placed on Select File.

LEGISLATIVE BILL 1007. Placed on Select File.

LEGISLATIVE BILL 829. Placed on Select File.

LEGISLATIVE BILL 851. Placed on Select File.

LEGISLATIVE BILL 1124. Placed on Select File.

LEGISLATIVE BILL 1057. Placed on Select File with amendment.

[ER149](#)

1 1. On page 1, line 1, after "amend" insert "section 79-848, Reissue
2 Revised Statutes of Nebraska, and"; in line 4 after the semicolon insert
3 "to harmonize provisions;"; and in line 5 strike "section" and insert
4 "sections".

(Signed) Terrell McKinney, Chairperson

GENERAL FILE

LEGISLATIVE BILL 1013. Senator Wayne renewed his motion, [MO152](#), found on page 805 and considered in this day's Journal, to indefinitely postpone pursuant to Rule 6, Section 3(f).

SENATOR WILLIAMS PRESIDING

Senator Erdman moved the previous question. The question is, "Shall the debate now close?"

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

The motion to cease debate prevailed with 34 ayes, 11 nays, and 4 not voting.

The Wayne motion to indefinitely postpone failed with 10 ayes, 30 nays, 7 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

Title read. Considered.

Committee [AM2001](#), found on page 813, was offered.

Senator Lathrop offered his amendment, [FA80](#), found on page 786, to the committee amendment.

SENATOR HUGHES PRESIDING

Pending.

BILL ON FIRST READING

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

LEGISLATIVE BILL 848A. Introduced by Halloran, 33.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 848, One Hundred Seventh Legislature, Second Session, 2022.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 342. Introduced by Albrecht, 17.

WHEREAS, the land-grant college system was established by the passage of the Morrill Act, which was signed into law on July 2, 1862, by President Abraham Lincoln; and

WHEREAS, in 1914, the Smith-Lever Act became law and provided federal support for land-grant universities to establish Cooperative Extension Services to bring learning opportunities to all residents; and

WHEREAS, the Cooperative Extension Service of the University of Nebraska-Lincoln (Nebraska Extension) provides extension services to the people of Nebraska. As the university's front door across Nebraska, Nebraska Extension's role has expanded to multiple subject areas and reaches both urban and rural audiences. The goal of Nebraska Extension is to translate scientific discoveries for practical application, engage target audiences to create solutions to vexing problems, and change lives through learning opportunities; and

WHEREAS, the Nebraska Association of County Extension Boards was established in 1972 to support Nebraska Extension across all ninety-three Nebraska counties; and

WHEREAS, more than five hundred fifty members representing all ninety-three Nebraska counties comprise the Nebraska Association of County Extension Boards; and

WHEREAS, the Nebraska Association of County Extension Boards is celebrating fifty years of strong grassroots support for and service to Nebraska Extension, the counties served by the boards, and the people of Nebraska.

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

1. That the Legislature recognizes the Nebraska Association of County Extension Boards for fifty years of leadership representing all ninety-three Nebraska counties and supporting Nebraska Extension and the people of Nebraska.

2. That a copy of this resolution be sent to Nebraska Association of County Extension Boards President-Elect Ryan Ridenour.

Laid over.

AMENDMENT(S) - Print in Journal

Senator Brewer filed the following amendment to [LB512](#):

[AM2387](#)

(Amendments to Standing Committee amendments, AM1620)

1 1. Strike amendment 1 and insert the following new amendment:

2 1. Strike original section 6 and insert the following new sections:

3 Sec. 6. Section 81-829.39, Reissue Revised Statutes of Nebraska, is

4 amended to read:

5 81-829.39 For purposes of the Emergency Management Act, unless the

6 context otherwise requires:

7 (1) Civil defense emergency means an emergency declared by the

8 President of the United States or Congress pursuant to applicable federal

9 law finding that an attack upon the United States has occurred or is

10 anticipated and that the national safety therefor requires the invocation

11 of the emergency authority provided for by federal law. Civil defense
 12 emergency also means an enemy attack or other hostile action within the
 13 State of Nebraska or a determination by the President of the United
 14 States that any attack has been made upon or is anticipated within a
 15 designated geographic area which includes all or a part of the State of
 16 Nebraska. Any such emergency shall terminate in the manner provided by
 17 federal law or by proclamation of the Governor or resolution of the
 18 Legislature terminating such emergency;

19 (2) Disability has the same meaning as in 42 U.S.C. 12102, as such
 20 section existed on January 1, 2022;

21 (3) ~~(2)~~ Disaster means any event or the imminent threat thereof
 22 causing widespread or severe damage, injury, or loss of life or property
 23 resulting from any natural or manmade cause;

24 (4) ~~(3)~~ Emergency means any event or the imminent threat thereof
 25 causing serious damage, injury, or loss of life or property resulting
 26 from any natural or manmade cause which, in the determination of the
 1 Governor or the principal executive officer of a local government,
 2 requires immediate action to accomplish the purposes of the Emergency
 3 Management Act and to effectively respond to the event or threat of the
 4 event;

5 (5) (4) Emergency management means the preparation for and the
 6 carrying out of all emergency functions, other than functions for which
 7 military forces are primarily responsible, to mitigate, prevent,
 8 minimize, respond to, and recover from injury and damage resulting from
 9 disasters, emergencies, or civil defense emergencies. Emergency
 10 management functions include, but need not be limited to, firefighting
 11 services, police services, medical and health services, search and rescue
 12 services, engineering services, communications and warning systems,
 13 radiological preparedness, hazardous materials response, evacuation of
 14 persons from stricken areas, emergency welfare services, emergency
 15 transportation services, restoration of public utility services, and
 16 other functions related to civilian protection, together with all other
 17 activities necessary or incidental to the preparation for and carrying
 18 out of the functions listed in this subdivision;

19 (6) ~~(5)~~ Emergency management worker includes any full-time or part-
 20 time paid, volunteer, or auxiliary employee of this state or other
 21 states, territories, or possessions of the federal government or any
 22 neighboring country or of any political subdivision thereof, of the
 23 District of Columbia, or of any agency or organization performing
 24 emergency management services at any place in this state subject to the
 25 order or control of or pursuant to a request of the state government or
 26 any political subdivision thereof and also includes instructors and
 27 students in emergency management educational programs approved by the
 28 Nebraska Emergency Management Agency or otherwise under the provisions of
 29 the Emergency Management Act;

30 (7) Functional needs means additional needs before, during, and
 31 after a disaster or an emergency in one or more functional areas,
 1 including, but not limited to, maintaining independence, communication,
 2 transportation, safety, support, and health care;

3 (8) ~~(6)~~ Hazard mitigation means measures which will eliminate or
 4 reduce the potential for damage to an area or facility from the effects
 5 of a future disaster, emergency, or civil defense emergency;

6 (9) ~~(7)~~ Local government means a county, village, or city of any
 7 class;

8 (10) ~~(8)~~ Political subdivision means a city, village, county, school
 9 district, public power district, natural resources district, and any
 10 other unit of government below the state level, including any entity
 11 created pursuant to the Interlocal Cooperation Act or the Joint Public
 12 Agency Act;

13 (11) ~~(9)~~ Principal executive officer means the mayor in a city of

14 any class or the elected chairperson of the governing body of a village
15 or county;

16 ~~(12) (40)~~ State emergency response team means an organization for
17 emergency management established in accordance with the provisions of
18 sections 81-829.52 to 81-829.54 by state authority to supplement city,
19 village, county, or interjurisdictional emergency management
20 organizations in a stricken area; and

21 ~~(13) (44)~~ Technological hazard means a hazard emanating from the
22 manufacture, transportation, and use of such substances as radioactive
23 materials, chemicals, explosives, flammables, agricultural pesticides,
24 herbicides, disease agents, oil spills, and debris from space.

25 Sec. 7. Section 81-829.41, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 81-829.41 (1) The Nebraska Emergency Management Agency shall be
28 maintained in the office of the Adjutant General. The Adjutant General
29 shall be the director of the agency, shall administer the Emergency
30 Management Act subject to the direction and control of the Governor, and
31 shall receive such compensation for these services as shall be determined
1 by the Governor. The agency shall have an assistant director and such
2 other professional, technical, secretarial, and clerical employees as are
3 necessary for the performance of its functions.

4 (2) The agency shall maintain an emergency operations plan and keep
5 it current. The plan may include, but need not be limited to:

6 (a) A history of Nebraska disasters, emergencies, and civil defense
7 emergencies;

8 (b) An analysis of past and potential disasters, emergencies, and
9 civil defense emergencies, including an identification of the functions
10 and resources required to cope with such occurrences. The expected
11 frequency of occurrence, along with the severity of effect, shall
12 indicate the priority of preparedness efforts of the emergency management
13 organizations of the state;

14 (c) Measures to be undertaken to accomplish damage assessment and
15 situation analysis, warning, direction and control, coordination of
16 operating forces, emergency resource management, emergency information
17 and official instructions, communications and other necessary support to
18 emergency response operations, and coordination and cooperation of
19 federal, state, local, and nongovernmental agencies so as to provide a
20 prompt and effective response to disasters, emergencies, and civil
21 defense emergencies to prevent and minimize the injury and damage;

22 (d) The provision of relief and recovery assistance to individuals,
23 political subdivisions of the state, and state agencies;

24 (e) Identification of areas of the state particularly vulnerable to
25 disaster, emergency, or civil defense emergency;

26 (f) Recommendations for preventive and preparedness measures
27 designed to eliminate or reduce disasters, emergencies, or civil defense
28 emergencies or their impact, including, but not limited to, zoning,
29 building, and other land-use control, and safety measures for securing
30 mobile homes or other nonpermanent or semipermanent structures;

31 (g) Authorization and procedures for the erection or other
1 construction of temporary works designed to protect against or mitigate
2 danger, damage, or loss from flood, conflagration, or other disaster,
3 emergency, or civil defense emergency;

4 (h) Assistance in designing city, village, county, and
5 interjurisdictional emergency operations plans;

6 (i) Preparation and distribution to the appropriate state and
7 political subdivision officials of catalogs of federal, state, and
8 private disaster assistance programs; and

9 (j) Other necessary matters.

10 (3) The Nebraska Emergency Management Agency shall take an integral
11 part in the development and revision of city, village, county, and

12 interjurisdictional emergency operations plans prepared under section
13 81-829.46. It shall employ or otherwise secure the services of
14 professional and technical personnel capable of providing expert
15 assistance to political subdivisions and to city, village, county, and
16 interjurisdictional emergency management organizations. Such personnel
17 shall consult with such political subdivisions and organizations on a
18 regularly scheduled basis and shall make field examinations of the areas,
19 circumstances, and conditions to which particular city, village, county,
20 and interjurisdictional emergency operations plans are intended to apply
21 and may suggest or require revisions.

22 (4) In preparing and revising the Nebraska emergency operations
23 plans, the agency shall seek the advice and assistance of other agencies
24 of government and the private sector, including organizations providing
25 advocacy or other services to persons with disabilities or who have
26 functional needs. In advising city, village, county, and
27 interjurisdictional emergency management organizations, the Nebraska
28 Emergency Management Agency shall encourage them to also seek advice from
29 these sources.

30 (5) The Nebraska emergency operations plans or any part thereof may
31 be incorporated in rules or regulations of the agency.

1 (6) The agency shall:

2 (a) Determine the requirements of the state and its political
3 subdivisions for basic necessities such as food, clothing, and shelter in
4 various disaster, emergency, or civil defense emergency situations;

5 (b) Procure and pre-position emergency supplies, materials, and
6 equipment;

7 (c) Adopt and promulgate rules and regulations setting out standards
8 and requirements for city, village, county, and interjurisdictional
9 emergency operations plans;

10 (d) Periodically review city, village, county, and
11 interjurisdictional emergency operations plans;

12 (e) Provide for state emergency response teams;

13 (f) Establish and operate or assist local governments, their
14 emergency management organizations, and interjurisdictional emergency
15 management organizations in establishing and operating training programs
16 and programs of public information;

17 (g) Make surveys of such industries, resources, and facilities, both
18 public and private, within the state as are necessary to carry out the
19 purposes of the Emergency Management Act;

20 (h) Plan and make arrangements for the availability and use of any
21 private facilities, services, and property and, if necessary and if in
22 fact used, provide for payment for use under terms and conditions agreed
23 upon;

24 (i) Establish a register of persons and organizations with training
25 and skills important in disaster prevention, mitigation, preparedness,
26 response, and recovery and emergency management;

27 (j) Establish a register of mobile and construction equipment and
28 temporary housing available for use in a disaster or emergency;

29 (k) Prepare for issuance by the Governor proclamations, orders,
30 rules, and regulations as are necessary or appropriate in coping with
31 disasters, emergencies, and civil defense emergencies;

1 (l) Cooperate with the federal government and any public or private
2 agency or entity in achieving any purpose of the act and in implementing
3 programs for disaster prevention, mitigation, preparedness, response, and
4 recovery and emergency management;

5 (m) Coordinate state emergency response as directed by the Governor;

6 (n) Cooperate with other emergency management agencies and public
7 agencies in the development of emergency management registries which
8 include persons with disabilities or who have functional needs and the
9 families and guardians of such persons for purposes of planning for

10 assistance for such persons and their families and guardians before,
11 during, and after a disaster or other emergency. Participation in an
12 emergency management registry by persons with functional needs and their
13 families shall be voluntary. Information obtained by emergency management
14 agencies or other public agencies for such purposes shall not be
15 considered a public record under section 84-712.01. All information
16 acquired pursuant to this subdivision is confidential and shall not be
17 disclosed or released except to other agencies which have a legitimate
18 and official interest in the information for carrying out the purposes of
19 this subdivision. Any person acquiring information pursuant to this
20 subdivision who intentionally discloses or releases such information in
21 violation of this subdivision is guilty of a Class III misdemeanor; and
22 (o) Do other things necessary, incidental, or appropriate for the
23 implementation of the act.
24 Sec. 8. Original sections 81-829.39 and 81-829.41, Reissue Revised
25 Statutes of Nebraska, are repealed.

Senator Aguilar filed the following amendment to LB1012:

[AM2425](#)

(Amendments to Standing Committee amendments, AM2000)

1 1. On page 24, strike beginning with "For" in line 25 through the
2 period in line 29 and show as stricken.

Senator J. Cavanaugh filed the following amendment to LB939:

[AM2433](#) is available in the Bill Room.

Senator J. Cavanaugh filed the following amendment to LB939:

[AM2432](#) is available in the Bill Room.

GENERAL FILE

LEGISLATIVE BILL 1013. Senator Lathrop renewed his amendment, [FA80](#), found on page 786 and considered in this day's Journal, to the committee amendment.

SPEAKER HILGERS PRESIDING

Pending.

VISITOR(S)

Visitors to the Chamber were Alex and Mac Sissel, and Elum Schaefer from Fremont Middle School and Johnson Crossing, Fremont; fourth-grade students and their teachers from St. Wenceslaus, Wahoo; fourth- and fifth-grade students and their teachers from Guardian Angels Central, West Point; fifth-grade students and their teachers from Norfolk Middle School, Norfolk; and seventh- and twelfth-grade students and their teachers from Cambridge Public Schools, Cambridge.

The Doctor of the Day was Dr. Dale Michels of Walton.

ADJOURNMENT

At 3:16 p.m., on a motion by Senator Clements, the Legislature adjourned until 9:00 a.m., Tuesday, March 22, 2022.

Patrick J. O'Donnell
Clerk of the Legislature

FORTY-FIFTH DAY - MARCH 22, 2022**LEGISLATIVE JOURNAL****ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION****FORTY-FIFTH DAY**

Legislative Chamber, Lincoln, Nebraska
Tuesday, March 22, 2022

PRAYER

The prayer was offered by Senator Hilkemann.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Geist.

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 Senator Pahls who was excused; and Senators Albrecht, Arch, Bostar, M. Cavanaugh, Day, DeBoer, B. Hansen, M. Hansen, Hunt, McCollister, Morfeld, Pansing Brooks, Vargas, Walz, Williams, and Wishart who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

Page 818, after line 4, insert:
Senator M. Cavanaugh requested a point of order.

The M. Cavanaugh requested point of order was not recognized by the Chair.

The Journal for the fortieth day was approved as corrected.

Page 853, before line 2, insert:
AMENDMENT(S) - REFILE IN JOURNAL

Senator Morfeld refiled his amendment, AM2297, found on page 802 and withdrawn on page 812, to LB773.

The Journal for the forty-first day was approved as corrected.

The Journal for the forty-fourth day was approved.

COMMITTEE REPORT(S)
Appropriations

LEGISLATIVE BILL 1014. Placed on General File with amendment.
[AM2330](#) is available in the Bill Room.

(Signed) John Stinner, Chairperson

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE BILL 1011. Placed on Select File with amendment.

[ER150](#)

1. In the Standing Committee amendments, AM1999:
2 a. On page 19, line 15, strike "Services" and insert "Service";
3 b. On page 79, line 30, after "Water" insert "Irrigation";
4 c. On page 92, line 15, strike "Control" and insert "Cash"; and
5 d. On page 95, line 6, strike "Control" and insert "Cash".
6 2. On page 1, strike lines 2 through 7 and insert "sections 24, 48,
7 81, 89, 95, 96, 98, 103, 104, 110, 111, 116, 120, 136, 156, 158, 198,
8 217, 246, 261, 262, 266, and 267; and Laws 2021, LB383, sections 9, 10,
9 22, 23, 24, and 37; to define terms; to provide, change, and eliminate
10 appropriations for operation of state government; to repeal the original
11 sections; to outright repeal Laws 2021, LB396A, section 1; and to declare
12 an emergency."

(Signed) Terrell McKinney, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 343. Introduced by Hughes, 44.

WHEREAS, the 2022 Nebraska School Activities Association State Speech Championships were held from March 16 through March 18 at Kearney High School; and

WHEREAS, junior Gavin Smith competed for Perkins County School in the Class C-2 Persuasive Speaking category; and

WHEREAS, Gavin defeated five other contestants in the final round with a score of one hundred forty-seven and won the Class C-2 Persuasive Speaking State Championship; 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 Gavin Smith on winning the 2022 Class C-2 Persuasive Speaking State Speech Championship.

2. That copies of this resolution be sent to Perkins County School and Gavin Smith.

Laid over.

GENERAL FILE

LEGISLATIVE BILL 1013. Committee [AM2001](#), found on page 813 and considered on page 890, was renewed.

Senator Lathrop renewed his amendment, [FA80](#), found on page 786 and considered on pages 890 and 895, to the committee amendment.

Senator Wayne offered the following motion:

[MO166](#)

Recommit to Appropriations Committee.

Senator Wayne withdrew his motion to recommit to committee.

Senator Stinner offered the following motion:

[MO167](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Stinner moved for a call of the house. The motion prevailed with 29 ayes, 2 nays, and 18 not voting.

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

Voting in the affirmative, 39:

Aguilar	Briese	Halloran	Linehan	Sanders
Albrecht	Clements	Hansen, B.	Lowe	Slama
Arch	DeBoer	Hilgers	McCollister	Stinner
Blood	Dorn	Hilkemann	McDonnell	Vargas
Bostar	Erdman	Jacobson	Morfeld	Walz
Bostelman	Flood	Kolterman	Moser	Williams
Brandt	Geist	Lathrop	Murman	Wishart
Brewer	Gragert	Lindstrom	Pansing Brooks	

Voting in the negative, 4:

Friesen Hunt McKinney Wayne

Present and not voting, 4:

Cavanaugh, J. Cavanaugh, M. Hansen, M. Hughes

Excused and not voting, 2:

Day Pahls

The Stinner motion to invoke cloture prevailed with 39 ayes, 4 nays, 4 present and not voting, and 2 excused and not voting.

The Lathrop amendment lost with 3 ayes, 37 nays, 7 present and not voting, and 2 excused and not voting.

The committee amendment was adopted with 40 ayes, 3 nays, 4 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 39 ayes, 4 nays, 4 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

MOTION(S) - Print in Journal

Senator Wayne filed the following motion to LB334:

[MO161](#)

Place on General File pursuant to Rule 3, Section 20(b).

AMENDMENT(S) - Print in Journal

Senator Brandt filed the following amendment to LB1014:

[AM2444](#)

(Amendments to Standing Committee amendments, AM2330)

- 1 1. On page 6, strike beginning with "grants" in line 10 through
- 2 "processors" in line 11 and insert "the Independent Processor Assistance
- 3 Program".

Senator Lathrop filed the following amendment to LB920:

[AM2462](#)

(Amendments to Standing Committee amendments, AM2286)

- 1 1. On page 31, line 26, strike "State Court Administrator" and
- 2 insert "probation administrator".

Senator Lathrop filed the following amendment to LB920:

[AM2463](#) is available in the Bill Room.

Senator Lathrop filed the following amendment to LB920:

[AM2468](#)

(Amendments to AM2463)

- 1 1. On page 23, line 6; and page 25, line 19, strike "necessitate"
- 2 and insert "support".

Senator Briese filed the following amendment to LB939:

[AM2453](#) is available in the Bill Room.

Senator Wayne filed the following amendment to [LB1014](#):

[AM2478](#)

(Amendments to Standing Committee amendments, AM2330)

1. On page 28, strike lines 27 through 30.
2. On page 29, line 1, strike "(5)" and insert "(4)"; in lines 2 and 3 strike "Qualified Census Tract"; in line 6 after "tracts" insert "located in a city of the metropolitan class"; in line 10 strike "(6)" and insert "(5)"; and in line 13 strike "(7)" and insert "(6)".

NOTICE OF COMMITTEE HEARING(S)

Health and Human Services
Room 1510 8:30 AM

Monday, April 11, 2022

Hearing on the Community Block Grant State Plan by the Department of Health and Human Services.

(Signed) John Arch, Chairperson

MOTION(S) - Print in Journal

Senator M. Cavanaugh filed the following motion to [LB939](#):

[MO162](#)

Bracket until March 25, 2022.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 752A. Introduced by Arch, 14; DeBoer, 10.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 752, One Hundred Seventh Legislature, Second Session, 2022.

LEGISLATIVE BILL 1024A. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1024, One Hundred Seventh Legislature, Second Session, 2022; and to declare an emergency.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 344. Introduced by Murman, 38.

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, sophomore Braxton Hammond wrestled for the Southern Valley High School wrestling team coached by Dexter Becker; and

WHEREAS, Braxton won the Class D 106-pound championship match; and

WHEREAS, Braxton defeated four other seeded opponents, including two higher seeds; 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 Braxton Hammond on winning the 2022 Class D 106-pound State Wrestling Championship.
2. That copies of this resolution be sent to Southern Valley High School, coach Dexter Becker, and Braxton Hammond.

Laid over.

LEGISLATIVE RESOLUTION 345. Introduced by Lowe, 37; Brewer, 43; Briese, 41; Halloran, 33; McCollister, 20; McKinney, 11; Murman, 38; Wayne, 13; Williams, 36.

WHEREAS, the University of Nebraska at Kearney Lopers men's wrestling team won the 2022 Division II National Championship in St. Louis on March 12; and

WHEREAS, this is the third wrestling national championship won by the Lopers and the first since 2013; and

WHEREAS, the Lopers sent nine wrestlers to nationals, the most in Division II, including Matt Malcom, Josh Portillo, Sam Turner, Wesley Dawkins, and Billy Higgins; and

WHEREAS, Matt Malcom won a second national championship in the 165-pound division by defeating the previously undefeated Shane Gantz of Wisconsin-Parkside; and

WHEREAS, Josh Portillo earned second place in the 125-pound division, Sam Turner earned second place in the 149-pound division, Wesley Dawkins earned third place in the 133-pound division, and Billy Higgins earned third place in the 184-pound division; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the students 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 University of Nebraska at Kearney men's wrestling team on winning the 2022 Division II National Championship.
2. That copies of this resolution be sent to the University of Nebraska at Kearney and the University of Nebraska at Kearney men's wrestling team.

Laid over.

RECESS

At 11:58 a.m., on a motion by Senator Erdman, the Legislature recessed until 1:00 p.m.

AFTER RECESS

The Legislature reconvened at 1:00 p.m., Senator Arch presiding.

ROLL CALL

The roll was called and all members were present except Senator Pahls who was excused; and Senators Albrecht, Bostelman, Day, DeBoer, Friesen, Geist, B. Hansen, M. Hansen, Hughes, Moser, Murman, Pansing Brooks, and Wishart who were excused until they arrive.

COMMITTEE REPORT(S)

Government, Military and Veterans Affairs

LEGISLATIVE BILL 1205. Placed on General File with amendment.

[AM2308](#)

1 1. Strike the original sections and insert the following new
2 section:
3 Section 1. There is hereby created the Ernie Chambers History-Arts-
4 Humanities Museum Assistance Fund. The fund shall be used to contribute
5 to the construction of the Ernie Chambers History-Arts-Humanities Museum
6 to honor the legacy of Nebraska's longest-serving state senator and to
7 educate the public on the legacy of the unique Nebraska Unicameral
8 Legislature and the contributions made to the Legislature by Senator
9 Chambers. The Nebraska State Historical Society shall administer the fund
10 and may spend up to ten percent of the money available in the fund for
11 administration of the fund. The fund shall consist of transfers
12 authorized by the Legislature and funds from any federal and state
13 sources. Any money in the fund available for investment shall be invested
14 by the state investment officer pursuant to the Nebraska Capital
15 Expansion Act and the Nebraska State Funds Investment Act.

(Signed) Tom Brewer, Chairperson

GENERAL FILE

LEGISLATIVE BILL 1024. Title read. Considered.

Committee [AM1920](#), found on page 609, was offered.

Senator Wayne withdrew his amendment, [AM1989](#), found on page 621, to the committee amendment.

Senator Wayne offered his amendment, [AM2341](#), found on page 860, to the committee amendment.

SENATOR WILLIAMS PRESIDING

The Wayne amendment was adopted with 29 ayes, 0 nays, 18 present and not voting, and 2 excused and not voting.

Pending.

AMENDMENT(S) - Print in Journal

Senator Gragert filed the following amendment to LB809:
AM2501

(Amendments to Standing Committee amendments, AM2004)

1 1. Insert the following new sections:

2 Sec. 7. The Community Water Projects Cash Fund is created. The fund
3 shall be administered by the Department of Environment and Energy. The
4 State Treasurer shall credit to the fund any money transferred to the
5 fund by the Legislature. The fund shall be used to provide grant
6 assistance for a rural drinking water project that serves rural water
7 connections and at least four communities in two contiguous counties in
8 order to convert to ground water sources and to provide for water system
9 infrastructure and distribution. Any money in the fund available for
10 investment shall be invested by the state investment officer pursuant to
11 the Nebraska Capital Expansion Act and the Nebraska State Funds
12 Investment Act. Any investment earnings from investment of money in the
13 fund shall be credited to the fund.

14 Sec. 13. Section 84-612, Revised Statutes Supplement, 2021, is
15 amended to read:

16 84-612 (1) There is hereby created within the state treasury a fund
17 known as the Cash Reserve Fund which shall be under the direction of the
18 State Treasurer. The fund shall only be used pursuant to this section.

19 (2) The State Treasurer shall transfer funds from the Cash Reserve
20 Fund to the General Fund upon certification by the Director of
21 Administrative Services that the current cash balance in the General Fund
22 is inadequate to meet current obligations. Such certification shall
23 include the dollar amount to be transferred. Any transfers made pursuant
24 to this subsection shall be reversed upon notification by the Director of
25 Administrative Services that sufficient funds are available.

26 (3) In addition to receiving transfers from other funds, the Cash
1 Reserve Fund shall receive federal funds received by the State of
2 Nebraska for undesignated general government purposes, federal revenue
3 sharing, or general fiscal relief of the state.

4 (4) The State Treasurer shall transfer fifty-four million seven
5 hundred thousand dollars on or after July 1, 2019, but before June 15,
6 2021, from the Cash Reserve Fund to the Nebraska Capital Construction
7 Fund on such dates and in such amounts as directed by the budget
8 administrator of the budget division of the Department of Administrative
9 Services.

10 (5) The State Treasurer shall transfer thirty million dollars from
11 the Cash Reserve Fund to the General Fund after November 15, 2020, but
12 before December 31, 2020, on such date as directed by the budget
13 administrator of the budget division of the Department of Administrative
14 Services. Except for the transfer authorized in this subsection, no funds
15 shall be transferred from the Cash Reserve Fund to fulfill the
16 obligations created under the Nebraska Property Tax Incentive Act unless
17 the balance in the Cash Reserve Fund after such transfer will be at least
18 equal to five hundred million dollars.

19 (6) The State Treasurer shall transfer fifty million dollars from
20 the Cash Reserve Fund to the United States Space Command Headquarters
21 Assistance Fund on or before June 30, 2023, but not before July 1, 2022,

22 on such dates and in such amounts as directed by the budget administrator
 23 of the budget division of the Department of Administrative Services. The
 24 transfer in this subsection shall not occur unless the State of Nebraska
 25 is selected as the site of the United States Space Command headquarters.
 26 (7) The State Treasurer shall transfer fifteen million dollars from
 27 the Cash Reserve Fund to the Community Water Projects Cash Fund on or
 28 after August 1, 2022, but before June 30, 2023, on such dates and in such
 29 amounts as directed by the budget administrator of the budget division of
 30 the Department of Administrative Services.
 31 2. Renumber the remaining sections and correct the repealer
 1 accordingly.

Senator Gragert filed the following amendment to [LB809A](#):
[AM2442](#)

1 1. Insert the following new section:
 2 Sec. 2. There is hereby appropriated (1) \$15,000,000 from the
 3 Community Water Projects Cash Fund for FY2022-23 and (2) \$-0- from the
 4 Community Water Projects Cash Fund for FY2023-24 to the Department of
 5 Environment and Energy, for Program 513, to aid in carrying out the
 6 provisions of Legislative Bill 809, One Hundred Seventh Legislature,
 7 Second Session, 2022. There is included in the appropriation to this
 8 program for FY2022-23 \$15,000,000 Cash Funds for state aid, which shall
 9 only be used for such purpose.

Senator Lathrop filed the following amendment to [LB1013](#):
[FA135](#)

Strike "two hundred fifteen million five hundred eighty thousand" in section 1 and insert "half a billion"

Senator Lathrop filed the following amendment to [LB1011](#):
[FA136](#)

Strike "\$286,881,233" in section 156 and insert "\$300,000,000"

Senator DeBoer filed the following amendment to [LB1014](#):
[AM2472](#)

(Amendments to Standing Committee amendments, AM2330)

1 1. On page 8, line 15, strike "\$10,000,000" and insert
 2 "\$17,500,000"; and in line 22 strike "\$10,000,000" and insert
 3 "\$2,500,000".

Senator Gragert filed the following amendment to [LB1014](#):
[AM2486](#)

(Amendments to Standing Committee amendments, AM2330)

1 1. Insert the following new section:
 2 Sec. 49. AGENCY NO. 84 — DEPARTMENT OF ENVIRONMENT AND ENERGY
 3 Program No. 528 - Drinking Water Facilities Loan Fund
 4

	<u>FY2021-22</u>	<u>FY2022-23</u>
5 <u>FEDERAL FUND</u>	-0-	15,000,000
6 <u>PROGRAM TOTAL</u>	-0-	15,000,000

 7 There is included in the appropriation to this program for FY2022-23
 8 \$15,000,000 Federal Funds estimate for state aid, which shall only be
 9 used for such purpose.
 10 There is included in the amount shown as aid for this program for
 11 FY2022-23 \$15,000,000 Federal Funds to provide grant assistance for a
 12 rural drinking water project that serves rural water connections and at
 13 least four communities in two contiguous counties in order to convert to
 14 ground water sources and to provide for water system infrastructure and

- 15 distribution, which shall only be used for such purpose.
 16 2. On page 24, lines 27 and 28, strike "44,000,000" and insert
 17 "38,000,000".
 18 3. On page 25, line 2, strike "\$44,000,000" and insert
 19 "\$38,000,000".
 20 4. On page 26, line 3, strike "\$10,000,000" and insert "\$4,000,000".
 21 5. Renumber the remaining section accordingly.

Senator Hunt filed the following amendment to LB1014:
AM2446

(Amendments to Standing Committee amendments, AM2330)

- 1 1. On page 8, lines 3 and 4, strike "20,000,000" and insert
 2 "40,000,000"; in lines 6 and 9 strike "\$20,000,000" and insert
 3 "\$40,000,000"; and in lines 15 and 22 strike "\$10,000,000" and insert
 4 "\$20,000,000".
 5 2. On page 34, lines 22 and 23, strike "47,700,000" and insert
 6 "27,700,000".

Senator J. Cavanaugh filed the following amendment to LB1014:
AM2488

(Amendments to Standing Committee amendments, AM2330)

- 1 1. Insert the following new section:
 2 Sec. 16. AGENCY NO. 25 — DEPARTMENT OF HEALTH AND HUMAN SERVICES
 3 Program No. 347 - Public Assistance
 4

	<u>FY2021-22</u>	<u>FY2022-23</u>
5 <u>FEDERAL FUND</u>	<u>-0-</u>	<u>8,000,000</u>
6 <u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>8,000,000</u>

 7 (1) There is included in the appropriation to this program for
 8 FY2022-23 \$8,000,000 Federal Funds for state aid, which shall only be
 9 used for such purpose.
 10 (2) There is included in the amount shown as aid for this program
 11 for FY2022-23 \$8,000,000 Federal Funds for the Homeless Shelter
 12 Assistance Program.
 13 (3)(a) The Department of Health and Human Services shall use the
 14 funds appropriated in this section for the Nebraska Homeless Assistance
 15 Program for grants to any nonprofit organization that has the status of a
 16 tax-exempt organization under 501(c) of the Internal Revenue Code.
 17 (b) Grants awarded pursuant to this section shall be used to
 18 support:
 19 (i) The operational capacity of organizations providing emergency
 20 housing support services; or
 21 (ii) Legal organizations providing services for persons facing
 22 homelessness, including staffing capacity.
 23 (4) Expenditures from the appropriation to this program shall not be
 24 restricted to state aid if operating and administrative expenditures are
 25 necessary to administer the funding appropriated pursuant to this
 26 section. In such instances, an agency, board, or commission shall be
 1 reimbursed through the Federal Fund appropriation to the Military
 2 Department, Agency No. 31, Program No. 191, as identified in section 28
 3 of this act.
 4 2. On page 17, lines 27 and 28, strike "23,100,000" and insert
 5 "15,100,000"; and in line 30 strike "\$23,100,000" and insert
 6 "\$15,100,000".
 7 3. On page 18, line 3, strike "\$23,100,000" and insert
 8 "\$15,100,000".
 9 4. Renumber the remaining sections and correct internal references
 10 accordingly.

Senator Murman filed the following amendment to LB1014:

AM2476

(Amendments to Standing Committee amendments, AM2330)

1 1. Insert the following new sections:

2 Sec. 15. AGENCY NO. 25 — DEPARTMENT OF HEALTH AND HUMAN SERVICES

3 Program No. 175 - Rural Health Provider Incentive Program

4		<u>FY2021-22</u>	<u>FY2022-23</u>
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5	<u>FEDERAL FUND</u>	<u>5,000,000</u>	<u>-0-</u>
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6	<u>PROGRAM TOTAL</u>	<u>5,000,000</u>	<u>-0-</u>
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7 There is included in the appropriation to this program for FY2021-22

8 \$5,000,000 Federal Funds for state aid, which shall only be used for such

9 purpose.

10 There is included in the amount shown as aid for this program for

11 FY2021-22 \$5,000,000 Federal Funds for repayment of qualified educational

12 debts owed by eligible health professionals as provided in section

13 71-5662.

14 Sec. 16. AGENCY NO. 25 — DEPARTMENT OF HEALTH AND HUMAN SERVICES

15 Program No. 176 - Nursing Incentives

16		<u>FY2021-22</u>	<u>FY2022-23</u>
----	--	------------------	------------------

17	<u>FEDERAL FUND</u>	<u>5,000,000</u>	<u>-0-</u>
----	---------------------	------------------	------------

18	<u>PROGRAM TOTAL</u>	<u>5,000,000</u>	<u>-0-</u>
----	----------------------	------------------	------------

19 (1) There is included in the appropriation to this program for

20 FY2021-22 \$5,000,000 Federal Funds for state aid, which shall only be

21 used for such purpose.

22 (2) There is included in the amount shown as aid for this program

23 for FY2021-22 \$5,000,000 Federal Funds for scholarships to students (a)

24 residing in Nebraska, (b) intending to enroll or enrolled in a nursing

25 program that (i) is approved pursuant to sections 38-2232 to 38-2236,

26 (ii) is offered by a public or private postsecondary institution in

1 Nebraska, and (iii) consists of courses of instruction in regularly

2 scheduled classes leading only to an associate degree, diploma, or

3 certificate in nursing or an accelerated bachelor of science in nursing

4 degree, (c) intending to practice as a licensed practical nurse, licensed

5 registered nurse, or nurse aide upon completion of the approved nursing

6 program, and (d) agreeing in writing to work for two years in this state

7 as a licensed practical nurse, licensed registered nurse, or nurse aide

8 upon completion of the approved nursing program. Each qualifying student

9 shall receive a scholarship of up to \$2,500 per semester.

10 2. On page 20, lines 24 and 25, strike "25,000,000 35,000,000" and

11 insert "21,000,000 31,000,000"; in line 27 strike "\$25,000,000" and

12 insert "\$21,000,000"; and in line 29 strike "\$35,000,000" and insert

13 "\$31,000,000".

14 3. On page 35, lines 19 and 20, strike "15,000,000" and insert

15 "13,000,000"; and in line 22 strike "\$15,000,000" and insert

16 "\$13,000,000".

17 4. On page 36, lines 2 and 3, strike "\$5,000,000" and insert

18 "\$4,000,000".

19 5. Renumber the remaining sections and correct internal references

20 accordingly.

Senator Clements filed the following amendment to LB1241:

AM2485

(Amendments to E&R amendments, ER111)

1 1. Insert the following new sections:

2 Sec. 5. Sections 5 to 12 of this act shall be known and may be

3 cited as the Law Enforcement Attraction and Retention Act.

4 Sec. 6. (1) The Legislature finds that:

5 (a) The State of Nebraska and cities and counties in this state have

6 experienced a dramatic decrease in applications for law enforcement

7 officer positions;

8 (b) Law enforcement officers in Nebraska are leaving the law

9 enforcement profession;

10 (c) Law enforcement agencies are not retaining law enforcement

11 officers at a rate sufficient to ensure public safety;

12 (d) Law enforcement officers are the critical element of public

13 safety in Nebraska communities; and

14 (e) Maintaining a robust law enforcement workforce is in the best

15 interests of all Nebraskans.

16 (2) The purpose of the Law Enforcement Attraction and Retention Act

17 is to provide financial incentives to attract and retain law enforcement

18 officers.

19 Sec. 7. For purposes of the Law Enforcement Attraction and

20 Retention Act:

21 (1) Council means the Nebraska Police Standards Advisory Council;

22 and

23 (2) Law enforcement officer has the same meaning as in section

24 81-1401.

25 Sec. 8. (1) The council shall accept applications for retention

26 incentive payments from individual law enforcement officers in Nebraska.

1 (2) To be eligible for a tier 1 retention incentive payment, a law

2 enforcement officer must complete twelve months of full-time employment

3 as a law enforcement officer after July 1, 2022. No law enforcement

4 officer shall receive more than one tier 1 retention incentive payment.

5 (3) To be eligible for a tier 2 retention incentive payment, a law

6 enforcement officer must complete three years of full-time employment as

7 a law enforcement officer after July 1, 2022. No law enforcement officer

8 shall receive more than one tier 2 retention incentive payment.

9 (4) To be eligible for a tier 3 retention incentive payment, a law

10 enforcement officer must complete five years of full-time employment as a

11 law enforcement officer after July 1, 2022. No law enforcement officer

12 shall receive more than one tier 3 retention incentive payment.

13 (5) Full-time law enforcement officers employed by a law enforcement

14 agency that employs more than seventy-five full-time law enforcement

15 officers shall only be eligible for a tier 1 retention incentive payment,

16 and such payment shall be seven hundred fifty dollars.

17 (6) For full-time law enforcement officers employed by a law

18 enforcement agency that employs seventy-five or fewer full-time law

19 enforcement officers:

20 (a) The tier 1 retention incentive payment shall be one thousand

21 five hundred dollars;

22 (b) The tier 2 retention incentive payment shall be two thousand

23 five hundred dollars; and

24 (c) The tier 3 retention incentive payment shall be three thousand

25 dollars.

26 Sec. 9. (1) The council shall accept applications for grants from

27 law enforcement agencies in Nebraska. The grants shall be used to provide

28 hiring bonuses to newly hired full-time law enforcement officers.

29 (2) A law enforcement agency shall be eligible for a grant under

30 this section if:

31 (a) The law enforcement agency employs fewer than one hundred fifty

1 full-time law enforcement officers; and

2 (b) The law enforcement agency is not at the recommended level of

3 staffing under standards set by the council.

4 Sec. 10. The council may adopt and promulgate rules and regulations

5 to carry out the Law Enforcement Attraction and Retention Act.

6 Sec. 11. It is the intent of the Legislature to appropriate five

7 million dollars each fiscal year to the Nebraska Commission on Law

8 Enforcement and Criminal Justice for purposes of carrying out the Law

9 Enforcement Attraction and Retention Act.

10 Sec. 12. The Law Enforcement Attraction and Retention Act terminates
 11 on June 30, 2028.
 12 Sec. 13. Sections 5, 6, 7, 8, 9, 10, 11, and 12 of this act become
 13 operative on July 1, 2022. The other sections of this act become
 14 operative on their effective date.
 15 2. Renumber the remaining sections accordingly.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 346. Introduced by Morfeld, 46; Aguilar, 35; Albrecht, 17; Arch, 14; Blood, 3; Bostar, 29; Bostelman, 23; Brandt, 32; Brewer, 43; Briese, 41; Cavanaugh, J., 9; Cavanaugh, M., 6; Clements, 2; Day, 49; DeBoer, 10; Dorn, 30; Erdman, 47; Flood, 19; Friesen, 34; Geist, 25; Gragert, 40; Halloran, 33; Hansen, B., 16; Hansen, M., 26; Hilgers, 21; Hilkemann, 4; Hughes, 44; Hunt, 8; Jacobson, 42; Kolterman, 24; Lathrop, 12; Lindstrom, 18; Linehan, 39; Lowe, 37; McCollister, 20; McDonnell, 5; McKinney, 11; Moser, 22; Murman, 38; Pansing Brooks, 28; Sanders, 45; Slama, 1; Stinner, 48; Vargas, 7; Walz, 15; Wayne, 13; Williams, 36; Wishart, 27.

WHEREAS, on February 24, 2022, a massive military assault was launched by the Russian government on the sovereign democratic nation of Ukraine; and

WHEREAS, the continuing assault has been met by the strong resistance of the Ukrainian military joined by armed civilians; and

WHEREAS, Russian attacks on nonmilitary, residential areas of Ukraine's cities have forced the evacuation of millions of civilians to neighboring countries; and

WHEREAS, the United States along with other nations have condemned the invasion and provided humanitarian and military aid.

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

1. That the Legislature stands with the Ukrainian people in the defense of their sovereign nation, its democratic values, and their very lives and calls on Nebraskans to support the Ukrainian people.

Laid over.

GENERAL FILE

LEGISLATIVE BILL 1024. Senator M. Cavanaugh offered the following amendment to the committee amendment:

[AM2479](#)

(Amendments to AM2341)

1 1. On page 1, line 3, strike "may" and insert "shall".

Senator M. Cavanaugh withdrew her amendment.

Senator Friesen offered the following amendment to the committee

amendment:

[AM2471](#)

(Amendments to AM2341)

1 1. On page 10, strike lines 3 and 4.

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

The committee amendment, as amended, was adopted with 29 ayes, 0 nays, 18 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 28 ayes, 0 nays, 19 present and not voting, and 2 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 939. [ER109](#), found on page 651, was adopted.

Senator M. Cavanaugh offered the following motion:

[MO162](#)

Bracket until March 25, 2022

Speaker requested to pass over LB939.

AMENDMENT(S) - Print in Journal

Senator J. Cavanaugh filed the following amendment to [LB939](#):

[AM2487](#) is available in the Bill Room.

NOTICE OF COMMITTEE HEARING(S)

Transportation and Telecommunications

Room 1113 12:00 PM

Tuesday, March 29, 2022

Chad J. Tessman - Nebraska Motor Vehicle Industry Licensing Board

Thomas R. McCaslin - Nebraska Motor Vehicle Industry Licensing Board

Barbara J. Keegan - Board of Public Roads Classifications and Standards

James A. Litchfield - Board of Public Roads Classifications and Standards

Edward R., Sr. Wootton - Board of Public Roads Classifications and

Standards

Brandie S. Neemann - Board of Public Roads Classifications and Standards

(Signed) Curt Friesen, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 347. Introduced by Urban Affairs Committee: Wayne, 13, Chairperson; Arch, 14; Blood, 3; Briese, 41; Hansen, M., 26; Hunt, 8; Lowe, 37.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the statutes governing metropolitan utilities districts in Chapter 14 of Nebraska Revised Statutes. The goal of the study shall be to update and modernize statutes through the elimination of obsolete, antiquated, and duplicate statutory language.

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

1. That the Urban Affairs Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 348. Introduced by Urban Affairs Committee: Wayne, 13, Chairperson; Arch, 14; Blood, 3; Briese, 41; Hansen, M., 26; Hunt, 8; Lowe, 37.

PURPOSE: The purpose of this resolution is to propose an interim study to review the occupational regulations for master plumbers. Such a review is required by section 84-948, and this study shall fulfill the requirements of the Occupational Board Reform Act. The study shall include an examination of the guidelines issued by various municipalities to determine qualifications for master plumbers pursuant to sections 18-1901 to 18-1920.

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

1. That the Urban Affairs Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 349. Introduced by Urban Affairs Committee: Wayne, 13, Chairperson; Arch, 14; Blood, 3; Briese, 41; Hansen, M., 26; Hunt, 8; Lowe, 37.

PURPOSE: The purpose of this resolution is to propose an interim study to examine any issues within the jurisdiction of the Urban Affairs Committee of the Legislature that may arise during the interim.

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

1. That the Urban Affairs 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 Blood filed the following amendment to LB1014:
AM2491

(Amendments to Standing Committee amendments, AM2330)

1 1. Insert the following new section:

2 Sec. 11. AGENCY NO. 13 — STATE DEPARTMENT OF EDUCATION

3 Program No. 25 - Education, Administration, and Support

4

	<u>FY2021-22</u>	<u>FY2022-23</u>
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5

<u>FEDERAL FUND</u>	<u>-0-</u>	<u>20,000,000</u>
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6

<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>20,000,000</u>
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7 (1) There is included in the appropriation to this program for

8 FY2022-23 \$20,000,000 Federal Funds for state aid, which shall only be
9 used for such purpose.

10 (2)(a) The State Department of Education shall administer a program
11 to provide grants to all school districts for purposes of school teacher
12 retention.

13 (b) The amount of the grant provided to each school district shall
14 be a proportionate share of the total amount appropriated under this
15 section. Each school district's share shall be based on the percentage of
16 the Nebraska population residing in such school district according to the
17 most recent federal decennial census or the most recent revised certified
18 count by the United States Bureau of the Census.

19 (c) A school district receiving such grant shall divide the grant
20 evenly among all eligible school teachers at the time of receiving the
21 grant.

22 (d) For purposes of this section, eligible school teacher means a
23 certified teacher employed by a school. Eligible school teacher does not
24 include any school administrator.

25 2. On page 31, lines 25 and 26, strike the second "50,000,000" and
26 insert "30,000,000"; and in line 30 strike "\$50,000,000" and insert
1 "\$30,000,000".

2 3. On page 32, line 6, strike "\$50,000,000" and insert
3 "\$30,000,000".

4 4. Renumber the remaining sections and correct internal references
5 accordingly.

GENERAL FILE

LEGISLATIVE BILL 121. Title read. Considered.

SENATOR HUGHES PRESIDING

Senator Hunt moved for a call of the house. The motion prevailed with 28 ayes, 5 nays, and 16 not voting.

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

Voting in the affirmative, 25:

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

Voting in the negative, 17:

Albrecht	Erdman	Hilgers	Lowe	Slama
Brewer	Flood	Hughes	Moser	
Briese	Halloran	Jacobson	Murman	
Clements	Hansen, B.	Lindstrom	Sanders	

Present and not voting, 3:

Aguilar	Arch	Linehan
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Excused and not voting, 4:

Bostelman	Friesen	Hilkemann	Pahls
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Advanced to Enrollment and Review Initial with 25 ayes, 17 nays, 3 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

LEGISLATIVE BILL 697A. Title read. Considered.

Senator M. Cavanaugh offered the following motion:

[MO168](#)

Bracket until March 25, 2022.

SENATOR ARCH PRESIDING

Senator M. Cavanaugh withdrew her motion to bracket.

Advanced to Enrollment and Review Initial with 31 ayes, 0 nays, 14 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 805A. Title read. Considered.

Senator Hughes offered his amendment, [AM2396](#), found on page 874.

Senator M. Cavanaugh offered the following motion:

[MO169](#)

Bracket until March 25, 2022.

Senator M. Cavanaugh withdrew her motion to bracket.

The Hughes amendment was adopted with 29 ayes, 1 nay, 15 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 30 ayes, 1 nay, 14 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 848A. Title read. Considered.

Senator M. Cavanaugh offered the following motion:

[MO170](#)

Bracket until March 25, 2022.

Senator M. Cavanaugh withdrew her motion to bracket.

Advanced to Enrollment and Review Initial with 33 ayes, 0 nays, 12 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 896A. Title read. Considered.

Senator M. Cavanaugh offered the following motion:

[MO171](#)

Bracket until March 25, 2022.

Senator M. Cavanaugh withdrew her motion to bracket.

Advanced to Enrollment and Review Initial with 37 ayes, 0 nays, 8 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 1112A. Title read. Considered.

Senator M. Cavanaugh offered the following motion:

[MO172](#)

Bracket until March 25, 2022.

Senator M. Cavanaugh withdrew her motion to bracket.

Advanced to Enrollment and Review Initial with 27 ayes, 0 nays, 19 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 1241A. Title read. Considered.

Senator M. Cavanaugh offered the following motion:

[MO173](#)

Bracket until March 25, 2022.

Senator M. Cavanaugh withdrew her motion to bracket.

Advanced to Enrollment and Review Initial with 29 ayes, 0 nays, 17 present and not voting, and 3 excused and not voting.

AMENDMENT(S) - Print in Journal

Senator Albrecht filed the following amendment to LB1014: AM2495

(Amendments to Standing Committee amendments, AM2330)

1 1. Insert the following new section:

2 Sec. 11. AGENCY NO. 13 — STATE DEPARTMENT OF EDUCATION

3 Program No. 25 - Education, Administration, and Support

4

	<u>FY2021-22</u>	<u>FY2022-23</u>
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5

<u>FEDERAL FUND est.</u>	<u>30,000,000</u>	<u>30,000,000</u>
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6

<u>PROGRAM TOTAL</u>	<u>30,000,000</u>	<u>30,000,000</u>
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7 (1) There is included in the appropriation to this program for
8 FY2021-22 \$30,000,000 Federal Funds estimate for state aid, which shall
9 only be used for such purpose. There is included in the appropriation to
10 this program for FY2022-23 \$30,000,000 Federal Funds estimate for state
11 aid, which shall only be used for such purpose.

12 (2) There is included in the amount shown as aid for FY2021-22
13 \$30,000,000 Federal Funds estimate to provide family-directed education
14 recovery accounts for low-income children and families impacted by the
15 COVID-19 public health emergency. There is included in the amount shown
16 as aid for FY2022-23 \$30,000,000 Federal Funds estimate for family-
17 directed education recovery accounts for low-income children and families
18 impacted by the COVID-19 public health emergency.

19 (3) The State Department of Education shall contract with an
20 organization, or other capable vendor, by July 1, 2022, to administer a
21 three-year program, for school years 2022-23, 2023-24, and 2024-25, to
22 provide family-directed education recovery accounts. The amount of
23 funding available for any school year shall be no more than \$20,000,000.
24 The department shall establish the application and application process
25 with the selected organization or vendor. The administrative costs of the
26 selected organization or vendor shall not exceed ten percent of the
1 amount of funding provided in a school year.

2 (4) A child shall be eligible to participate if the child (a) is a
3 Nebraska resident, (b) attends a public, nonpublic, or exempt school in
4 kindergarten through grade twelve, and (c) has a family income that would
5 qualify for the federal free-lunch program. The total amount of an award
6 for a child shall not exceed \$2,000 for each school year of the program.
7 If there are not sufficient funds to award to all applicants, then first
8 priority shall be for a child with demonstrated academic deficiency in
9 mathematics, science, or language arts. The next priority shall be for a
10 child who has a sibling already receiving funding. The remaining
11 applications shall be funded on a first come, first served basis.

12 (5) Funds shall be used to address the learning loss resulting from
13 the COVID-19 pandemic by paying for eligible educational services.
14 Eligible educational services include, but are not limited to, private
15 school tuition, tutoring, digital-learning subscriptions, exempt school
16 curriculum, and other K-12 educational services. Funds shall be paid,
17 upon written direction provided by a parent or guardian, to the entity
18 providing eligible educational services to the child. Funds may not be
19 used to purchase computing devices or equipment. Funding shall continue
20 with an eligible child from the time of the award for the duration of the
21 program.

22 (6) By August 1 after the end of each school year of the program and
 23 by August 1 one-year after the program has ended, the department shall
 24 collect available student performance data in mathematics, science, and
 25 language arts and report, in the aggregate, such data to the Governor and
 26 the Legislature. Such report shall be submitted electronically.
 27 (7) It is the intent of the Legislature that funding for family-
 28 directed education recovery accounts continue until FY2025-26.
 29 (8) Expenditures from the appropriation to this program shall not be
 30 restricted to state aid if operating and administrative expenditures are
 31 necessary to administer the funding appropriated pursuant to this
 1 section. In such instances, an agency, board, or commission shall be
 2 reimbursed through the Federal Fund appropriation to the Military
 3 Department, Agency No. 31, Program No. 191, as identified in section 29
 4 of this act.
 5 2. On page 11, lines 17 and 18, strike "\$5,000,000" and insert
 6 "\$25,000,000"; and in lines 20 and 23 strike "\$55,000,000" and insert
 7 "\$25,000,000".
 8 3. On page 12, lines 5 and 6, strike "\$20,000,000" and insert
 9 "\$10,000,000"; and in line 7 strike "\$15,000,000" and insert
 10 "\$5,000,000".
 11 4. On page 14, lines 11 and 12, strike "\$5,000,000" and insert
 12 "\$25,000,000"; in line 14 strike "\$55,000,000" and insert "\$25,000,000";
 13 in line 19 strike "\$41,250,000" and insert "\$21,250,000"; and in line 21
 14 strike "\$13,750,000" and insert "\$3,750,000".
 15 5. On page 15, lines 8 and 9, strike "\$20,000,000" and insert
 16 "\$10,000,000"; and in line 10 strike "\$15,000,000" and insert
 17 "\$5,000,000".
 18 6. Renumber the remaining sections and correct internal references
 19 accordingly.

Senator Arch filed the following amendment to LB1014:
AM2508

(Amendments to Standing Committee amendments, AM2330)

1 1. On page 11, lines 17 and 18, strike "\$5,000,000" and insert
 2 "\$47,500,000"; and in lines 20 and 23 strike "\$55,000,000" and insert
 3 "\$47,500,000".
 4 2. On page 12, line 6, strike "\$20,000,000" and insert
 5 "\$15,000,000"; and in line 7 strike "\$15,000,000" and insert
 6 "\$12,500,000".
 7 3. On page 14, lines 11 and 12, strike "\$5,000,000" and insert
 8 "\$47,500,000"; in line 14 strike "\$55,000,000" and insert "\$47,500,000";
 9 in line 19 strike "\$41,250,000" and insert "\$35,625,000"; and in line 21
 10 strike "\$13,750,000" and insert "\$11,875,000".
 11 4. On page 15, line 9, strike "\$20,000,000" and insert
 12 "\$15,000,000"; and in line 10 strike "\$15,000,000" and insert
 13 "\$12,500,000".
 14 5. On page 17, lines 7 and 8, strike "\$5,000,000" and insert
 15 "\$2,500,000"; and in lines 10 and 13 strike "\$5,000,000" and insert
 16 "\$2,500,000".
 17 6. On page 23, lines 2 and 3, strike "\$28,000,000" and insert
 18 "\$25,500,000"; in line 5 strike "\$28,000,000" and insert "\$25,500,000"; in
 19 line 10 strike "\$10,000,000" and insert "\$8,000,000"; and in line 12
 20 strike "\$3,000,000" and insert "\$2,500,000".
 21 7. On page 31, lines 1 and 2, strike the second "\$10,000,000" and
 22 insert "\$30,000,000"; and in lines 6 and 12 strike "\$10,000,000" and
 23 insert "\$30,000,000".

Senator Geist filed the following amendment to LB1014:
AM2498

(Amendments to Standing Committee amendments, AM2330)

1 1. Insert the following new sections:
 2 Sec. 20. AGENCY NO. 25 — DEPARTMENT OF HEALTH AND HUMAN SERVICES

3 Program No. 502 - Public Health Aid

4		<u>FY2021-22</u>	<u>FY2022-23</u>
5	<u>FEDERAL FUND</u>	<u>500,000</u>	<u>-0-</u>
6	<u>PROGRAM TOTAL</u>	<u>500,000</u>	<u>-0-</u>

7 There is included in the appropriation to this program for FY2021-22
 8 \$500,000 Federal Funds for state aid, which shall only be used for such
 9 purpose.

10 There is included in the amount shown as aid for this program for
 11 FY2021-22 \$500,000 Federal Funds for the Human Immunodeficiency Virus
 12 (HIV) Surveillance and Prevention Programs for education on the benefits
 13 of preexposure prophylaxis medication and for the costs of medication.

14 Sec. 27. AGENCY NO. 27 — DEPARTMENT OF TRANSPORTATION

15 Program No. 305 - Assistance to Local Transit Authorities

16		<u>FY2021-22</u>	<u>FY2022-23</u>
17	<u>FEDERAL FUND</u>	<u>-0-</u>	<u>300,000</u>
18	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>300,000</u>

19 The Department of Transportation shall use the funds appropriated in
 20 this section to conduct a feasibility study for a high-speed commuter
 21 rail service between Omaha and Lincoln. Such study shall include cost
 22 estimates, timelines, and economic impacts for the creation of such
 23 service.

24 Sec. 46. AGENCY NO. 72 — DEPARTMENT OF ECONOMIC DEVELOPMENT

25 Program No. 603 - Industrial Recruitment

26		<u>FY2021-22</u>	<u>FY2022-23</u>
1	<u>FEDERAL FUND</u>	<u>-0-</u>	<u>3,000,000</u>
2	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>3,000,000</u>

3 There is included in the appropriation to this program for FY2022-23
 4 \$3,000,000 for state aid, which shall only be used for such purpose.

5 The Department of Economic Development shall use the funds
 6 appropriated in this section for the purpose of providing assistance to a
 7 county agricultural society with facilities within a city of the primary
 8 class. Such funds shall be used for critical upgrades.

9 2. On page 24, lines 27 and 28, strike "47,000,000" and insert

10 "44,200,000"; and in line 30 strike "\$47,000,000" and insert

11 "\$44,200,000".

12 . On page 25, line 5, strike "\$20,000,000" and insert

13 "\$17,200,000".

14. On page 37, lines 3 and 4, strike "20,000,000" and insert

15 "19,000,000"; and in lines 6 and 9 strike "\$20,000,000" and insert

16 "\$19,000,000".

17 5. Renumber the remaining sections and correct internal references
 18 accordingly.

Senator Briese filed the following amendment to LB1014:
AM2506

(Amendments to Standing Committee amendments, AM2330)

1 1. Insert the following new section:

2 Sec. 15. AGENCY NO. 25 — DEPARTMENT OF HEALTH AND HUMAN SERVICES

3 Program No. 347 - Public Assistance

4		<u>FY2021-22</u>	<u>FY2022-23</u>
5	<u>FEDERAL FUND</u>	<u>-0-</u>	<u>4,000,000</u>
6	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>4,000,000</u>

7 There is included in the appropriation to this program for FY2022-23
 8 \$4,000,000 Federal Funds for state aid, which shall only be used for such
 9 purpose.

10 There is included in the amount shown as aid for this program for

11 FY2022-23 \$4,000,000 Federal Funds to contract with a statewide nonprofit

12 organization that supports children and families to increase child care
 13 capacity in areas of need by providing grants to expand or start-up child
 14 care programs for children from birth through five years of age.
 15 Expenditures from the appropriation to this program shall not be
 16 restricted to state aid if operating and administrative expenditures are
 17 necessary to administer the funding appropriated pursuant to this
 18 section. In such instances, an agency, board, or commission shall be
 19 reimbursed through the Federal Fund appropriation to the Military
 20 Department, Agency No. 31, Program No. 191, as identified in section 29
 21 of this act.
 22 2. On page 24, lines 27 and 28, strike "\$47,000,000" and insert
 23 "\$43,000,000"; and in line 30 strike "\$47,000,000" and insert
 24 "\$43,000,000".
 25 3. On page 25, line 5, strike "\$20,000,000" and insert
 26 "\$16,000,000".
 1 4. Renumber the remaining sections and correct internal references
 2 accordingly.

COMMITTEE REPORT(S)

Revenue

LEGISLATIVE BILL 919. Placed on General File with amendment.
[AM2513](#) is available in the Bill Room.

(Signed) Lou Ann Linehan, Chairperson

AMENDMENT(S) - Print in Journal

Senator McKinney filed the following amendment to [LB1270](#):
[AM2340](#)

(Amendments to Standing Committee amendments, AM1984)

1 1. Strike section 8 and insert the following new sections:
 2 Sec. 8. Section 81-1414.15, Revised Statutes Supplement, 2021, is
 3 amended to read:
 4 81-1414.15 (1) The chief of police, sheriff, Superintendent of Law
 5 Enforcement and Public Safety, or the head administrator of a law
 6 enforcement agency or an agency employing a law enforcement officer shall
 7 submit a personnel change in status form as approved by the council to
 8 the director of the training center within seven calendar days after the
 9 date a law enforcement officer is hired by the agency or leaves
 10 employment with the agency.
 11 (2) Each law enforcement agency or agency employing a law
 12 enforcement officer shall maintain a record regarding the reason or
 13 reasons for, and circumstances surrounding, a separation of service for
 14 each law enforcement officer employed by that agency. Such record shall
 15 be retained for five years following a law enforcement officer's
 16 separation from the agency.
 17 (3) Each law enforcement agency or agency employing a law
 18 enforcement officer shall maintain any and all records of officer conduct
 19 which could constitute grounds for revocation or suspension of a law
 20 enforcement certification by the commission. Such record shall include
 21 any and all records of conduct which could constitute grounds for
 22 revocation or suspension under subdivision (6) of section 81-1403. Such
 23 record, which shall include the name of the law enforcement officer,
 24 shall be permanently retained and shall not be destroyed retained for the
 25 duration of the law enforcement officer's employment with the agency and
 26 for ten years following his or her separation from the agency.
 1 (4) The chief of police, sheriff, Superintendent of Law Enforcement
 2 and Public Safety, or the head administrator of a law enforcement agency

3 or an agency employing a law enforcement officer shall make a report to
 4 the commission of any law enforcement officer who is terminated from
 5 employment or allowed to resign in lieu of termination for conduct
 6 described in subdivision (6) of section 81-1403. The report shall
 7 include, but not be limited to, a summary of the allegations pertaining
 8 to the officer and identification of any witnesses relevant to the
 9 allegations, and shall be filed with the commission within thirty
 10 calendar days of the termination or resignation in lieu of termination.
 11 (5) Failure to comply with this section shall constitute neglect of
 12 duty.

13 Sec. 9. (1) Beginning June 1, 2023, each city and county attorney
 14 and the Attorney General shall maintain a Brady and Giglio list in
 15 accordance with this section. The list shall identify law enforcement
 16 officers who, due to misconduct or otherwise, have impaired their own
 17 credibility such that disclosure to the defendant is required under Brady
 18 v. Maryland, 373 U.S. 83 (1963), and Giglio v. United States, 405 U.S.
 19 150 (1972), and subsequent cases of the Supreme Court of the United
 20 States and the Supreme Court of Nebraska. The list shall contain a
 21 description of the reason disclosure is required.

22 (2) The list required by this section is a public document and shall
 23 be posted on the city, county, and state website. The list shall be
 24 updated at least monthly.

25 (3) On or before January 1, 2023, the Nebraska Commission on Law
 26 Enforcement and Criminal Justice shall adopt and promulgate rules and
 27 regulations to carry out this section, including, but not limited to,
 28 criteria and processes for determining when disclosure is required and
 29 what is required to be disclosed.

30 Sec. 10. Sections 8, 9, and 11 of this act become operative three
 31 calendar months after the adjournment of this legislative session. The
 1 other sections of this act become operative on their effective date.

2 Sec. 11. Original section 81-1414.15, Revised Statutes Supplement,
 3 2021, is repealed.

4 2. On page 2, after line 25 insert the following new subsection:

5 "(7) A law enforcement officer shall not be eligible for a tier 1,
 6 tier 2, or tier 3 retention incentive payment under this section if:

7 (a) Such law enforcement officer's certification has ever been
 8 revoked;

9 (b) Such law enforcement officer has ever been convicted of a felony
 10 or Class I misdemeanor; or

11 (c) Such law enforcement officer has ever been adjudicated by the
 12 council to have engaged in serious misconduct, as such term is defined in
 13 section 81-1401."

14 3. Renumber the remaining section accordingly.

Senator McKinney filed the following amendment to [LB1270](#):
[AM2339](#)

(Amendments to Standing Committee amendments, AM1984)

1 1. On page 2, after line 25 insert the following new subsection:

2 "(7) A law enforcement officer shall not be eligible for a tier 1,
 3 tier 2, or tier 3 retention incentive payment under this section if:

4 (a) Such law enforcement officer's certification has ever been
 5 revoked;

6 (b) Such law enforcement officer has ever been convicted of a felony
 7 or Class I misdemeanor; or

8 (c) Such law enforcement officer has ever been adjudicated by the
 9 council to have engaged in serious misconduct, as such term is defined in
 10 section 81-1401."

Senator Linehan filed the following amendment to [LB919](#):
[FA137](#)

Amend AM2513: Strike Section 1

Senator Linehan filed the following amendment to LB919:

[FA138](#)

Amend AM2513: Strike Section 2

Senator Linehan filed the following amendment to LB919:

[FA139](#)

Amend AM2513: Strike Section 3

Senator Linehan filed the following amendment to LB919:

[FA140](#)

Amend AM2513: Strike Section 4

Senator M. Cavanaugh filed the following amendment to LB1023:

[AM2496](#)

(Amendments to AM2300)

1 1. On page 5, after line 27 insert the following new subsection:

2 "(9) Neither the Director of Natural Resources nor any employee of
3 the Department of Natural Resources shall have a financial interest,
4 either personally or through an immediate family member, in any purchase,
5 sale, or lease of real property relating to the construction or
6 development of the lake or in any contract entered into by the department
7 relating to the construction, development, or management of the lake. For
8 purposes of this subsection, immediate family member means a spouse,
9 child, sibling, parent, grandparent, or grandchild."

10 2. On page 8, after line 21 insert the following new subsection:

11 "(5) No member of the Game and Parks Commission or any employee of
12 the commission shall have a financial interest, either personally or
13 through an immediate family member, in any purchase, sale, or lease of
14 real property relating to a project authorized in this section or in any
15 contract entered into by the commission relating to a project authorized
16 in this section. For purposes of this subsection, immediate family member
17 means a spouse, child, sibling, parent, grandparent, or grandchild."

GENERAL FILE

LEGISLATIVE BILL 1084. Title read. Considered.

Senator M. Cavanaugh offered the following motion:

[MO174](#)

Bracket until March 29, 2022.

SENATOR WILLIAMS PRESIDING

Senator M. Cavanaugh withdrew her motion to bracket.

Senator M. Cavanaugh offered the following motion:

[MO175](#)

Bracket until March 30, 2022.

Senator M. Cavanaugh withdrew her motion to bracket.

Advanced to Enrollment and Review Initial with 36 ayes, 0 nays, 8 present and not voting, and 5 excused and not voting.

LEGISLATIVE BILL 1083. Title read. Considered.

Committee [AM2142](#), found on page 858, was offered.

Pending.

AMENDMENT(S) - Print in Journal

Senator Wayne filed the following amendment to [LB1014](#):
[AM2516](#)

(Amendments to Standing Committee amendments, AM2330)

- 1 1. Strike section 11.
- 2 2. Renumber the remaining sections and correct internal references
- 3 accordingly.

Senator Wayne filed the following amendment to [LB1014](#):
[AM2518](#)

(Amendments to Standing Committee amendments, AM2330)

- 1 1. Strike section 12 and insert the following new sections:
- 2 Sec. 29. AGENCY NO. 33 — GAME AND PARKS COMMISSION
- 3 Program No. 967 - Improvements to State Parks
- 4

	<u>FY2021-22</u>	<u>FY2022-23</u>
5 <u>FEDERAL FUND</u>	-0-	<u>250,000</u>
6 <u>PROGRAM TOTAL</u>	-0-	<u>250,000</u>
- 7 The Game and Parks Commission is hereby authorized to contract with
- 8 a nonprofit organization to provide drainage and flooding work and
- 9 building repairs for the Mayhew Cabin state historical site with the
- 10 appropriation of \$250,000 Cash Funds in this section to this program for
- 11 FY2022-23.
- 12 Sec. 44. AGENCY NO. 72 — DEPARTMENT OF ECONOMIC DEVELOPMENT
- 13 Program No. 603 - Industrial Recruitment
- 14

	<u>FY2021-22</u>	<u>FY2022-23</u>
15 <u>FEDERAL FUND</u>	-0-	<u>6,000,000</u>
16 <u>PROGRAM TOTAL</u>	-0-	<u>6,000,000</u>
- 17 There is included in the appropriation to this program for FY2022-23
- 18 \$6,000,000 for state aid, which shall only be used for such purpose.
- 19 The Department of Economic Development shall use the funds
- 20 appropriated in this section for the purpose of providing assistance to a
- 21 county agricultural society with facilities within a city of the primary
- 22 class. Such funds shall be used for critical upgrades.
- 23 2. Renumber the remaining sections and correct internal references
- 24 accordingly.

Senator Wayne filed the following amendment to [LB1014](#):
[AM2517](#)

(Amendments to Standing Committee amendments, AM2330)

- 1 1. Strike section 41 and insert the following new section:
- 2 Sec. 41. AGENCY NO. 72 — DEPARTMENT OF ECONOMIC DEVELOPMENT
- 3 Program No. 603 - Industrial Recruitment
- 4

	<u>FY2021-22</u>	<u>FY2022-23</u>
5 <u>FEDERAL FUND</u>	-0-	<u>50,000,000</u>
6 <u>PROGRAM TOTAL</u>	-0-	<u>50,000,000</u>
- 7 There is included in the appropriation to this program for FY2022-23
- 8 \$50,000,000 Federal Funds for state aid, which shall only be used for
- 9 such purpose.
- 10 There is included in the amount show as aid for this program for
- 11 FY2022-23 \$50,000,000 Federal Funds for grants to capital projects
- 12 eligible under the Shovel-Ready Capital Recovery and Investment Act.

13 which shall only be used for such purpose.
 14 It is the intent of the Legislature that, in addition to the
 15 requirements of the Shovel-Ready Capital Recovery and Investment Act, the
 16 Department of Economic Development shall divide total appropriations,
 17 including any General Fund appropriations, for grants to capital projects
 18 eligible under the act equally by each congressional district and give
 19 priority to grant requests less than or equal to \$5,000,000. After
 20 eligible grantees with priority status have been awarded grant funds,
 21 remaining funds may be awarded on a statewide basis with the department
 22 considering each project based on the overall economic impact of the
 23 project to the respective community and the overall benefit to the State
 24 of Nebraska. It is the intent of the Legislature that the department make
 25 reasonable adjustments to dates and deadlines and request additional
 26 documentation pursuant to any requirements for use of Federal Funds
 1 received pursuant to the federal American Rescue Plan Act of 2021.
 2 Expenditures from the appropriation to this program shall not be
 3 restricted to state aid if operating and administrative expenditures are
 4 necessary to administer the funding appropriated pursuant to this
 5 section. In such instances, an agency, board, or commission shall be
 6 reimbursed through the Federal Fund appropriation to the Military
 7 Department, Agency No. 31, Program No. 191, as identified in section 28
 8 of this act.

MOTION(S) - Print in Journal

Senator M. Cavanaugh filed the following motion to [LB1083](#):
[MO176](#)

Bracket until March 31, 2022.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator M. Cavanaugh name added to LB121.
 Senator M. Cavanaugh name added to LB717.
 Senator M. Cavanaugh name added to LB825.
 Senator M. Cavanaugh name added to LB925.
 Senator M. Cavanaugh name added to LB1073.

VISITOR(S)

Visitors to the Chamber were students from Greenheart Student Exchange; twelfth-grade students from Wilber Clatonia School, Wilber; and fourth-grade students from Ackerman Elementary School, Omaha.

ADJOURNMENT

At 8:01 p.m., on a motion by Senator Slama, the Legislature adjourned until 9:00 a.m., Wednesday, March 23, 2022.

Patrick J. O'Donnell
 Clerk of the Legislature

FORTY-SIXTH DAY - MARCH 23, 2022**LEGISLATIVE JOURNAL****ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION****FORTY-SIXTH DAY**

Legislative Chamber, Lincoln, Nebraska
Wednesday, March 23, 2022

PRAYER

The prayer was offered by Dean Vanessa Clark, Trinity Episcopal Cathedral, 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 Williams presiding.

The roll was called and all members were present except Senator Pahls who was excused; and Senators Bostar, Brewer, Flood, and Pansing Brooks who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the forty-fifth day was approved.

ANNOUNCEMENT

The Chair announced the birthday of Senator Lindstrom.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 350. Introduced by Morfeld, 46.

WHEREAS, the Nebraska Library Association hosts an annual advocacy day to honor outstanding volunteers who give their time and talent to Nebraska libraries; and

WHEREAS, volunteers are the lifeblood of Nebraska libraries and they help make libraries places to learn, meet, and gather; and

WHEREAS, Lincoln City Libraries benefit greatly from volunteers that contribute so much to help create the excellent library system available in the Lincoln community; and

WHEREAS, Gideon Terwilleger, Marchë Cepure, and Lauren Niedergeses were recognized this year by the Nebraska Library Association as outstanding volunteers.

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

1. That the Legislature congratulates and sends good wishes to Gideon Terwilleger, Marchë Cepure, and Lauren Niedergeses for their outstanding volunteer work with Nebraska libraries.

2. That copies of this resolution be sent to Gideon Terwilleger, Marchë Cepure, and Lauren Niedergeses.

Laid over.

COMMITTEE REPORT(S)

Health and Human Services

The Health and Human Services 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.

Brooke J. Fitzpatrick - Commission for the Deaf and Hard of Hearing
Sandra Shaw - Commission for the Deaf and Hard of Hearing

Aye: 7. Arch, Cavanaugh, M., Day, Hansen, B., Murman, Walz, Williams.
Nay: 0. Absent: 0. Present and not voting: 0.

The Health and Human Services 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.

Douglas A. Bauer - State Board of Health
Douglas Vander Broek - State Board of Health
Joshua M. Vest - State Board of Health

Aye: 6. Arch, Day, Hansen, B., Murman, Walz, Williams. Nay: 0. Absent: 0.
Present and not voting: 1. Cavanaugh, M..

The Health and Human Services 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.

Michael A. Greene - Nebraska Rural Health Advisory Commission
Jeffrey Wallman - Nebraska Rural Health Advisory Commission

Aye: 7. Arch, Cavanaugh, M., Day, Hansen, B., Murman, Walz, Williams.
 Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) John Arch, Chairperson

MOTION(S) - Return LB1073 to Select File

Senator M. Hansen moved to return LB1073 to Select File for the following specific amendment:

[FA141](#)

Strike Section.

Senator M. Hansen withdrew his motion to return.

The M. Hansen amendment, FA141, was not considered.

BILL ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 1073. With Emergency Clause.

A BILL FOR AN ACT relating to state government; to require the Governor to apply for emergency rental assistance under the federal American Rescue Plan Act of 2021; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Senator Wayne requested a roll call vote, in reverse order.

Voting in the affirmative, 26:

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

Voting in the negative, 16:

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

Present and not voting, 2:

Arch Friesen

Absent and not voting, 1:

Hilkemann

Excused and not voting, 4:

Bostar Brewer Flood Pahls

Having failed to receive a constitutional two-thirds majority voting in the affirmative, the bill failed to pass with the emergency clause attached. The question is, "Shall the bill pass with the emergency clause stricken?"

Voting in the affirmative, 26:

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

Voting in the negative, 15:

Albrecht	Geist	Hilgers	Linehan	Murman
Clements	Halloran	Hughes	Lowe	Sanders
Erdman	Hansen, B.	Jacobson	Moser	Slama

Present and not voting, 4:

Arch Bostelman Friesen Hilkemann

Excused and not voting, 4:

Bostar Brewer Flood Pahls

A constitutional majority having voted in the affirmative, the bill was declared passed with the emergency clause stricken.

GENERAL FILE

LEGISLATIVE BILL 1014. Senator Wayne requested a point of order that his motion to indefinitely postpone pursuant to Rule 6, Section 3(f), should be taken up prior to the reading of the bill's title.

The Chair ruled the point of order was out of order because the motion was not the first item for consideration under Rule 1, Section 17(c).

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

Voting in the affirmative, 9:

Blood	Cavanaugh, M.	Hansen, M.	McKinney	Wayne
Cavanaugh, J.	Day	Hunt	Walz	

Voting in the negative, 31:

Aguilar	Dorn	Hilgers	McCollister	Stinner
Albrecht	Erdman	Hughes	McDonnell	Williams
Arch	Friesen	Jacobson	Moser	Wishart
Bostelman	Geist	Kolterman	Murman	
Brandt	Gragert	Lindstrom	Pansing Brooks	
Briese	Halloran	Linehan	Sanders	
Clements	Hansen, B.	Low	Slama	

Present and not voting, 5:

DeBoer	Hilkemann	Lathrop	Morfeld	Vargas
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Excused and not voting, 4:

Bostar	Brewer	Flood	Pahls
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The Wayne motion to overrule the Chair failed with 9 ayes, 31 nays, 5 present and not voting, and 4 excused and not voting.

The Chair was sustained.

Committee [AM2330](#), found on page 898, was offered.

Senator Arch offered his amendment, [AM2508](#), found on page 916, to the committee amendment.

SENATOR HUGHES PRESIDING

SPEAKER HILGERS PRESIDING

Pending.

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE BILL 1073. Correctly Enrolled.

(Signed) Terrell McKinney, Chairperson

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LRs 331, 332, 334, and 336 were adopted.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LB1073 and LRs 331, 332, 334, and 336.

GENERAL FILE

LEGISLATIVE BILL 1014. Senator Arch renewed his amendment, [AM2508](#), found on page 916 and considered in this day's Journal, to the committee amendment.

The Arch amendment was adopted with 39 ayes, 0 nays, 5 present and not voting, and 5 excused and not voting.

Pending.

AMENDMENT(S) - Print in Journal

Senator Sanders filed the following amendment to [LB853](#):
[AM2371](#)

(Amendments to Standing Committee amendments, AM1601)

- 1 1. Strike the original sections and all amendments thereto and
- 2 insert the following new sections:
- 3 Section 1. Section 77-3506, Revised Statutes Cumulative Supplement,
- 4 2020, is amended to read:
- 5 77-3506 (1) All homesteads in this state shall be assessed for
- 6 taxation the same as other property, except that:
- 7 (a) ~~There there~~ shall be exempt from taxation, on any homestead
- 8 described in ~~subdivision (2)(a), (b), (c), (d), (e), or (f) subsection~~
- 9 ~~(2)~~ of this section, one hundred percent of the exempt amount; ~~and -~~
- 10 (b) ~~There shall be exempt from taxation, on any homestead described~~
- 11 ~~in subdivision (2)(g) of this section, an amount equal to the exempt~~
- 12 ~~amount multiplied by the applicable percentage from subsection (3) of~~
- 13 ~~this section. Such percentage shall be based on the disability percentage~~
- 14 ~~of the veteran.~~
- 15 (2) The exemption described in subsection (1) of this section shall
- 16 apply to homesteads of:
- 17 (a) A veteran who was discharged or otherwise separated with a
- 18 characterization of honorable or general (under honorable conditions),
- 19 who is drawing compensation from the United States Department of Veterans
- 20 Affairs because of a one hundred percent service-connected permanent
- 21 disability, and who is not eligible for total exemption under sections
- 22 77-3526 to 77-3528;
- 23 (b) ~~An - an~~ unmarried surviving spouse of ~~such~~ a veteran described
- 24 in subdivision (2)(a) of this section, or a surviving spouse of such a
- 25 veteran who remarries after attaining the age of fifty-seven years;
- 26 (c) A veteran who was discharged or otherwise separated with a
- 1 characterization of honorable or general (under honorable conditions),
- 2 who is drawing compensation from the United States Department of Veterans
- 3 Affairs because of a one hundred percent service-connected temporary
- 4 disability, and who is not eligible for total exemption under sections

5 77-3526 to 77-3528, an unremarried surviving spouse of such a veteran, or
 6 a surviving spouse of such a veteran who remarries after attaining the
 7 age of fifty-seven years;
 8 (d) (b) An unremarried surviving spouse of any veteran, including a
 9 veteran other than a veteran described in section 80-401.01, who was
 10 discharged or otherwise separated with a characterization of honorable or
 11 general (under honorable conditions) and who died because of a service-
 12 connected disability or a surviving spouse of such a veteran who
 13 remarries after attaining the age of fifty-seven years;
 14 (e) (e) An unremarried surviving spouse of a serviceman or
 15 servicewoman, including a veteran other than a veteran described in
 16 section 80-401.01, whose death while on active duty was service-connected
 17 or a surviving spouse of such a serviceman or servicewoman who remarries
 18 after attaining the age of fifty-seven years; and
 19 (f) (d) An unremarried surviving spouse of a serviceman or
 20 servicewoman who died while on active duty during the periods described
 21 in section 80-401.01 or a surviving spouse of such a serviceman or
 22 servicewoman who remarries after attaining the age of fifty-seven years;
 23 and -
 24 (g) Beginning January 1, 2023, a veteran who was discharged or
 25 otherwise separated with a characterization of honorable or general
 26 (under honorable conditions), who is drawing compensation from the United
 27 States Department of Veterans Affairs because the veteran is at least
 28 fifty percent disabled but less than one hundred percent disabled due to
 29 a service-connected disability, and who is not eligible for total
 30 exemption under sections 77-3526 to 77-3528, an unremarried surviving
 31 spouse of such a veteran, or a surviving spouse of such a veteran who
 1 remarries after attaining the age of fifty-seven years.
 2 (3) For a claimant described in subdivision (2)(g) of this section,
 3 the exempt amount shall be multiplied by the percentage in Column B which
 4 corresponds with the veteran's disability percentage in Column A in the
 5 table found in this subsection.

6	Column A	Column B
7	Disability Percentage	Percentage To Apply To
8	Of Veteran	Exempt Amount
9	At least 90% but less than 100% disabled	90
10	At least 80% but less than 90% disabled	80
11	At least 70% but less than 80% disabled	70
12	At least 60% but less than 70% disabled	60
13	At least 50% but less than 60% disabled	50

14 (4) (3) Application for exemption under subdivision (2)(a) of this
 15 section shall be required once every five years and shall include
 16 certification of the status described in subdivision (2)(a) set forth in
 17 subsection (2) of this section from the United States Department of
 18 Veterans Affairs. Application for exemption under subdivision (2)(b),
 19 (c), (d), (e), (f), or (g) of this section shall be required annually and
 20 shall include certification of the status described in subdivision (2)
 21 (b), (c), (d), (e), (f), or (g) of this section from the United States
 22 Department of Veterans Affairs, except that such certification of status
 23 shall only be required once every five years. Such certification shall not
 24 be required in succeeding years if no change in status has occurred,
 25 except that the county assessor or the Tax Commissioner may request such
 26 certification to verify that no change in status has occurred.
 27 Sec. 2. Section 77-3512, Revised Statutes Supplement, 2021, is
 28 amended to read:
 29 77-3512 (1) It shall be the duty of each owner who wants a
 30 homestead exemption under section 77-3506, 77-3507, or 77-3508 to file an
 1 application therefor with the county assessor of the county in which the
 2 homestead is located after February 1 and on or before June 30 of each
 3 year. Failure to do so shall constitute a waiver of the exemption for

4 ~~that year~~, except that:

5 ~~(a) (1)~~ The county board of the county in which the homestead is
6 located may, by majority vote, extend the deadline for an applicant to on
7 or before July 20. An extension shall not be granted to an applicant who
8 received an extension in the immediately preceding year;

9 ~~(b) (2)~~ An owner may file a late application pursuant to section
10 77-3514.01 if he or she includes documentation of a medical condition
11 which impaired the owner's ability to file the application in a timely
12 manner; ~~and~~

13 ~~(c) (3)~~ An owner may file a late application pursuant to section
14 77-3514.01 if he or she includes a copy of the death certificate of a
15 spouse who died during the year for which the exemption is requested; -

16 ~~(d) A veteran qualifying for a homestead exemption under subdivision~~
17 ~~(2)(a) of section 77-3506 shall only be required to file an application~~
18 ~~once every five years; and~~

19 ~~(e) If a veteran who has been granted a homestead exemption under~~
20 ~~subdivision (2)(a) of section 77-3506 dies during the five-year exemption~~
21 ~~period, the surviving spouse of such veteran shall continue to receive~~
22 ~~such exemption for the remainder of the five-year exemption period. After~~
23 ~~the expiration of the five-year exemption period, the surviving spouse~~
24 ~~shall be required to file for an exemption under subdivision (2)(b) of~~
25 ~~section 77-3506 on an annual basis.~~

26 ~~(2) Failure to file an application as required in subsection (1) of~~
27 ~~this section shall constitute a waiver of the exemption for the year in~~
28 ~~which the failure occurred.~~

29 Sec. 3. Section 77-3513, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 77-3513 The county assessor shall mail a notice on or before April 1
1 to claimants who are the owners of a homestead which was granted an
2 exemption under section 77-3506, 77-3507, or 77-3508 and who are required
3 to refile for such exemption in the current preceding year unless the
4 claimant has already filed the application for the current year or the
5 county assessor has reason to believe there has been a change of
6 circumstances so that the claimant no longer qualifies. The notice shall
7 include the claimant's name, the application deadlines for the current
8 year, a list of documents that must be filed with the application, and
9 the county assessor's office address and telephone number.

10 Sec. 4. Section 77-3522, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 77-3522 (1) Any person who makes any false or fraudulent claim for
13 exemption or any false statement or false representation of a material
14 fact in support of such claim or any person who knowingly assists another
15 in the preparation of any such false or fraudulent claim or enters into
16 any collusion with another by the execution of a fictitious deed or other
17 instrument for the purpose of obtaining unlawful exemption under sections
18 77-3501 to 77-3529 shall be guilty of a Class II misdemeanor and shall be
19 subject to a forfeiture of any such exemption for a period of two years
20 from the date of conviction. Any person who shall make an oath or
21 affirmation to any false or fraudulent application for homestead
22 exemption knowing the same to be false or fraudulent shall be guilty of a
23 Class I misdemeanor.

24 (2) In addition to the penalty provided in subsection (1) of this
25 section, if any person (a) files a claim for exemption as provided in
26 section 77-3506, 77-3507, or 77-3508 which is excessive due to
27 misstatements by the owner filing such claim or (b) fails to notify the
28 county assessor of a change in status of a veteran qualifying for a
29 homestead exemption under subdivision (2)(a) of section 77-3506 which
30 affected all or a portion of the exemption period, including a change in
31 rating, a transfer of the property, or the death of the veteran, the
1 claim may be disallowed in full and, if the claim has been allowed, an

2 amount equal to the amount of taxes lawfully due during the applicable
 3 exemption period but not paid by reason of such unlawful and improper
 4 allowance of homestead exemption shall be due and shall upon entry of the
 5 amount thereof on the books of the county treasurer be a lien on such
 6 property until paid and a penalty equal to the amount of taxes lawfully
 7 due but claimed for exemption shall be assessed. Any amount paid to
 8 satisfy a lien imposed pursuant to this subsection shall be paid to the
 9 county treasurer in the same manner that other property taxes are paid,
 10 and the county treasurer shall remit such amount to the State Treasurer
 11 for credit to the General Fund. Any penalty collected pursuant to this
 12 subsection shall be retained by the county in which such penalty is
 13 assessed.
 14 (3) For any veteran claiming a homestead exemption under subdivision
 15 (2)(a) of section 77-3506, the county assessor may revoke such exemption
 16 back to the date on which the county assessor has reason to believe that
 17 the exemption was improper upon notice to the veteran of the revocation.
 18 The veteran may then provide evidence in favor of receiving the exemption
 19 to the county assessor, and the county assessor may revise any revocation
 20 based on such evidence. Any decision of the county assessor to revoke a
 21 homestead exemption under this subsection may be appealed to the county
 22 board within thirty days after the decision. The county board may reverse
 23 or modify the revocation if there is clear and convincing evidence that
 24 the veteran qualified for the exemption for a particular period of time.
 25 (4) Any additional taxes or penalties imposed pursuant to this
 26 section may be appealed in the same manner as appeals are made under
 27 section 77-3519.
 28 Sec. 5. This act becomes operative on January 1, 2023.
 29 Sec. 6. Original sections 77-3513 and 77-3522, Reissue Revised
 30 Statutes of Nebraska, section 77-3506, Revised Statutes Cumulative
 31 Supplement, 2020, and section 77-3512, Revised Statutes Supplement, 2021,
 1 are repealed.

Senator Flood filed the following amendment to LB709:
[AM2521](#)

(Amendments to Standing Committee amendments, AM1936)

1 1. On page 7, after line 30 insert the following new subsection:
 2 "(5) This section does not apply to any occupation regulated by the
 3 Board of Engineers and Architects or the State Real Estate Commission.".
 4 2. On page 12, line 30, after the second comma insert "the Board of
 5 Engineers and Architects, the State Real Estate Commission,".
 6 3. On page 18, after line 18 insert the following new subsection:
 7 "(10) This section does not apply to any occupation regulated by the
 8 Board of Engineers and Architects or the State Real Estate Commission.".

Senator M. Hansen filed the following amendment to LB919:
[FA142](#)

Amend AM2513: Strike Section 6 and renumber accordingly.

Senator M. Hansen filed the following amendment to LB919:
[FA143](#)

Amend AM2513: Strike Section 5 and renumber accordingly.

Senator M. Hansen filed the following amendment to LB919:
[FA144](#)

Strike Sections 1 and 2, and renumber accordingly.

Senator M. Hansen filed the following amendment to [LB919](#):

[FA145](#)

Strike Sections 3 and 4 and renumber accordingly.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 351. Introduced by Clements, 2.

PURPOSE: The purpose of this resolution is to propose an interim study to evaluate the feasibility of the construction, operation, and maintenance of public river port facilities on Nebraska waterways. This study shall include, but not be limited to:

- (1) Examining the feasibility and logistics of the construction of public port facilities on Nebraska waterways, including the Missouri River;
- (2) Reviewing the public benefits of the operation of public port facilities on Nebraska waterways;
- (3) Determining whether commercial transport of goods along Nebraska waterways generates economic benefits to Nebraska citizens;
- (4) Studying environmental, public safety, and administrative issues associated with the operation of public port facilities;
- (5) Examining funding opportunities to construct and operate public port facilities; and
- (6) Reviewing related state statutes and local ordinances impacting the construction, operation, and maintenance of public port facilities on Nebraska waterways.

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

1. That the Transportation and Telecommunications 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.

EXPLANATION(S) OF VOTE(S)

Had I been present, I would have voted "nay" on final passage of LB1073.

(Signed) Michael Flood

SENATOR HUGHES PRESIDING

GENERAL FILE

LEGISLATIVE BILL 1014. Senator Albrecht offered her amendment, [AM2495](#), found on page 915, to the committee amendment.

SENATOR ARCH PRESIDING

Pending.

PRESENTED TO THE GOVERNOR

Presented to the Governor on March 23, 2022, at 11:09 a.m. was the following: LB1073.

(Signed) Jamie Leishman
Clerk of the Legislature's Office

RESOLUTION(S)**LEGISLATIVE RESOLUTION 352.** Introduced by Murman, 38.

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, senior Levi Kerner wrestled for the Arapahoe-Holbrook High School wrestling team coached by Brandon Mues; and

WHEREAS, Levi won the Class D 285-pound championship match; and

WHEREAS, Levi also medaled in his previous two visits to the state tournament. He placed third in his sophomore year and fourth in his junior year; and

WHEREAS, Levi currently holds his school record for career wins at 166; 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 Levi Kerner on winning the 2022 Class D 285-pound State Wrestling Championship.

2. That copies of this resolution be sent to Arapahoe-Holbrook High School, coach Brandon Mues, and Levi Kerner.

Laid over.

LEGISLATIVE RESOLUTION 353. Introduced by Friesen, 34.

WHEREAS, Nebraskans for the Arts annually presents the NebraskARTS Award which recognizes select schools or school districts that make notable and worthwhile contributions to the arts and arts education in the State of Nebraska; and

WHEREAS, Central City Public Schools demonstrates a high education standard and provides all its students the opportunity to enjoy, excel, and learn through the arts; and

WHEREAS, Central City Public Schools provides numerous opportunities for students to improve their craft and share their talent and hard work with their community and surrounding areas; 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 Central City Public Schools for receiving the 2021-22 NebraskARTS Award.

2. That a copy of this resolution be sent to the Central City Public Schools superintendent on behalf of the students, teachers, staff, and parents of Central City Public Schools.

Laid over.

RECESS

At 12:02 p.m., on a motion by Senator Brandt, the Legislature recessed until 1:00 p.m.

AFTER RECESS

The Legislature reconvened at 1:00 p.m., Senator Arch presiding.

ROLL CALL

The roll was called and all members were present except Senator Pahls who was excused; and Senators Bostar, Bostelman, Briese, J. Cavanaugh, M. Cavanaugh, Day, B. Hansen, Hilkeemann, Hunt, McCollister, Morfeld, Pansing Brooks, Slama, Stinner, Vargas, Wayne, and Wishart who were excused until they arrive.

GENERAL FILE

LEGISLATIVE BILL 1014. Senator Albrecht renewed her amendment, [AM2495](#), found on page 915 and considered in this day's Journal, to the committee amendment.

Senator Albrecht withdrew her amendment.

Senator DeBoer offered her amendment, [AM2472](#), found on page 905, to the committee amendment.

The DeBoer amendment was adopted with 43 ayes, 0 nays, 4 present and not voting, and 2 excused and not voting.

Senator Hunt offered her amendment, [AM2446](#), found on page 906, to the committee amendment.

SENATOR HUGHES PRESIDING

Senator Hunt withdrew her amendment.

Pending.

AMENDMENT(S) - Print in Journal

Senator Morfeld filed the following amendment to LB1012:

[AM2541](#)

(Amendments to Standing Committee amendments, AM2000)

1 1. On page 1, line 15, strike "state's".

Senator M. Cavanaugh filed the following amendment to LB1023:

[AM2546](#)

(Amendments to AM2300)

1 1. On page 2, strike lines 19 through 31.

2 2. On page 3, strike lines 1 through 7; in line 8 strike "(12)" and

3 insert "(9)"; in line 13 strike "(13)" and insert "(10)"; and in line 19

4 strike "(14)" and insert "(11)".

RESOLUTION(S)

LEGISLATIVE RESOLUTION 354. Introduced by McDonnell, 5.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the educational experiences and outcomes of youth in foster care. The study shall include, but not be limited to, a consideration of the following:

(1) National and best practices related to educational opportunities for youth in foster care;

(2) The known challenges of youth in foster care in regards to educational attainment;

(3) The status of the state's current system of support for youth in foster care in regards to their educational goals;

(4) Racial, economic, and geographic disparities that exist in educational attainment for youth in foster care;

(5) Potential programs to address challenges in educational success for youth in foster care, particularly the foster care full ride program;

(6) The landscape of educational opportunities for youth in foster care including community colleges, universities, state colleges, and career and technical training programs;

(7) Other state efforts to support youth in foster care and their educational goals; and

(8) Potential statutory or administrative changes that would support improved outcomes in education for youth in foster care.

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 355. Introduced by Bostelman, 23; Brewer, 43; Wayne, 13.

PURPOSE: The purpose of this resolution is to propose an interim study to examine and review Chapter 70 of the Nebraska Revised Statutes in order to update and modernize language and determine if any updates or revisions are necessary. The study shall include, but not to be limited to, an examination of:

- (1) Statutes relating to electric generation and transmission;
- (2) Statutes governing the approval of and decommissioning of electric generation facilities;
- (3) Statutes governing the Nebraska Power Review Board; and
- (4) Adherence by public power suppliers to the laws and policies of the state.

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 356. Introduced by Kolterman, 24.

WHEREAS, on April 29, 2022, the city of Seward will be hosting their fiftieth annual Arbor Day celebration; and

WHEREAS, the city of Seward has planted approximately one hundred ceremonial trees over the past five decades celebrating the holiday; and

WHEREAS, the city of Seward has been named an official "Tree City USA" by the Arbor Day Foundation for the last four decades; and

WHEREAS, the Seward General Federation of Women's Club sponsors an annual Arbor Day planting program.

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

1. That the Legislature recognizes the work of the Seward General Federation of Women's Clubs and the city of Seward for the continued support of Arbor Day and tree planting.

2. That copies of this resolution be sent to the Seward General Federation of Women's Clubs and the city of Seward.

Laid over.

LEGISLATIVE RESOLUTION 357. Introduced by Kolterman, 24.

WHEREAS, in April 2022, Phil Burke, General Manager for the Polk County Rural Public Power District, will retire after serving the public and the community for 42 years; and

WHEREAS, Phil began his career in 1980 and, after serving as a groundman, a lineman, and Customer Service Director and Operations Manager, served as the Chief Executive Officer and General Manager of Polk County Rural Public Power District; and

WHEREAS, Phil has shown dedication to the Polk County Rural Public Power District, its customers, the community, and the state during his tenure.

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

1. That the Legislature thanks Phil Burke for his service over the last 42 years and congratulates him on his retirement.

2. That a copy of this resolution be sent to Phil Burke.

Laid over.

GENERAL FILE

LEGISLATIVE BILL 1014. Senator Gragert withdrew his amendment, [AM2486](#), found on page 905.

Senator Gragert offered the following amendment to the committee amendment:

[AM2542](#)

(Amendments to Standing Committee amendments, AM2330)

1. Insert the following new section:

2 Sec. 49. AGENCY NO. 84 — DEPARTMENT OF ENVIRONMENT AND ENERGY

3 Program No. 528 - Drinking Water Facilities Loan Fund

4

	<u>FY2021-22</u>	<u>FY2022-23</u>
--	------------------	------------------

5 <u>FEDERAL FUND</u>	<u>1,000,000</u>	<u>6,000,000</u>
-----------------------	------------------	------------------

6 <u>PROGRAM TOTAL</u>	<u>1,000,000</u>	<u>6,000,000</u>
------------------------	------------------	------------------

7 There is included in the appropriation to this program for FY2021-22

8 \$1,000,000 Federal Funds for state aid, which shall only be used for such

9 purpose. There is included in the appropriation to this program for

10 FY2022-23 \$6,000,000 Federal Funds for state aid, which shall only be

11 used for such purpose.

12 There is included in the amount shown as aid for this program for

13 FY2021-22 \$1,000,000 Federal Funds and for FY2022-23 \$6,000,000 Federal

14 Funds to provide grant assistance for a rural drinking water project that

15 serve rural water connections and at least four communities in two
 16 contiguous counties in order to convert to ground water sources and to
 17 provide for water system infrastructure and distribution, which shall
 18 only be used for such purpose.
 19 2. On page 24, lines 27 and 28, strike "47,000,000 44,000,000" and
 20 insert "46,000,000 38,000,000"; and in line 30 strike "\$47,000,000" and
 21 insert "\$46,000,000".
 22 3. On page 25, line 2, strike "\$44,000,000" and insert
 23 "\$38,000,000".
 24 4. On page 26, line 3, strike "\$10,000,000" and insert "\$4,000,000".
 25 5. On page 27, line 30, strike "\$2,000,000" and insert "\$1,000,000".
 26 6. Renumber the remaining section accordingly.

The Gragert amendment was adopted with 33 ayes, 0 nays, 14 present and not voting, and 2 excused and not voting.

Senator Brandt offered his amendment, [AM2444](#), found on page 900, to the committee amendment.

SENATOR WILLIAMS PRESIDING

The Brandt amendment was adopted with 40 ayes, 0 nays, 8 present and not voting, and 1 excused and not voting.

Senator Murman withdrew his amendment, [AM2476](#), found on page 907.

Senator Murman offered the following amendment to the committee amendment:

[AM2544](#)

(Amendments to Standing Committee amendments, AM2330)

1 1. Insert the following new sections:
 2 Sec. 15. AGENCY NO. 25 — DEPARTMENT OF HEALTH AND HUMAN SERVICES
 3 Program No. 175 - Rural Health Provider Incentive Program
 4

	<u>FY2021-22</u>	<u>FY2022-23</u>
<u>FEDERAL FUND</u>	<u>5,000,000</u>	<u>-0-</u>
<u>PROGRAM TOTAL</u>	<u>5,000,000</u>	<u>-0-</u>

 7 There is included in the appropriation to this program for FY2021-22
 8 \$5,000,000 Federal Funds for state aid, which shall only be used for such
 9 purpose.
 10 There is included in the amount shown as aid for this program for
 11 FY2021-22 \$5,000,000 Federal Funds for repayment of qualified educational
 12 debts owed by eligible health professionals as provided in section
 13 71-5662.
 14 Sec. 16. AGENCY NO. 25 — DEPARTMENT OF HEALTH AND HUMAN SERVICES
 15 Program No. 176 - Nursing Incentives
 16

	<u>FY2021-22</u>	<u>FY2022-23</u>
<u>FEDERAL FUND</u>	<u>5,000,000</u>	<u>-0-</u>
<u>PROGRAM TOTAL</u>	<u>5,000,000</u>	<u>-0-</u>

 19 (1) There is included in the appropriation to this program for
 20 FY2021-22 \$5,000,000 Federal Funds for state aid, which shall only be
 21 used for such purpose.
 22 (2) There is included in the amount shown as aid for this program
 23 for FY2021-22 \$5,000,000 Federal Funds for scholarships to students (a)
 24 residing in Nebraska. (b) intending to enroll or enrolled in a nursing
 25 program that (i) is approved pursuant to sections 38-2232 to 38-2236,
 26 (ii) is offered by a public or private postsecondary institution in

1 Nebraska, and (iii) consists of courses of instruction in regularly
 2 scheduled classes leading only to an associate degree, diploma, or
 3 certificate in nursing or an accelerated bachelor of science in nursing
 4 degree. (c) intending to practice as a licensed practical nurse, licensed
 5 registered nurse, or nurse aide upon completion of the approved nursing
 6 program, and (d) agreeing in writing to work for two years in this state
 7 as a licensed practical nurse, licensed registered nurse, or nurse aide
 8 upon completion of the approved nursing program. Each qualifying student
 9 shall receive a scholarship of up to \$2,500 per semester.
 10 2. On page 19, lines 15 and 16, strike "20,000,000" and insert
 11 "10,000,000"; and in line 18 strike "\$20,000,000" and insert
 12 "\$10,000,000".
 13 3. Renumber the remaining sections and correct internal references
 14 accordingly.

The Murman amendment was adopted with 37 ayes, 1 nay, 10 present and not voting, and 1 excused and not voting.

Senator Blood withdrew her amendment, [AM2491](#), found on page 912.

Senator Blood offered the following amendment to the committee amendment:

[AM2543](#)

(Amendments to Standing Committee amendments, AM2330)

1 1. Strike section 48 and insert the following new section:
 2 Sec. 11. AGENCY NO. 13 — STATE DEPARTMENT OF EDUCATION
 3 Program No. 25 - Education, Administration, and Support
 4

	<u>FY2021-22</u>	<u>FY2022-23</u>
5 <u>FEDERAL FUND</u>	<u>-0-</u>	<u>20,000,000</u>
6 <u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>20,000,000</u>

 7 (1) There is included in the appropriation to this program for
 8 FY2022-23 \$20,000,000 Federal Funds for state aid, which shall only be
 9 used for such purpose.
 10 (2)(a) The State Department of Education shall administer a program
 11 to provide grants to all public school districts for purposes of school
 12 employee retention.
 13 (b) The amount of the grant provided to each public school district
 14 shall be a proportionate share of the total amount appropriated under
 15 this section. Each public school district's share shall be based on the
 16 percentage of the Nebraska population residing in such public school
 17 district according to the most recent federal decennial census or the
 18 most recent revised certified count by the United States Bureau of the
 19 Census.
 20 (c) A public school district receiving such grant shall divide the
 21 grant evenly among all eligible school employees at the time of receiving
 22 the grant.
 23 (d) For purposes of this section, eligible school employee means a
 24 certificated employee employed by a school. Eligible school employee does
 25 not include any school administrator.
 26 2. Renumber the remaining sections and correct internal references
 1 accordingly.

Senator Blood moved for a call of the house. The motion prevailed with 22 ayes, 5 nays, and 22 not voting.

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

Voting in the affirmative, 11:

Blood	Cavanaugh, M.	Hansen, M.	Pansing Brooks
Brewer	Day	Hunt	Walz
Cavanaugh, J.	DeBoer	Morfeld	

Voting in the negative, 18:

Aguilar	Clements	Friesen	Linehan	Stinner
Albrecht	Dorn	Geist	Lowe	Williams
Bostelman	Erdman	Halloran	Moser	
Briese	Flood	Jacobson	Sanders	

Present and not voting, 17:

Arch	Hansen, B.	Lathrop	McKinney	Wishart
Bostar	Hilgers	Lindstrom	Murman	
Brandt	Hilkemann	McCollister	Vargas	
Gragert	Hughes	McDonnell	Wayne	

Excused and not voting, 3:

Kolterman	Pahls	Slama
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The Blood amendment lost with 11 ayes, 18 nays, 17 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

Pending.

AMENDMENT(S) - Print in Journal

Senator J. Cavanaugh filed the following amendment to LB919:
[AM2527](#) is available in the Bill Room.

Senator J. Cavanaugh filed the following amendment to LB919:
[AM2526](#) is available in the Bill Room.

Senator J. Cavanaugh filed the following amendment to LB919:
[AM2524](#) is available in the Bill Room.

Senator J. Cavanaugh filed the following amendment to LB919:
[AM2523](#) is available in the Bill Room.

Senator J. Cavanaugh filed the following amendment to LB919:
[AM2525](#) is available in the Bill Room.

Senator J. Cavanaugh filed the following amendment to LB919:
[AM2528](#) is available in the Bill Room.

Senator J. Cavanaugh filed the following amendment to [LB919](#):
[AM2531](#)

(Amendments to Standing Committee amendments, AM2513)

- 1 1. On page 2, line 11, after the semicolon insert "and"; in line 13
- 2 strike beginning with the second comma through the semicolon and insert
- 3 an underscored period; and strike lines 14 through 21.
- 4 2. On page 5, line 6, after the semicolon insert "and"; in line 8
- 5 strike "and before January 1, 2025."; in line 11 strike the semicolon and
- 6 insert an underscored period; and strike lines 12 through 25.
- 7 3. On page 10, strike lines 11 through 31 and insert the following
- 8 new subsection:
- 9 "(2) For taxable years beginning or deemed to begin during calendar
- 10 year 2022 and each calendar year thereafter, the department shall set the
- 11 credit percentage so that the total amount of credits for such taxable
- 12 years shall be fifty million dollars.".
- 13 4. On page 11, strike lines 1 through 4.

Senator B. Hansen filed the following amendment to [LB927](#):
[AM2505](#)

(Amendments to Standing Committee amendments, AM2023)

- 1 1. Insert the following new sections:
- 2 Sec. 10. Section 77-1633, Revised Statutes Supplement, 2021, is
- 3 amended to read:
- 4 77-1633 (1) For purposes of this section, political subdivision
- 5 means any county, city, school district, or community college.
- 6 (2) If any political subdivision seeks to increase its property tax
- 7 request by more than the allowable growth percentage, such political
- 8 subdivision may do so if:
- 9 (a) A public hearing is held and notice of such hearing is provided
- 10 in compliance with subsection (3) of this section; and
- 11 (b) The governing body of such political subdivision passes a
- 12 resolution or an ordinance that complies with subsection (4) of this
- 13 section.
- 14 (3)(a) Each political subdivision within a county that seeks to
- 15 increase its property tax request by more than the allowable growth
- 16 percentage shall participate in a joint public hearing. Each such
- 17 political subdivision shall designate one representative to attend the
- 18 joint public hearing on behalf of the political subdivision. If a
- 19 political subdivision includes area in more than one county, the
- 20 political subdivision shall be deemed to be within the county in which
- 21 the political subdivision's principal headquarters are located. At such
- 22 hearing, there shall be no items on the agenda other than discussion on
- 23 each political subdivision's intent to increase its property tax request
- 24 by more than the allowable growth percentage.
- 25 (b) The joint public hearing shall be held on or after September 17
- 26 and prior to September 29 and before any of the participating political
- 1 subdivisions file their adopted budget statement pursuant to section
- 2 13-508.
- 3 (c) The joint public hearing shall be held after 6 p.m. local time
- 4 on the relevant date.
- 5 (d) The joint public hearing shall be organized by the county clerk
- 6 or his or her designee. At the joint public hearing, the representative
- 7 of each political subdivision shall give a brief presentation on the
- 8 political subdivision's intent to increase its property tax request by
- 9 more than the allowable growth percentage and the effect of such request
- 10 on the political subdivision's budget. The presentation shall include:
- 11 (i) The name of the political subdivision;
- 12 (ii) The amount of the property tax request; and

13 (iii) The following statements:

14 (A) The total assessed value of property differs from last year's
15 total assessed value by percent;

16 (B) The tax rate which would levy the same amount of property taxes
17 as last year, when multiplied by the new total assessed value of
18 property, would be \$..... per \$100 of assessed value;

19 (C) The (name of political subdivision) proposes to adopt a property
20 tax request that will cause its tax rate to be \$..... per \$100 of
21 assessed value;

22 (D) Based on the proposed property tax request and changes in other
23 revenue, the total operating budget of (name of political subdivision)
24 will exceed last year's by percent; and

25 (E) To obtain more information regarding the increase in the
26 property tax request, citizens may contact the (name of political
27 subdivision) at (telephone number and email address of political
28 subdivision).

29 (e) Any member of the public shall be allowed to speak at the joint
30 public hearing and shall be given a reasonable amount of time to do so.

31 (f) Notice of the joint public hearing shall be provided:

1 (i) By sending a postcard to all affected property taxpayers. The
2 postcard shall be sent to the name and address to which the property tax
3 statement is mailed;

4 (ii) By posting notice of the hearing on the home page of the
5 relevant county's website, except that this requirement shall only apply
6 if the county has a population of more than twenty-five thousand
7 inhabitants; and

8 (iii) By publishing notice of the hearing in a legal newspaper in or
9 of general circulation in the relevant county.

10 (g) Each political subdivision that participates in the joint public
11 hearing shall send the information prescribed in subdivision (3)(h) of
12 this section to the county clerk by September 5. The county clerk shall
13 transmit the information to the county assessor no later than September
14 10. The county clerk shall notify each participating political
15 subdivision of the date, time, and location of the joint public hearing.
16 The county assessor shall send the information required to be included on
17 the postcards pursuant to subdivision (3)(h) of this section to a
18 printing service designated by the county board. The initial cost for
19 printing the postcards shall be paid from the county general fund ~~mail~~
20 ~~the postcards required in this subsection.~~ Such postcards shall be mailed
21 at least seven calendar days before the joint public hearing. The cost of
22 creating and mailing the postcards, including staff time, materials, and
23 postage, shall be ~~charged proportionately to divided among~~ the political
24 subdivisions participating in the joint public hearing based on the total
25 number of parcels in each participating political subdivision.

26 (h) The postcard sent under this subsection and the notice posted on
27 the county's website, if required under subdivision (3)(f)(ii) of this
28 section, and published in the newspaper shall include the date, time, and
29 location for the joint public hearing, a listing of and telephone number
30 for each political subdivision that will be participating in the joint
31 public hearing, and the amount of each participating political
1 subdivision's property tax request. The postcard shall also contain the
2 following information:

3 (i) The following words in capitalized type at the top of the
4 postcard: NOTICE OF PROPOSED TAX INCREASE;

5 (ii) The name of the county that will hold the joint public hearing,
6 which shall appear directly underneath the capitalized words described in
7 subdivision (3)(h)(i) of this section;

8 (iii) The following statement: The following political subdivisions
9 are proposing a revenue increase which would result in an overall
10 increase in as a result of property taxes in (insert current tax year).

11 THE ACTUAL TAX ON YOUR PROPERTY MAY INCREASE OR DECREASE. This
notice

12 contains estimates of the tax on your property ~~and the proposed tax~~
13 ~~increase on your property~~ as a result of this revenue increase. These
14 estimates are calculated on the basis of the proposed (insert current tax
15 year) data. The actual tax on your property ~~and tax increase on your~~
16 ~~property~~ may vary from these estimates.

17 (iv) The parcel number for the property;

18 (v) The name of the property owner and the address of the property;

19 (vi) The property's assessed value in the previous tax year;

20 (vii) The amount of property taxes due in the previous tax year for

21 each participating political subdivision;

22 (viii) The property's assessed value for the current tax year;

23 (ix) The amount of property taxes due for the current tax year for

24 each participating political subdivision;

25 (x) The change in the amount of property taxes due for each

26 participating political subdivision from the previous tax year to the

27 current tax year; and

28 (xi) The following statement: To obtain more information regarding

29 the tax increase, citizens may contact the political subdivision at the

30 telephone number provided in this notice.

31 (4) After the joint public hearing required in subsection (3) of

1 this section, the governing body of each participating political

2 subdivision shall pass an ordinance or resolution to set such political

3 subdivision's property tax request. If the political subdivision is

4 increasing its property tax request over the amount from the prior year,

5 including any increase in excess of the allowable growth percentage, then

6 such ordinance or resolution shall include, but not be limited to, the

7 following information:

8 (a) The name of the political subdivision;

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

10 (c) The following statements:

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

12 total assessed value by percent;

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

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

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

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

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

18 of assessed value; and

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

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

21 will exceed last year's by percent; and

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

23 or ordinance.

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

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

26 before October 15 of the year for which the tax request is to apply.

27 (6) The county clerk, or his or her designee, shall prepare a report

28 which shall include (a) the names of the representatives of the political

29 subdivisions participating in the joint public hearing and (b) the name

30 and address of each individual who spoke at the joint public hearing,

31 unless the address requirement is waived to protect the security of the

1 individual, and the name of any organization represented by each such

2 individual. Such report shall be delivered to the political subdivisions

3 participating in the joint public hearing within ten days after such

4 hearing.

5 Sec. 11. Section 77-1634, Revised Statutes Supplement, 2021, is

6 amended to read:

7 77-1634 (1) Except as provided in subsection (2) of this section,

8 any levy which is not in compliance with the Property Tax Request Act and
 9 section 77-1601 shall be construed as an unauthorized levy under section
 10 77-1606.

11 (2) An inadvertent failure to comply with the Property Tax Request
 12 Act shall not invalidate a political subdivision's property tax request
 13 or constitute an unauthorized levy under section 77-1606. A political
 14 subdivision that has complied with the Property Tax Request Act shall not
 15 have its property tax request invalidated due to any other political
 16 subdivision's failure to comply with the Property Tax Request Act. The
 17 failure of a taxpayer to receive a postcard as required under the act
 18 shall not invalidate a political subdivision's property tax request or
 19 constitute an unauthorized levy under section 77-1606.
 20 2. Renumber the remaining section and correct the repealer
 21 accordingly.

COMMITTEE REPORT(S)

Appropriations

LEGISLATIVE BILL 792. Placed on General File with amendment.

AM2430

1 1. Strike the original section and insert the following new section:
 2 Section 1. There is hereby appropriated (1) \$3,000,000 from the
 3 General Fund for FY2022-23, (2) \$9,000,000 from the General Fund for
 4 FY2023-24, and (3) \$15,000,000 from the General Fund for FY2024-25 to the
 5 University of Nebraska, Program 781, for the academic programs and
 6 operating budget of the University of Nebraska Medical Center Rural
 7 Health Complex on the campus of the University of Nebraska at Kearney.

(Signed) John Stinner, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 358. Introduced by Day, 49; Arch, 14;
 Cavanaugh, M., 6; Hansen, B., 16; Murman, 38; Walz, 15; Williams, 36.

WHEREAS, Eric Evans first joined Disability Rights Nebraska in 1987 as
 Deputy Director and will be resigning on July 1, 2022; and

WHEREAS, for the last seven of his thirty-five years at Disability Rights
 Nebraska, Eric served as Chief Executive Officer; and

WHEREAS, prior to joining Disability Rights Nebraska, Eric worked as
 the Executive Director of the Nebraska Governor's Planning Council on
 Developmental Disabilities; and

WHEREAS, Eric's life-long and unwavering dedication to advocacy,
 justice, and civil rights for persons with disabilities stems from his personal
 connection to many people with disabilities and a clear vision of the valued
 humanity of people with disabilities; and

WHEREAS, Eric's advocacy for disability rights resulted in several
 significant improvements for the lives of persons with disabilities in
 Nebraska; and

WHEREAS, Eric has helped raise the visibility of people with disabilities
 with policymakers and others; and

WHEREAS, Eric helped the Legislature craft policy on disability issues
 including the Developmental Disabilities Services Act and revisions of the

Public Guardianship Act, played a key part in transforming the public behavioral healthcare system in the Nebraska Behavioral Health Services Act, and helped spur the creation of multiple offices, including the office of consumer affairs within the Division of Behavioral Health, the Office of the Public Guardian, the State of Nebraska Americans with Disabilities Act Coordinator, and the State of Nebraska Americans with Disabilities Act Taskforce; and

WHEREAS, Eric has worked tirelessly with policymakers, advocates, and people with disabilities to strengthen citizen advocacy programs and expand values-based training in Nebraska; and

WHEREAS, Eric is a recognized leader within the disability community at the local, state, and national levels; and

WHEREAS, through his consistent commitment to educate, empower, and support people with disabilities, he has helped develop many strong advocates within Nebraska's disability community and beyond; and

WHEREAS, Eric's leadership has had a substantial and lasting impact on the status and treatment of Nebraskans with disabilities.

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

1. That the Legislature thanks Eric Evans for his decades of service to the disability community and to Nebraska.
2. That a copy of this resolution be sent to Eric Evans.

Laid over.

GENERAL FILE

LEGISLATIVE BILL 1014. Senator Wayne offered the following amendment to the committee amendment:
[AM2552](#) is available in the Bill Room.

SENATOR ARCH PRESIDING

The Wayne amendment lost with 12 ayes, 14 nays, 20 present and not voting, and 3 excused and not voting.

Senator Wayne offered his amendment, [AM2478](#), found on page 901, to the committee amendment.

SENATOR WILLIAMS PRESIDING

Senator Stinner offered the following motion:

[MO177](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

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

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

Voting in the affirmative, 46:

Aguilar	Cavanaugh, M.	Hansen, B.	Linehan	Stinner
Albrecht	Clements	Hansen, M.	Lowe	Vargas
Arch	Day	Hilgers	McCollister	Walz
Blood	DeBoer	Hilkemann	McDonnell	Wayne
Bostar	Dorn	Hughes	McKinney	Williams
Bostelman	Erdman	Hunt	Morfeld	Wishart
Brandt	Flood	Jacobson	Moser	
Brewer	Geist	Kolterman	Murman	
Briese	Gragert	Lathrop	Sanders	
Cavanaugh, J.	Halloran	Lindstrom	Slama	

Voting in the negative, 1:

Friesen

Excused and not voting, 2:

Pahls Pansing Brooks

The Stinner motion to invoke cloture prevailed with 46 ayes, 1 nay, and 2 excused and not voting.

The Wayne amendment was adopted with 29 ayes, 1 nay, 17 present and not voting, and 2 excused and not voting.

Committee [AM2330](#), as amended, found on page 898, and considered in this day's Journal, was adopted with 44 ayes, 1 nay, 2 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 41 ayes, 1 nay, 5 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

UNANIMOUS CONSENT - Expedite LB1014

Speaker Hilgers asked unanimous consent to expedite LB1014. No objections. So ordered.

COMMITTEE REPORT(S) Enrollment and Review

LEGISLATIVE BILL 1013. Placed on Select File.

LEGISLATIVE BILL 1024. Placed on Select File with amendment.
[ER154](#) is available in the Bill Room.

LEGISLATIVE BILL 121. Placed on Select File with amendment.
[ER153](#)

1 1. Strike the original sections and insert the following new
2 sections:
3 Section 1. Section 68-1017.02, Revised Statutes Supplement, 2021, is
4 amended to read:
5 68-1017.02 (1)(a) The Department of Health and Human Services shall
6 apply for and utilize to the maximum extent possible, within limits
7 established by the Legislature, any and all appropriate options available
8 to the state under the federal Supplemental Nutrition Assistance Program
9 and regulations adopted under such program to maximize the number of
10 Nebraska residents being served under such program within such limits.
11 The department shall seek to maximize federal funding for such program
12 and minimize the utilization of General Funds for such program and shall
13 employ the personnel necessary to determine the options available to the
14 state and issue the report to the Legislature required by subdivision (b)
15 of this subsection.
16 (b) The department shall submit electronically an annual report to
17 the Health and Human Services Committee of the Legislature by December 1
18 on efforts by the department to carry out the provisions of this
19 subsection. Such report shall provide the committee with all necessary
20 and appropriate information to enable the committee to conduct a
21 meaningful evaluation of such efforts. Such information shall include,
22 but not be limited to, a clear description of various options available
23 to the state under the federal Supplemental Nutrition Assistance Program,
24 the department's evaluation of and any action taken by the department
25 with respect to such options, the number of persons being served under
26 such program, and any and all costs and expenditures associated with such
27 program.
1 (c) The Health and Human Services Committee of the Legislature,
2 after receipt and evaluation of the report required in subdivision (b) of
3 this subsection, shall issue recommendations to the department on any
4 further action necessary by the department to meet the requirements of
5 this section.
6 (2)(a) The department shall develop a state outreach plan to promote
7 access by eligible persons to benefits of the Supplemental Nutrition
8 Assistance Program. The plan shall meet the criteria established by the
9 Food and Nutrition Service of the United States Department of Agriculture
10 for approval of state outreach plans. The Department of Health and Human
11 Services may apply for and accept gifts, grants, and donations to develop
12 and implement the state outreach plan.
13 (b) For purposes of developing and implementing the state outreach
14 plan, the department shall partner with one or more counties or nonprofit
15 organizations. If the department enters into a contract with a nonprofit
16 organization relating to the state outreach plan, the contract may
17 specify that the nonprofit organization is responsible for seeking
18 sufficient gifts, grants, or donations necessary for the development and
19 implementation of the state outreach plan and may additionally specify
20 that any costs to the department associated with the award and management
21 of the contract or the implementation or administration of the state
22 outreach plan shall be paid out of private or federal funds received for
23 development and implementation of the state outreach plan.
24 (c) The department shall submit the state outreach plan to the Food
25 and Nutrition Service of the United States Department of Agriculture for
26 approval on or before August 1, 2011, and shall request any federal
27 matching funds that may be available upon approval of the state outreach

28 plan. It is the intent of the Legislature that the State of Nebraska and
29 the Department of Health and Human Services use any additional public or
30 private funds to offset costs associated with increased caseload
31 resulting from the implementation of the state outreach plan.

1 (d) The department shall be exempt from implementing or
2 administering a state outreach plan under this subsection, but not from
3 developing such a plan, if it does not receive private or federal funds
4 sufficient to cover the department's costs associated with the
5 implementation and administration of the plan, including any costs
6 associated with increased caseload resulting from the implementation of
7 the plan.

8 (3)(a) It is the intent of the Legislature that:

9 (i) Hard work be rewarded and no disincentives to work exist for
10 Supplemental Nutrition Assistance Program participants;

11 (ii) Supplemental Nutrition Assistance Program participants be
12 enabled to advance in employment, through greater earnings or new,
13 better-paying employment;

14 (iii) Participants in employment and training pilot programs be able
15 to maintain Supplemental Nutrition Assistance Program benefits while
16 seeking employment with higher wages that allow them to reduce or
17 terminate such program benefits; and

18 (iv) Nebraska better utilize options under the Supplemental
19 Nutrition Assistance Program that other states have implemented to
20 encourage work and employment.

21 (b)(i) The department shall create a TANF-funded program or policy
22 that, in compliance with federal law, establishes categorical eligibility
23 for federal food assistance benefits pursuant to the Supplemental
24 Nutrition Assistance Program to maximize the number of Nebraska residents
25 being served under such program in a manner that does not increase the
26 current gross income eligibility limit except as otherwise provided in
27 subdivision (3)(b)(ii) of this section.

28 (ii) Except as otherwise provided in this subdivision, such TANF-
29 funded program or policy shall increase the gross income eligibility
30 limit to one hundred sixty-five percent of the federal Office of
31 Management and Budget income poverty guidelines as allowed under federal
1 law and under 7 C.F.R. 273.2(j)(2), as such law and regulation existed on
2 April 1, 2021, but shall not increase the net income eligibility limit.

3 It is the intent of the Legislature to fund the administrative costs
4 associated with the benefits under this subdivision beginning on May 27,
5 2021, with federal funds as allowed under the federal American Rescue
6 Plan Act of 2021, Public Law 117-2, as such act existed on April 1, 2021,
7 and continue to fund such administrative costs with such federal funds
8 through September 30, 2023. Such administrative costs shall not be paid
9 for with General Funds. Beginning October 1, 2023, the gross income
10 eligibility limit shall return to the amount used prior to the increase
11 required by this subdivision. The department shall evaluate the TANF-
12 funded program or policy created pursuant to this subsection and provide
13 a report electronically to the Health and Human Services Committee of the
14 Legislature and the Legislative Fiscal Analyst on or before December 31,
15 2022, regarding the gross income eligibility limit and whether it
16 maximizes the number of Nebraska residents being served under the program
17 or policy. The evaluation shall include an identification and
18 determination of additional administrative costs resulting from the
19 increase to the gross income eligibility limit, a recommendation
20 regarding the gross income eligibility limit, and a determination of the
21 availability of federal funds for the program or policy.

22 (iii) To the extent federal funds are available to the Department of
23 Labor for the SNAP Next Step Program, until September 30, 2023, any
24 recipient of Supplemental Nutrition Assistance Program benefits whose
25 household income is between one hundred thirty-one and one hundred sixty-

26 five percent of the federal Office of Management and Budget income
 27 poverty guidelines and who is not exempt from work participation
 28 requirements shall be encouraged to participate in the SNAP Next Step
 29 Program administered by the Department of Labor if the recipient is
 30 eligible to participate in the program and the program's services are
 31 available in the county in which such household is located. It is the
 1 intent of the Legislature that no General Funds be utilized by the
 2 Department of Labor for the processes outlined in this subdivision (iii).
 3 For purposes of this section, SNAP Next Step Program means a partnership
 4 program between the Department of Health and Human Services and the
 5 Department of Labor to assist under-employed and unemployed recipients of
 6 Supplemental Nutrition Assistance Program benefits in finding self-
 7 sufficient employment.

8 (iv) Such TANF-funded program or policy shall eliminate all asset
 9 limits for eligibility for federal food assistance benefits, except that
 10 the total of liquid assets which includes cash on hand and funds in
 11 personal checking and savings accounts, money market accounts, and share
 12 accounts shall not exceed twenty-five thousand dollars pursuant to the
 13 Supplemental Nutrition Assistance Program, as allowed under federal law
 14 and under 7 C.F.R. 273.2(j)(2).

15 (v) This subsection becomes effective only if the department
 16 receives funds pursuant to federal participation that may be used to
 17 implement this subsection.

18 (c) For purposes of this subsection:

19 (i) Federal law means the federal Food and Nutrition Act of 2008, 7
 20 U.S.C. 2011 et seq., and regulations adopted under the act; and
 21 (ii) TANF means the federal Temporary Assistance for Needy Families
 22 program established in 42 U.S.C. 601 et seq.

23 (4)(a) As authorized in 21 U.S.C. 862a(d), as such section existed
 24 on January 1, 2021 ~~Within the limits specified in this subsection, the~~
 25 State of Nebraska opts out of the provision of the federal Personal
 26 Responsibility and Work Opportunity Reconciliation Act of 1996, as such
 27 act existed on January 1, 2009, that eliminates eligibility for the
 28 Supplemental Nutrition Assistance Program for any person convicted of a
 29 felony involving the possession, use, or distribution of a controlled
 30 substance.

31 (b) A person convicted of a felony involving the possession, use, or
 1 distribution of a controlled substance shall only be eligible for
 2 Supplemental Nutrition Assistance Program benefits under this subsection
 3 if such person (i) has completed such person's sentence for such felony
 4 or (ii) is serving a term of parole, probation, or post-release
 5 supervision for such felony shall be ineligible for Supplemental
 6 Nutrition Assistance Program benefits under this subsection if he or she
 7 (i) has had three or more felony convictions for the possession or use of
 8 a controlled substance or (ii) has been convicted of a felony involving
 9 the sale or distribution of a controlled substance or the intent to sell
 10 or distribute a controlled substance. A person with one or two felony
 11 convictions for the possession or use of a controlled substance shall
 12 only be eligible to receive Supplemental Nutrition Assistance Program
 13 benefits under this subsection if he or she is participating in or has
 14 completed a state-licensed or nationally-accredited substance abuse
 15 treatment program since the date of conviction. The determination of such
 16 participation or completion shall be made by the treatment provider
 17 administering the program.

18 Sec. 2. Original section 68-1017.02, Revised Statutes Supplement,
 19 2021, is repealed.

20 2. On page 1, line 2, strike "Reissue Revised Statutes of Nebraska"
 21 and insert "Revised Statutes Supplement, 2021".

LEGISLATIVE BILL 697A. Placed on Select File with amendment.

[ER152](#)

1 1. On page 2, lines 2 and 3, strike "Department of".

LEGISLATIVE BILL 805A. Placed on Select File with amendment.

[ER151](#)

1 1. Strike the original section and all amendments thereto and insert
2 the following new section:
3 Section 1. There is hereby appropriated (1) \$2,000,000 from the
4 General Fund for FY2022-23 and (2) \$2,000,000 from Federal Funds for
5 FY2023-24 to the Department of Agriculture, for Program 78, to aid in
6 carrying out the provisions of Legislative Bill 805. One Hundred Seventh
7 Legislature, Second Session, 2022. The Federal Funds appropriated in this
8 section are from the funds allocated to the State of Nebraska from the
9 federal Coronavirus State Fiscal Recovery Fund pursuant to the federal
10 American Rescue Plan Act of 2021, 42 U.S.C. 802, as amended.
11 There is included in the appropriation to this program for FY2022-23
12 \$2,000,000 General Funds for state aid, which shall only be used for such
13 purpose. There is included in the appropriation to this program for
14 FY2023-24 \$2,000,000 Federal Funds for state aid, which shall only be
15 used for such purpose.
16 No expenditures for permanent and temporary salaries and per diems
17 for state employees shall be made from funds appropriated in this
18 section.

LEGISLATIVE BILL 848A. Placed on Select File.

LEGISLATIVE BILL 896A. Placed on Select File.

LEGISLATIVE BILL 1112A. Placed on Select File.

LEGISLATIVE BILL 1241A. Placed on Select File.

LEGISLATIVE BILL 1084. Placed on Select File.

(Signed) Terrell McKinney, Chairperson

AMENDMENT(S) - Print in Journal

Senator Stinner filed the following amendment to [LB1015](#):

[AM2245](#)

1 1. Strike the original sections and insert the following new
2 section:
3 Section 1. (1) The Legislature finds that it is essential to the
4 economic prosperity, health, and welfare of the people of the State of
5 Nebraska and to the environmental health of the entire Platte River Basin
6 to protect Nebraska's full entitlement to the flows of the South Platte
7 River as provided for in the South Platte River Compact. The South Platte
8 River Compact is the law of Nebraska and of the United States that
9 specifically authorizes Nebraska to develop a canal and associated
10 storage facilities for the diversion of water from the South Platte River
11 for beneficial use in Nebraska.
12 (2) The Legislature finds that it is in the best interests of the
13 State of Nebraska to authorize the Department of Natural Resources to
14 begin designing, engineering, acquiring permits, and entering into an
15 option to purchase land related to building a canal under the authority
16 of the State of Nebraska consistent with the South Platte River Compact
17 and to contract with an independent firm for the purposes of completing a
18 study of such canal.
19 (3) The Department of Natural Resources may develop, construct,

20 manage, and operate the Perkins County Canal Project consistent with the
 21 terms of the South Platte River Compact. The department may:
 22 (a) Contract for services;
 23 (b) Acquire permits;
 24 (c) Acquire and own real property;
 25 (d) Acquire, hold, and exercise water rights;
 26 (e) Employ personnel;
 27 (f) Accept grants, loans, donations, gifts, bequests, or other
 1 contributions for such purpose from any person or entity, public or
 2 private, including any funds made available by any department or agency
 3 of the United States;
 4 (g) Manage and expend such funds as are made available to the
 5 department from the Perkins County Canal Project Fund; and
 6 (h) Engage in any other necessary activities consistent with the
 7 compact in protecting Nebraska's full entitlement to flows of the South
 8 Platte River.
 9 (4) For purposes of this section, the Department of Natural
 10 Resources may acquire real estate or access thereto in the name of the
 11 State of Nebraska by the use of eminent domain as provided under section
 12 76-725.
 13 (5) The department may resolve all disputes that arise, including
 14 the initiation or defense of legal actions of any kind, as necessary to
 15 achieve the purposes of this section.

SELECT FILE

LEGISLATIVE BILL 1241. [ER111](#), found on page 694, was adopted.

Senator Clements withdrew his amendment, [AM2353](#), found on page 851.

Senator Clements withdrew his amendment, [FA126](#), found on page 851.

Senator Clements withdrew his amendment, [AM2173](#), found on page 829.

Senator Clements offered his amendment, [AM2485](#), found on page 807.

Senator McKinney offered the following amendment to the Clements amendment:

[AM2560](#)

(Amendments to AM2485)

1 1. On page 2, after line 25 insert the following new subsection:
 2 "(7) A law enforcement officer shall not be eligible for a tier 1,
 3 tier 2, or tier 3 retention incentive payment under this section if:
 4 (a) Such law enforcement officer's certification has ever been
 5 revoked;
 6 (b) Such law enforcement officer has ever been convicted of a felony
 7 or Class I misdemeanor. This subdivision shall not apply if the law
 8 enforcement officer received a pardon or set aside for such conviction;
 9 (c) Such law enforcement officer has ever been adjudicated by the
 10 council to have engaged in serious misconduct, as such term is defined in
 11 section 81-1401; or
 12 (d) Such law enforcement officer was allowed to resign instead of
 13 being terminated from employment. This subdivision shall only apply if
 14 the law enforcement officer's certification would have been revoked had
 15 he or she not resigned."

The McKinney amendment was adopted with 41 ayes, 0 nays, 4 present and not voting, and 4 excused and not voting.

The Clements amendment, as amended, was adopted with 42 ayes, 0 nays, 3 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 741. [ER122](#), found on page 732, was adopted.

Senator DeBoer offered her amendment, [AM2163](#), found on page 795.

The DeBoer amendment was adopted with 38 ayes, 0 nays, 7 present and not voting, and 4 excused and not voting.

Senator Brandt withdrew his amendment, [AM2177](#), found on page 795.

Senator Brandt offered his amendment, [AM2309](#), found on page 857.

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

Senator Pansing Brooks offered her amendment, [AM2402](#), found on page 877.

The Pansing Brooks amendment was adopted with 41 ayes, 0 nays, 4 present and not voting, and 4 excused and not voting.

Senator DeBoer offered her amendment, [AM2358](#), found on page 877.

The DeBoer amendment was adopted with 34 ayes, 0 nays, 11 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 519. [ER138](#), found on page 823, was adopted.

Senator Lathrop offered his amendment, [AM2311](#), found on page 857.

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

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 917. Senator Wayne withdrew, [AM2204](#), found on page 769.

Senator Wayne offered the following amendment:

[AM2469](#) is available in the Bill Room.

The Wayne amendment was adopted with 42 ayes, 0 nays, 4 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 1023. [ER139](#), found on page 824, was adopted.

Senator Hilgers offered his amendment, [AM2300](#), found on page 836.

Senator M. Cavanaugh offered her amendment, [AM2496](#), found on page 920, to the Hilgers amendment.

Pending.

AMENDMENT(S) - Print in Journal

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

[AM1568](#)

- 1 1. On page 2, line 17, after "use" insert ", provide,"; after
- 2 "instrument" insert ", product, food item, alcohol, beverage, chemical,";
- 3 in line 18 strike beginning with "with" through "abetting" and insert
- 4 "which causes"; and in line 20 strike "and" and insert ", and after
- 5 "knowing" insert ", or negligent".

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

[AM1570](#)

- 1 1. On page 3, line 14, strike "one or more" and insert "all".

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

[AM1575](#)

- 1 1. On page 3, line 24, after "a" insert "bipartisan".

Senator Morfeld filed the following amendment to [LB1014](#):

[AM2561](#)

(Amendments to Standing Committee amendments, AM2330)

- 1 1. Insert the following new section:
- 2 Sec. 20. AGENCY NO. 25 — DEPARTMENT OF HEALTH AND HUMAN SERVICES
- 3 Program No. 502 - Public Health Aid
- 4

	<u>FY2021-22</u>	<u>FY2022-23</u>
5 <u>FEDERAL FUND</u>	<u>500,000</u>	<u>-0-</u>
6 <u>PROGRAM TOTAL</u>	<u>500,000</u>	<u>-0-</u>

- 7 There is included in the appropriation to this program for FY2021-22
- 8 \$500,000 Federal Funds for state aid, which shall only be used for such
- 9 purpose.
- 10 There is included in the amount shown as aid for this program for
- 11 FY2021-22 \$500,000 Federal Funds for the Human Immunodeficiency Virus
- 12 (HIV) Surveillance and Prevention Programs for education on the benefits
- 13 of preexposure prophylaxis medication and for the costs of medication.
- 14 2. On page 24, lines 27 and 28, strike "47,000,000" and insert
- 15 "46,500,000"; and in line 30 strike "\$47,000,000" and insert

16 "~~\$46,500,000~~".

17 3. On page 26, line 26, strike "\$11,000,000" and insert

18 "~~\$10,500,000~~".

19 4. Renumber the remaining sections and correct internal references

20 accordingly.

Senator M. Cavanaugh filed the following amendment to LB1015:

AM2494

1 1. Insert the following new section:

2 Sec. 4. The Director of Natural Resources, the employees of the

3 Department of Natural Resources, or their immediate family members shall

4 not, directly or indirectly, hold a financial interest in any entity

5 which is party to a contract or have a financial interest in the

6 ownership or lease of any property relating to the development,

7 construction, management, or operation of the Perkins County Canal

8 Project. For purposes of this section, immediate family member means a

9 spouse, child, sibling, parent, grandparent, or grandchild.

10 2. On page 2, line 1, strike "3" and insert "4".

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator M. Hansen name added to LB825.

VISITOR(S)

Visitors to the Chamber were members of Dawson Area Development, Dawson County; fourth- and sixth-grade students and their teachers from Trinity Lutheran, Grand Island; fourth grade students and their teachers from Whitetail Creek Elementary, Gretna; and University of Nebraska Students, Alumni, and Supporters from across the state.

ADJOURNMENT

At 8:00 p.m., on a motion by Senator Lowe, the Legislature adjourned until 9:00 a.m., Thursday, March 24, 2022.

Patrick J. O'Donnell
Clerk of the Legislature

FORTY-SEVENTH DAY - MARCH 24, 2022

LEGISLATIVE JOURNAL

**ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION**

FORTY-SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, March 24, 2022

PRAYER

The prayer was offered by Senator McCollister.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Halloran.

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 Senator Pahls who was excused; and Senators Arch, Bostar, Day, B. Hansen, M. Hansen, Hunt, Morfeld, Pansing Brooks, Walz, and Wayne who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the forty-sixth day was approved.

COMMITTEE REPORT(S)

Judiciary

LEGISLATIVE BILL 921. Placed on General File with amendment.

AM2503

1 1. Strike the original sections and insert the following new
2 sections:
3 Section 1. Section 29-1823, Revised Statutes Cumulative Supplement,
4 2020, is amended to read:
5 29-1823 (1) If at any time prior to or during trial it appears that
6 the defendant has become mentally incompetent to stand trial, such
7 disability may be called to the attention of the district or county court
8 by the county attorney or city attorney, by the defendant, or by any
9 person for the defendant. The judge of the district or county court of
10 the county where the defendant is to be tried shall have the authority to

11 determine whether or not the defendant is competent to stand trial. The
12 judge may also cause such medical, psychiatric, or psychological
13 examination of the defendant to be made as he or she deems warranted and
14 hold such hearing as he or she deems necessary. The cost of the
15 examination, when ordered by the court, shall be the expense of the
16 county in which the crime is charged. The judge may allow any physician,
17 psychiatrist, or psychologist a reasonable fee for his or her services,
18 which amount, when determined by the judge, shall be certified to the
19 county board which shall cause payment to be made. Should the judge
20 determine after a hearing that the defendant is mentally incompetent to
21 stand trial and that there is a substantial probability that the
22 defendant will become competent within the reasonably foreseeable future,
23 the judge shall order the defendant to be committed to the Department of
24 Health and Human Services to provide appropriate treatment to restore
25 competency. This may include commitment to a state hospital for the
26 mentally ill, another appropriate state-owned or state-operated facility,
27 or a contract facility or provider pursuant to an alternative treatment
1 plan proposed by the department and approved by the court under
2 subsection (2) of this section until such time as the disability may be
3 removed.

4 (2)(a) If the department determines that treatment by a contract
5 facility or provider is appropriate, the department shall file a report
6 outlining its determination and such alternative treatment plan with the
7 court. Within twenty-one days after the filing of such report, the court
8 shall hold a hearing to determine whether such treatment is appropriate.
9 The court may approve or deny such alternative treatment plan.

10 (b) A defendant shall not be eligible for treatment by a contract
11 facility or provider under this subsection if the judge determines that
12 the public's safety would be at risk.

13 (3) Within sixty days after entry of the order committing the
14 defendant to the department, and every sixty days thereafter until either
15 the disability is removed or other disposition of the defendant has been
16 made, the court shall hold a hearing to determine (a) whether the
17 defendant is competent to stand trial or (b) whether or not there is a
18 substantial probability that the defendant will become competent within
19 the reasonably foreseeable future.

20 (4) If it is determined that there is not a substantial probability
21 that the defendant will become competent within the reasonably
22 foreseeable future, then the state shall either (a) commence the
23 applicable civil commitment proceeding that would be required to commit
24 any other person for an indefinite period of time or (b) release the
25 defendant. If during the period of time between the sixty-day review
26 hearings set forth in subsection (3) of this section it is the opinion of
27 the department that the defendant is competent to stand trial, the
28 department shall file a report outlining its opinion with the court and
29 within seven days after such report being filed the court shall hold a
30 hearing to determine whether or not the defendant is competent to stand
31 trial. The state shall pay the cost of maintenance and care of the
1 defendant during the period of time ordered by the court for treatment to
2 remove the disability.

3 (5) The defendant, by and through counsel, may move to be discharged
4 from the offenses charged in the complaint or information for the reason
5 that there is not a substantial probability that the defendant will
6 become competent within the reasonably foreseeable future.

7 (6) In determining whether there is a substantial probability that a
8 defendant will become competent in the reasonably foreseeable future, the
9 court shall take into consideration the likely length of any sentence
10 that would be imposed upon the defendant. If the court discharges the
11 defendant, the court shall state whether such discharge is with or
12 without prejudice.

13 (7)(a) If a judge orders a defendant to be committed to the
14 Department of Health and Human Services to receive treatment to restore
15 competency and such defendant remains lodged in the county jail, the
16 department shall reimburse the county for lodging the defendant.

17 (b) Costs of lodging the defendant shall include the daily rate of
18 lodging the defendant, food, medical services, transportation, and any
19 other necessary costs incurred by the county to lodge the defendant.

20 (c) The daily rate of lodging the defendant shall be one hundred
21 dollars per day for each day or portion thereof after the first thirty
22 days that the defendant is lodged in the county jail after a
23 determination by a judge that the defendant is required to be restored to
24 competency. On July 1, 2023, and each July 1 thereafter, the department
25 shall adjust the amount to be reimbursed to the county jails by an amount
26 equal to the percentage increase, if any, in the Consumer Price Index for
27 All Urban Consumers, as published by the United States Department of
28 Labor, Bureau of Labor Statistics, for the twelve months ending on June
29 30 of such year.

30 (d) For purposes of this section, medical services has the same
31 meaning as provided in subsection (2) of section 47-701.

1 Sec. 2. Section 47-706, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 47-706 (1) It is the intent of the Legislature to ensure that human
4 services agencies, correctional facilities, and detention facilities
5 recognize that:

6 (a) Federal law generally does not authorize federal financial
7 participation for medicaid when a person is an inmate of a public
8 institution as defined in federal law but that federal financial
9 participation is available after an inmate is released from
10 incarceration; and

11 (b) The fact that an applicant is currently an inmate does not, in
12 and of itself, preclude the Department of Health and Human Services from
13 processing an application submitted to it by, or on behalf of, the
14 inmate.

15 (2)(a) Medical assistance under the medical assistance program shall
16 be suspended, rather than canceled or terminated, for a person who is an
17 inmate of a public institution if:

18 (i) The Department of Health and Human Services is notified of the
19 person's entry into the public institution;

20 (ii) On the date of entry, the person was enrolled in the medical
21 assistance program; and

22 (iii) The person is eligible for the medical assistance program
23 except for institutional status.

24 (b) A suspension under subdivision (2)(a) of this section shall end
25 on the date the person is no longer an inmate of a public institution.

26 (c) Upon release from incarceration, such person shall continue to
27 be eligible for receipt of medical assistance until such time as the
28 person is otherwise determined to no longer be eligible for the medical
29 assistance program.

30 (3)(a) The Department of Correctional Services shall notify the
31 Department of Health and Human Services:

1 (i) Within twenty days after receiving information that a person
2 receiving medical assistance under the medical assistance program is or
3 will be an inmate of a public institution; and

4 (ii) Within forty-five days prior to the release of a person who
5 qualified for suspension under subdivision (2)(a) of this section.

6 (b) Local correctional facilities, juvenile detention facilities,
7 and other temporary detention centers shall notify the Department of
8 Health and Human Services within ten days after receiving information
9 that a person receiving medical assistance under the medical assistance
10 program is or will be an inmate of a public institution.

11 (4)(a) For individuals who are inmates of a public institution and
12 have at least sixty days' prior notice of their anticipated release date:
13 (i) The Department of Health and Human Services shall provide
14 onsite, telephonic, or live video medical assistance program enrollment
15 assistance to each inmate at least sixty days before the inmate's release
16 from a public institution. The department shall submit each inmate's
17 medical assistance program application at least forty-five days prior to
18 the inmate's release from a public institution unless the inmate elects
19 not to apply for the medical assistance program in writing or the inmate
20 is currently enrolled in the medical assistance program with suspended
21 coverage under subsection (2) of this section; and
22 (ii) The Department of Health and Human Services shall process each
23 inmate's medical assistance program application prior to the inmate's
24 release from a public institution such that medical assistance program
25 coverage is effective for an eligible individual no later than the day of
26 release from a public institution.
27 (b) For individuals who are inmates of a public institution and have
28 less than sixty days' prior notice of their anticipated release date:
29 (i) The Department of Health and Human Services shall provide
30 onsite, telephonic, or live video medical assistance program enrollment
31 assistance to each inmate as soon as practicable prior to the inmate's
1 release from a public institution. The department shall submit each
2 inmate's medical assistance program application as soon as practicable
3 prior to the inmate's release from a public institution unless the inmate
4 elects not to apply for the medical assistance program in writing or the
5 inmate is currently enrolled in the medical assistance program with
6 suspended coverage under subsection (2) of this section; and
7 (ii) The Department of Health and Human Services shall process each
8 inmate's medical assistance program application prior to the inmate's
9 release from a public institution such that medical assistance program
10 coverage becomes effective for an eligible individual no later than the
11 day of release from a public institution or as soon as practicable
12 thereafter.
13 (c) The Department of Health and Human Services may contract with
14 certified third-party enrollment assistance providers to provide the
15 enrollment assistance and application submission required by this
16 subsection.
17 (d) The Department of Health and Human Services shall take all
18 necessary actions to maximize federal financial participation pursuant to
19 this subsection.
20 (5) (4) Nothing in this section shall create a state-funded benefit
21 or program.
22 (6) (5) For purposes of this section, medical assistance program
23 means the medical assistance program under the Medical Assistance Act and
24 the State Children's Health Insurance Program.
25 (7) (6) This section shall be implemented only if, and to the
26 extent, allowed by federal law. This section shall be implemented only to
27 the extent that any necessary federal approval of state plan amendments
28 or other federal approvals are obtained. The Department of Health and
29 Human Services shall seek such approval if required.
30 (8) (7) Local correctional facilities, the Nebraska Commission on
31 Law Enforcement and Criminal Justice, and the Office of Probation
1 Administration shall cooperate with the Department of Health and Human
2 Services and the Department of Correctional Services for purposes of
3 facilitating information sharing to achieve the purposes of this section.
4 (9)(a) (8)(a) The Department of Correctional Services shall adopt
5 and promulgate rules and regulations, in consultation with the Department
6 of Health and Human Services and local correctional facilities, to carry
7 out this section.
8 (b) The Department of Health and Human Services shall adopt and

9 promulgate rules and regulations, in consultation with the Department of
 10 Correctional Services and local correctional facilities, to carry out
 11 this section.
 12 Sec. 3. Section 83-338, Reissue Revised Statutes of Nebraska, is
 13 amended to read:
 14 83-338 (1) If at any time it becomes necessary, for lack of
 15 capacity or other cause, to establish priorities for the admission of
 16 patients into the state hospitals for the mentally ill, ~~the following~~
 17 ~~priorities for admission shall be limited to recognized:~~ (a) (1) Patients
 18 whose care in the state hospital is necessary in order to protect the
 19 public health and safety; (b) ~~defendants who are determined by a court to~~
 20 ~~be incompetent to stand trial and who remain lodged in the county jail;~~
 21 (c) (2) patients committed by a mental health board under the Nebraska
 22 Mental Health Commitment Act or the Sex Offender Commitment Act or by a
 23 district court; (d) ~~(3) patients who are most likely to be benefited by~~
 24 ~~treatment in the state hospitals, regardless of whether such patients are~~
 25 ~~committed by a mental health board or whether such patients seek~~
 26 ~~voluntary admission to one of the state hospitals; and (e) (4) when cases~~
 27 ~~are equally meritorious, in all other respects, patients who are~~
 28 ~~indigent.~~
 29 (2) State hospitals for the mentally ill shall provide a minimum
 30 number of beds equal to the following percentages of total available
 31 capacity:
 1 (a) Fifteen percent for patients entering the facility pursuant to
 2 subdivision (1)(a) of this section;
 3 (b) Fifteen percent for patients entering the facility pursuant to
 4 subdivision (1)(b) of this section;
 5 (c) Forty-five percent for patients entering the facility pursuant
 6 to subdivision (1)(c) of this section;
 7 (d) Fifteen percent for patients entering the facility pursuant to
 8 subdivision (1)(d) of this section; and
 9 (e) Ten percent for patients entering the facility pursuant to
 10 subdivision (1)(e) of this section.
 11 (3) Beginning on or before November 1, 2022, the Department of
 12 Health and Human Services shall make available on its website a weekly
 13 report on the capacity and status of state-operated mental health
 14 facilities, including, but not limited to, the capacity and wait times
 15 associated with each priority category established in subsection (1) of
 16 this section.
 17 Sec. 4. (1) The Legislative Mental Health Care Capacity Strategic
 18 Planning Committee is established. The committee shall consist of the
 19 following members: (a) The chairperson of the Judiciary Committee of the
 20 Legislature or his or her designee, (b) the chairperson of the Health and
 21 Human Services Committee of the Legislature or his or her designee, (c)
 22 the chairperson of the Appropriations Committee of the Legislature or his
 23 or her designee, and (d) four senators selected by the chairperson of the
 24 Executive Board of the Legislative Council.
 25 (2)(a) No later than November 1, 2022, the Legislative Mental Health
 26 Care Capacity Strategic Planning Committee shall contract with an
 27 independent consultant with expertise in inpatient mental health care
 28 delivery. The consultant shall assist the committee in determining the
 29 necessary capacity for inpatient mental health care beds for both state-
 30 operated and privately owned facilities based on best practices in mental
 31 health care. The consultant shall provide recommendations to achieve the
 1 necessary capacity if the current state inpatient mental health bed
 2 capacity is insufficient.
 3 (b) On or before November 1, 2023, the consultant shall provide a
 4 written report of its findings and recommendations to the Legislative
 5 Mental Health Care Capacity Strategic Planning Committee.
 6 (3) This section terminates on November 1, 2024.

7 Sec. 5. Original sections 47-706 and 83-338, Reissue Revised
 8 Statutes of Nebraska, and section 29-1823, Revised Statutes Cumulative
 9 Supplement, 2020, are repealed.

LEGISLATIVE BILL 1010. Placed on General File with amendment.
[AM2435](#) is available in the Bill Room.

(Signed) Steve Lathrop, Chairperson

SELECT FILE

LEGISLATIVE BILL 1011. [ER150](#), found on page 898, was adopted.

Senator Lathrop offered his amendment, [AM2110](#), found on page 774.

Senator Lathrop asked unanimous consent to withdraw his amendment, [AM2222](#), found on page 774, and replace it with his substitute amendment, [AM2465](#), to AM2110. No objections. So ordered.
[AM2465](#)

(Amendments to Standing Committee amendments, AM1999)

- 1 1. Purpose: For Agency 25 - Department of Health and Human Services:
- 2 Correct an earmark amount.
- 3 Amendment:
- 4 a. On page 19, line 1, strike "\$15,500,000" and insert
- 5 "\$15,580,000".
- 6 2. Purpose: For Agency 28 - Department of Veterans' Affairs: Correct
- 7 an appropriation source.
- 8 Amendment:
- 9 a. On page 19, line 28, strike "CASH FUND" and insert "VETERAN
- 10 CEMETERY CONSTRUCTION FUND".
- 11 3. Purpose: For Agency 29 - Department of Natural Resources: Correct
- 12 the Salary Limit and aid earmark amount to reflect the fiscal note for
- 13 LB1074.
- 14 Amendment:
- 15 a. On page 20, line 22, strike "123,661" and insert "201,243"; and
- 16 in lines 24 and 27 strike "\$50,000,000" and insert "\$49,876,642".
- 17 4. Purpose: For Agency 33 - Game and Parks Commission: Correct an
- 18 appropriation amount and program total.
- 19 Amendment:
- 20 a. On page 23, line 14, strike "1,240,065" and insert "1,340,065";
- 21 and in line 15 strike "1,247,886" and insert "1,347,886".
- 22 5. Purpose: For Agency 5 - Supreme Court: Clarify an aid earmark.
- 23 Amendment:
- 24 a. On page 44, line 27, strike "a" and insert "equivalent to" and
- 25 strike "increase" and insert "increases".
- 26 6. Purpose: For Agency 13 - State Department of Education: Correct a
- 1 General Fund appropriation amount and program total and change an aid
- 2 earmark.
- 3 Amendment:
- 4 a. On page 45, line 4, strike "1,305,956,097" and insert
- 5 "1,306,056,097"; in line 7 strike "1,710,902,088" and insert
- 6 "1,711,002,088"; and in line 16 strike "\$1,305,956,097" and insert
- 7 "\$1,306,056,097".
- 8 7. Purpose: For General Fund transfers: Insert an omitted fund
- 9 transfer.

10 Amendment:

11 a. On page 89, line 13, strike "and"; in line 17 strike the period
12 and insert "; and"; and after line 17 insert the following new
13 subdivision:

14 "(k) The Governor's Emergency Cash Fund: \$5,000,000 after July 1,
15 2022, but before June 30, 2023, on such dates and in such amounts as
16 directed by the budget administrator of the budget division of the
17 Department of Administrative Services."

18 8. Purpose: For Cash, Revolving, and Trust Fund Lapses and
19 Transfers: Correct the name of a fund.

20 Amendment:

21 a. On page 92, line 19; and page 95, line 10, strike "Remedial
22 Release Action" and insert "Release Remedial Action Cash".

SENATOR WILLIAMS PRESIDING

SENATOR HUGHES PRESIDING

SENATOR WILLIAMS PRESIDING

Pending.

COMMITTEE REPORT(S)

Education

LEGISLATIVE RESOLUTION 335. Reported to the Legislature for further consideration.

(Signed) Lynne Walz, Chairperson

AMENDMENT(S) - Print in Journal

Senator M. Hansen filed the following amendment to LB919:
[AM2547](#) is available in the Bill Room.

Senator Day filed the following amendment to LB852:
[AM2563](#)

1 1. On page 2, line 5, strike "school employee" and insert "person
2 affiliated with such school building or other division".

Senator Friesen filed the following amendment to LB1014:
[AM2550](#)

(Amendments to Standing Committee amendments, AM2330)

1 1. Strike section 27.

2 2. On page 36, lines 15 and 16, strike "4,000,000" and insert

3 "24,000,000"; and in lines 18 and 21 strike "\$4,000,000" and insert

4 "\$24,000,000".

5 3. Renumber the remaining sections and correct internal references

6 accordingly.

Senator Friesen filed the following amendment to LB1014:

[AM2536](#)

(Amendments to Standing Committee amendments, AM2330)

- 1 1. On page 25, strike lines 4 through 29; and in line 30 strike "(3)
- 2 (a)" and insert "(2)(a)".
- 3 2. On page 26, line 25, strike "(4)" and insert "(3)".
- 4 3. On page 27, line 5, strike "(5)(a)" and insert "(4)(a)"; in line
- 5 25 strike "(5)" and insert "(4)"; and in line 29 strike "(6)" and insert
- 6 "(5)".
- 7 4. On page 28, line 2, strike "(7)" and insert "(6)".

Senator Friesen filed the following amendment to LB1014:

[AM2534](#)

(Amendments to Standing Committee amendments, AM2330)

- 1 1. Strike section 34.
- 2 2. Renumber the remaining sections and correct internal references
- 3 accordingly.

Senator Friesen filed the following amendment to LB1014:

[AM2537](#)

(Amendments to Standing Committee amendments, AM2330)

- 1 1. Strike section 37.
- 2 2. Renumber the remaining sections and correct internal references
- 3 accordingly.

Senator Brewer filed the following amendment to LB512:

[AM2357](#)

(Amendments to Standing Committee amendments, AM1620)

- 1 1. Strike amendments 1 through 3 and insert the following new
- 2 amendment:
- 3 1. Strike the original sections and insert the following new
- 4 sections:
- 5 Section 1. Section 81-829.39, Reissue Revised Statutes of Nebraska,
- 6 is amended to read:
- 7 81-829.39 For purposes of the Emergency Management Act, unless the
- 8 context otherwise requires:
- 9 (1) Civil defense emergency means an emergency declared by the
- 10 President of the United States or Congress pursuant to applicable federal
- 11 law finding that an attack upon the United States has occurred or is
- 12 anticipated and that the national safety therefor requires the invocation
- 13 of the emergency authority provided for by federal law. Civil defense
- 14 emergency also means an enemy attack or other hostile action within the
- 15 State of Nebraska or a determination by the President of the United
- 16 States that any attack has been made upon or is anticipated within a
- 17 designated geographic area which includes all or a part of the State of
- 18 Nebraska. Any such emergency shall terminate in the manner provided by
- 19 federal law or by proclamation of the Governor or resolution of the
- 20 Legislature terminating such emergency;
- 21 (2) Disability has the same meaning as in 42 U.S.C. 12102, as such
- 22 section existed on January 1, 2022;
- 23 (3) (2) Disaster means any event or the imminent threat thereof
- 24 causing widespread or severe damage, injury, or loss of life or property
- 25 resulting from any natural or manmade cause;
- 26 (4) (3) Emergency means any event or the imminent threat thereof
- 1 causing serious damage, injury, or loss of life or property resulting
- 2 from any natural or manmade cause which, in the determination of the
- 3 Governor or the principal executive officer of a local government,
- 4 requires immediate action to accomplish the purposes of the Emergency
- 5 Management Act and to effectively respond to the event or threat of the
- 6 event;

7 ~~(5)~~ (4) Emergency management means the preparation for and the
8 carrying out of all emergency functions, other than functions for which
9 military forces are primarily responsible, to mitigate, prevent,
10 minimize, respond to, and recover from injury and damage resulting from
11 disasters, emergencies, or civil defense emergencies. Emergency
12 management functions include, but need not be limited to, firefighting
13 services, police services, medical and health services, search and rescue
14 services, engineering services, communications and warning systems,
15 radiological preparedness, hazardous materials response, evacuation of
16 persons from stricken areas, emergency welfare services, emergency
17 transportation services, restoration of public utility services, and
18 other functions related to civilian protection, together with all other
19 activities necessary or incidental to the preparation for and carrying
20 out of the functions listed in this subdivision;

21 ~~(6)~~ (5) Emergency management worker includes any full-time or part-
22 time paid, volunteer, or auxiliary employee of this state or other
23 states, territories, or possessions of the federal government or any
24 neighboring country or of any political subdivision thereof, of the
25 District of Columbia, or of any agency or organization performing
26 emergency management services at any place in this state subject to the
27 order or control of or pursuant to a request of the state government or
28 any political subdivision thereof and also includes instructors and
29 students in emergency management educational programs approved by the
30 Nebraska Emergency Management Agency or otherwise under the provisions of
31 the Emergency Management Act;

1 ~~(7)~~ (8) Functional needs means additional needs before, during, and
2 after a disaster or an emergency in one or more functional areas,
3 including, but not limited to, maintaining independence, communication,
4 transportation, safety, support, and health care;

5 ~~(8)~~ (6) Hazard mitigation means measures which will eliminate or
6 reduce the potential for damage to an area or facility from the effects
7 of a future disaster, emergency, or civil defense emergency;

8 ~~(9)~~ (7) Local government means a county, village, or city of any
9 class;

10 ~~(10)~~ (8) Political subdivision means a city, village, county, school
11 district, public power district, natural resources district, and any
12 other unit of government below the state level, including any entity
13 created pursuant to the Interlocal Cooperation Act or the Joint Public
14 Agency Act;

15 ~~(11)~~ (9) Principal executive officer means the mayor in a city of
16 any class or the elected chairperson of the governing body of a village
17 or county;

18 ~~(12)~~ (10) State emergency response team means an organization for
19 emergency management established in accordance with the provisions of
20 sections 81-829.52 to 81-829.54 by state authority to supplement city,
21 village, county, or interjurisdictional emergency management
22 organizations in a stricken area; and

23 ~~(13)~~ (11) Technological hazard means a hazard emanating from the
24 manufacture, transportation, and use of such substances as radioactive
25 materials, chemicals, explosives, flammables, agricultural pesticides,
26 herbicides, disease agents, oil spills, and debris from space.
27 Sec. 2. Section 81-829.41, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 81-829.41 (1) The Nebraska Emergency Management Agency shall be
30 maintained in the office of the Adjutant General. The Adjutant General
31 shall be the director of the agency, shall administer the Emergency
1 Management Act subject to the direction and control of the Governor, and
2 shall receive such compensation for these services as shall be determined
3 by the Governor. The agency shall have an assistant director and such
4 other professional, technical, secretarial, and clerical employees as are
5 necessary for the performance of its functions.

6 (2) The agency shall maintain an emergency operations plan and keep
7 it current. The plan may include, but need not be limited to:

8 (a) A history of Nebraska disasters, emergencies, and civil defense

9 emergencies;

10 (b) An analysis of past and potential disasters, emergencies, and
 11 civil defense emergencies, including an identification of the functions
 12 and resources required to cope with such occurrences. The expected
 13 frequency of occurrence, along with the severity of effect, shall
 14 indicate the priority of preparedness efforts of the emergency management
 15 organizations of the state;

16 (c) Measures to be undertaken to accomplish damage assessment and
 17 situation analysis, warning, direction and control, coordination of
 18 operating forces, emergency resource management, emergency information
 19 and official instructions, communications and other necessary support to
 20 emergency response operations, and coordination and cooperation of
 21 federal, state, local, and nongovernmental agencies so as to provide a
 22 prompt and effective response to disasters, emergencies, and civil
 23 defense emergencies to prevent and minimize the injury and damage;

24 (d) The provision of relief and recovery assistance to individuals,
 25 political subdivisions of the state, and state agencies;

26 (e) Identification of areas of the state particularly vulnerable to
 27 disaster, emergency, or civil defense emergency;

28 (f) Recommendations for preventive and preparedness measures
 29 designed to eliminate or reduce disasters, emergencies, or civil defense
 30 emergencies or their impact, including, but not limited to, zoning,
 31 building, and other land-use control, and safety measures for securing
 1 mobile homes or other nonpermanent or semipermanent structures;

2 (g) Authorization and procedures for the erection or other
 3 construction of temporary works designed to protect against or mitigate
 4 danger, damage, or loss from flood, conflagration, or other disaster,
 5 emergency, or civil defense emergency;

6 (h) Assistance in designing city, village, county, and
 7 interjurisdictional emergency operations plans;

8 (i) Preparation and distribution to the appropriate state and
 9 political subdivision officials of catalogs of federal, state, and
 10 private disaster assistance programs; and

11 (j) Other necessary matters.

12 (3) The Nebraska Emergency Management Agency shall take an integral
 13 part in the development and revision of city, village, county, and
 14 interjurisdictional emergency operations plans prepared under section
 15 81-829.46. It shall employ or otherwise secure the services of
 16 professional and technical personnel capable of providing expert
 17 assistance to political subdivisions and to city, village, county, and
 18 interjurisdictional emergency management organizations. Such personnel
 19 shall consult with such political subdivisions and organizations on a
 20 regularly scheduled basis and shall make field examinations of the areas,
 21 circumstances, and conditions to which particular city, village, county,
 22 and interjurisdictional emergency operations plans are intended to apply
 23 and may suggest or require revisions.

24 (4) In preparing and revising the Nebraska emergency operations
 25 plans, the agency shall seek the advice and assistance of other agencies
 26 of government and the private sector, including organizations providing
 27 advocacy or other services to persons with disabilities or who have
 28 functional needs. In advising city, village, county, and
 29 interjurisdictional emergency management organizations, the Nebraska
 30 Emergency Management Agency shall encourage them to also seek advice from
 31 these sources.

1 (5) The Nebraska emergency operations plans or any part thereof may
 2 be incorporated in rules or regulations of the agency.

3 (6) The agency shall:

4 (a) Determine the requirements of the state and its political
 5 subdivisions for basic necessities such as food, clothing, and shelter in
 6 various disaster, emergency, or civil defense emergency situations;

7 (b) Procure and pre-position emergency supplies, materials, and
 8 equipment;

9 (c) Adopt and promulgate rules and regulations setting out standards
 10 and requirements for city, village, county, and interjurisdictional

11 emergency operations plans;
 12 (d) Periodically review city, village, county, and
 13 interjurisdictional emergency operations plans;
 14 (e) Provide for state emergency response teams;
 15 (f) Establish and operate or assist local governments, their
 16 emergency management organizations, and interjurisdictional emergency
 17 management organizations in establishing and operating training programs
 18 and programs of public information;
 19 (g) Make surveys of such industries, resources, and facilities, both
 20 public and private, within the state as are necessary to carry out the
 21 purposes of the Emergency Management Act;
 22 (h) Plan and make arrangements for the availability and use of any
 23 private facilities, services, and property and, if necessary and if in
 24 fact used, provide for payment for use under terms and conditions agreed
 25 upon;
 26 (i) Establish a register of persons and organizations with training
 27 and skills important in disaster prevention, mitigation, preparedness,
 28 response, and recovery and emergency management;
 29 (j) Establish a register of mobile and construction equipment and
 30 temporary housing available for use in a disaster or emergency;
 31 (k) Prepare for issuance by the Governor proclamations, orders,
 1 rules, and regulations as are necessary or appropriate in coping with
 2 disasters, emergencies, and civil defense emergencies;
 3 (l) Cooperate with the federal government and any public or private
 4 agency or entity in achieving any purpose of the act and in implementing
 5 programs for disaster prevention, mitigation, preparedness, response, and
 6 recovery and emergency management;
 7 (m) Coordinate state emergency response as directed by the Governor;
 8 (n) Cooperate with other emergency management agencies and public
 9 agencies in the development of emergency management registries which
 10 include persons with disabilities or who have functional needs and the
 11 families and guardians of such persons for purposes of planning for
 12 assistance for such persons and their families and guardians before,
 13 during, and after a disaster or other emergency. Participation in an
 14 emergency management registry by persons with functional needs and their
 15 families shall be voluntary. Information obtained by emergency management
 16 agencies or other public agencies for such purposes shall not be
 17 considered a public record under section 84-712.01. All information
 18 acquired pursuant to this subdivision is confidential and shall not be
 19 disclosed or released except to other agencies which have a legitimate
 20 and official interest in the information for carrying out the purposes of
 21 this subdivision. Any person acquiring information pursuant to this
 22 subdivision who intentionally discloses or releases such information in
 23 violation of this subdivision is guilty of a Class III misdemeanor; and
 24 (o) Do other things necessary, incidental, or appropriate for the
 25 implementation of the act.
 26 Sec. 3. Original sections 81-829.39 and 81-829.41, Reissue Revised
 27 Statutes of Nebraska, are repealed.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Flood name added to LB1241.

RECESS

At 12:02 p.m., on a motion by Senator Linehan, the Legislature recessed until 1:00 p.m.

AFTER RECESS

The Legislature reconvened at 1:00 p.m., Senator Hughes presiding.

ROLL CALL

The roll was called and all members were present except Senator Pahls who was excused; and Senators Arch, Blood, Bostar, Bostelman, Briese, Day, DeBoer, Geist, B. Hansen, M. Hansen, McDonnell, McKinney, Morfeld, Pansing Brooks, Vargas, Walz, Wayne, and Williams who were excused until they arrive.

SELECT FILE

LEGISLATIVE BILL 1011. Senator Lathrop renewed his amendment, [AM2465](#), found in this day's Journal, to his amendment, [AM2110](#).

Senator J. Cavanaugh offered the following motion:

[MO178](#)

Bracket until March 25, 2022.

Senator Stinner offered the following motion:

[MO179](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Stinner moved for a call of the house. The motion prevailed with 30 ayes, 2 nays, and 17 not voting.

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

Voting in the affirmative, 42:

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

Voting in the negative, 1:

Friesen

Present and not voting, 3:

Cavanaugh, M. Hansen, M. Hughes

Excused and not voting, 3:

Lindstrom Pahls Wayne

The Stinner motion to invoke cloture prevailed with 42 ayes, 1 nay, 3 present and not voting, and 3 excused and not voting.

The J. Cavanaugh motion to bracket failed with 0 ayes, 44 nays, 2 present and not voting, and 3 excused and not voting.

The Lathrop amendment, [AM2465](#), was adopted with 42 ayes, 0 nays, 4 present and not voting, and 3 excused and not voting.

The Lathrop amendment, [AM2110](#), as amended, was adopted with 39 ayes, 2 nays, 5 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

The Chair declared the call raised.

LEGISLATIVE BILL 1012, [ER148](#), found on page 889, was adopted.

Senator Friesen offered his amendment, [AM2351](#), found on page 865.

SENATOR ARCH PRESIDING

Senator Friesen offered the following amendment to his amendment:

[FA147](#)

On page 1, line 1, strike "31" and insert "7"

Senator Friesen asked unanimous consent to withdraw his amendment, [FA147](#), and replaced it with his substitute amendment, [AM2576](#), to [AM2351](#). No objections. So ordered.
[AM2576](#)

(Amendments to AM2351)

1 1. Strike amendments 1 and 2 and insert the following new amendment:

2 1. On page 10, line 11, strike "Cash Reserve Fund" and insert

3 "Property Tax Credit Cash Fund".

Senator Friesen moved for a call of the house. The motion prevailed with 27 ayes, 3 nays, and 19 not voting.

Senator Slama requested a roll call vote on the Friesen amendment.

Voting in the affirmative, 20:

Aguilar	Brewer	Geist	Hughes	Moser
Albrecht	Erdman	Gragert	Jacobson	Murman
Bostelman	Flood	Halloran	Linehan	Sanders
Brandt	Friesen	Hansen, B.	Lowe	Slama

Voting in the negative, 17:

Arch	Clements	Hilgers	McDonnell	Wishart
Blood	Day	Hilkemann	Stinner	
Cavanaugh, J.	DeBoer	Kolterman	Vargas	
Cavanaugh, M.	Dorn	McCullister	Williams	

Present and not voting, 8:

Bostar	Hunt	McKinney	Pansing Brooks
Hansen, M.	Lathrop	Morfeld	Walz

Excused and not voting, 4:

Briese	Lindstrom	Pahls	Wayne
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The Friesen amendment lost with 20 ayes, 17 nays, 8 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

Senator Friesen withdrew his amendment, [AM2351](#), found on page 865 and considered in this day's Journal.

Senator Friesen offered his amendment, [AM2344](#), found on page 880.

SENATOR WILLIAMS PRESIDING

SENATOR HUGHES PRESIDING

Pending.

AMENDMENT(S) - Print in Journal

Senator J. Cavanaugh filed the following amendment to [LB919](#):
[AM2551](#)

(Amendments to Standing Committee amendments, AM2513)

1 1. Insert the following new section:
2 Sec. 2. Section 77-2715.07, Revised Statutes Supplement, 2021, is
3 amended to read:
4 77-2715.07 (1) There shall be allowed to qualified resident
5 individuals as a nonrefundable credit against the income tax imposed by
6 the Nebraska Revenue Act of 1967:
7 (a) A credit equal to the federal credit allowed under section 22 of
8 the Internal Revenue Code; and
9 (b) A credit for taxes paid to another state as provided in section
10 77-2730.
11 (2) There shall be allowed to qualified resident individuals against
12 the income tax imposed by the Nebraska Revenue Act of 1967:
13 (a) For returns filed reporting federal adjusted gross incomes of
14 greater than twenty-nine thousand dollars, a nonrefundable credit equal
15 to twenty-five percent of the federal credit allowed under section 21 of
16 the Internal Revenue Code of 1986, as amended, except that for taxable

17 years beginning or deemed to begin on or after January 1, 2015, such
18 nonrefundable credit shall be allowed only if the individual would have
19 received the federal credit allowed under section 21 of the code after
20 adding back in any carryforward of a net operating loss that was deducted
21 pursuant to such section in determining eligibility for the federal
22 credit;

23 (b) For returns filed reporting federal adjusted gross income of
24 twenty-nine thousand dollars or less, a refundable credit equal to a
25 percentage of the federal credit allowable under section 21 of the
26 Internal Revenue Code of 1986, as amended, whether or not the federal
1 credit was limited by the federal tax liability. The percentage of the
2 federal credit shall be one hundred percent for incomes not greater than
3 twenty-two thousand dollars, and the percentage shall be reduced by ten
4 percent for each one thousand dollars, or fraction thereof, by which the
5 reported federal adjusted gross income exceeds twenty-two thousand
6 dollars, except that for taxable years beginning or deemed to begin on or
7 after January 1, 2015, such refundable credit shall be allowed only if
8 the individual would have received the federal credit allowed under
9 section 21 of the code after adding back in any carryforward of a net
10 operating loss that was deducted pursuant to such section in determining
11 eligibility for the federal credit;

12 (c) A refundable credit as provided in section 77-5209.01 for
13 individuals who qualify for an income tax credit as a qualified beginning
14 farmer or livestock producer under the Beginning Farmer Tax Credit Act
15 for all taxable years beginning or deemed to begin on or after January 1,
16 2006, under the Internal Revenue Code of 1986, as amended;

17 (d) A refundable credit for individuals who qualify for an income
18 tax credit under the Angel Investment Tax Credit Act, the Nebraska
19 Advantage Microenterprise Tax Credit Act, the Nebraska Advantage Research
20 and Development Act, or the Volunteer Emergency Responders Incentive Act;
21 and

22 (e)(i) (e) A refundable credit equal to:

23 (A) ~~Ten ten~~ percent of the federal credit allowed under section 32
24 of the Internal Revenue Code of 1986, as amended, for taxable years
25 beginning or deemed to begin before January 1, 2023; and
26 (B) Seventeen percent of the federal credit allowed under section 32
27 of the Internal Revenue Code of 1986, as amended, for taxable years
28 beginning or deemed to begin on or after January 1, 2023.

29 (ii) ~~For except that for~~ taxable years beginning or deemed to begin
30 on or after January 1, 2015, ~~the such~~ refundable credit provided in
31 subdivision (2)(e)(i) of this section shall be allowed only if the
1 individual would have received the federal credit allowed under section
2 32 of the code after adding back in any carryforward of a net operating
3 loss that was deducted pursuant to such section in determining
4 eligibility for the federal credit.

5 (3) There shall be allowed to all individuals as a nonrefundable
6 credit against the income tax imposed by the Nebraska Revenue Act of
7 1967:

8 (a) A credit for personal exemptions allowed under section
9 77-2716.01;

10 (b) A credit for contributions to certified community betterment
11 programs as provided in the Community Development Assistance Act. Each
12 partner, each shareholder of an electing subchapter S corporation, each
13 beneficiary of an estate or trust, or each member of a limited liability
14 company shall report his or her share of the credit in the same manner
15 and proportion as he or she reports the partnership, subchapter S
16 corporation, estate, trust, or limited liability company income;

17 (c) A credit for investment in a biodiesel facility as provided in
18 section 77-27,236;

19 (d) A credit as provided in the New Markets Job Growth Investment

20 Act;

21 (e) A credit as provided in the Nebraska Job Creation and Mainstreet
22 Revitalization Act;

23 (f) A credit to employers as provided in section 77-27,238; and

24 (g) A credit as provided in the Affordable Housing Tax Credit Act.

25 (4) There shall be allowed as a credit against the income tax

26 imposed by the Nebraska Revenue Act of 1967:

27 (a) A credit to all resident estates and trusts for taxes paid to

28 another state as provided in section 77-2730;

29 (b) A credit to all estates and trusts for contributions to

30 certified community betterment programs as provided in the Community

31 Development Assistance Act; and

1 (c) A refundable credit for individuals who qualify for an income

2 tax credit as an owner of agricultural assets under the Beginning Farmer

3 Tax Credit Act for all taxable years beginning or deemed to begin on or

4 after January 1, 2009, under the Internal Revenue Code of 1986, as

5 amended. The credit allowed for each partner, shareholder, member, or

6 beneficiary of a partnership, corporation, limited liability company, or

7 estate or trust qualifying for an income tax credit as an owner of

8 agricultural assets under the Beginning Farmer Tax Credit Act shall be

9 equal to the partner's, shareholder's, member's, or beneficiary's portion

10 of the amount of tax credit distributed pursuant to subsection (6) of

11 section 77-5211.

12 (5)(a) For all taxable years beginning on or after January 1, 2007,

13 and before January 1, 2009, under the Internal Revenue Code of 1986, as

14 amended, there shall be allowed to each partner, shareholder, member, or

15 beneficiary of a partnership, subchapter S corporation, limited liability

16 company, or estate or trust a nonrefundable credit against the income tax

17 imposed by the Nebraska Revenue Act of 1967 equal to fifty percent of the

18 partner's, shareholder's, member's, or beneficiary's portion of the

19 amount of franchise tax paid to the state under sections 77-3801 to

20 77-3807 by a financial institution.

21 (b) For all taxable years beginning on or after January 1, 2009,

22 under the Internal Revenue Code of 1986, as amended, there shall be

23 allowed to each partner, shareholder, member, or beneficiary of a

24 partnership, subchapter S corporation, limited liability company, or

25 estate or trust a nonrefundable credit against the income tax imposed by

26 the Nebraska Revenue Act of 1967 equal to the partner's, shareholder's,

27 member's, or beneficiary's portion of the amount of franchise tax paid to

28 the state under sections 77-3801 to 77-3807 by a financial institution.

29 (c) Each partner, shareholder, member, or beneficiary shall report

30 his or her share of the credit in the same manner and proportion as he or

31 she reports the partnership, subchapter S corporation, limited liability

1 company, or estate or trust income. If any partner, shareholder, member,

2 or beneficiary cannot fully utilize the credit for that year, the credit

3 may not be carried forward or back.

4 (6) There shall be allowed to all individuals nonrefundable credits

5 against the income tax imposed by the Nebraska Revenue Act of 1967 as

6 provided in section 77-3604 and refundable credits against the income tax

7 imposed by the Nebraska Revenue Act of 1967 as provided in section

8 77-3605.

9 (7)(a) For taxable years beginning or deemed to begin on or after

10 January 1, 2020, and before January 1, 2026, under the Internal Revenue

11 Code of 1986, as amended, a nonrefundable credit against the income tax

12 imposed by the Nebraska Revenue Act of 1967 in the amount of five

13 thousand dollars shall be allowed to any individual who purchases a

14 residence during the taxable year if such residence:

15 (i) Is located within an area that has been declared an extremely

16 blighted area under section 18-2101.02;

17 (ii) Is the individual's primary residence; and

18 (iii) Was not purchased from a family member of the individual or a
 19 family member of the individual's spouse.
 20 (b) The credit provided in this subsection shall be claimed for the
 21 taxable year in which the residence is purchased. If the individual
 22 cannot fully utilize the credit for such year, the credit may be carried
 23 forward to subsequent taxable years until fully utilized.
 24 (c) No more than one credit may be claimed under this subsection
 25 with respect to a single residence.
 26 (d) The credit provided in this subsection shall be subject to
 27 recapture by the Department of Revenue if the individual claiming the
 28 credit sells or otherwise transfers the residence or quits using the
 29 residence as his or her primary residence within five years after the end
 30 of the taxable year in which the credit was claimed.
 31 (e) For purposes of this subsection, family member means an
 1 individual's spouse, child, parent, brother, sister, grandchild, or
 2 grandparent, whether by blood, marriage, or adoption.
 3 (8) There shall be allowed to all individuals refundable credits
 4 against the income tax imposed by the Nebraska Revenue Act of 1967 as
 5 provided in the Nebraska Property Tax Incentive Act and the Renewable
 6 Chemical Production Tax Credit Act.
 7 (9)(a) For taxable years beginning or deemed to begin on or after
 8 January 1, 2022, under the Internal Revenue Code of 1986, as amended, a
 9 refundable credit against the income tax imposed by the Nebraska Revenue
 10 Act of 1967 shall be allowed to the parent of a stillborn child if:
 11 (i) A fetal death certificate is filed pursuant to subsection (1) of
 12 section 71-606 for such child;
 13 (ii) Such child had advanced to at least the twentieth week of
 14 gestation; and
 15 (iii) Such child would have been a dependent of the individual
 16 claiming the credit.
 17 (b) The amount of the credit shall be two thousand dollars.
 18 (c) The credit shall be allowed for the taxable year in which the
 19 stillbirth occurred.
 20 2. Renumber the remaining sections, correct internal references, and
 21 correct the repealer accordingly.

Senator J. Cavanaugh filed the following amendment to [LB919](#):
[AM2545](#)

(Amendments to Standing Committee amendments, AM2513)

1 1. Strike the original sections and all amendments thereto and
 2 insert the following new sections:
 3 Section 1. It is the intent of the Legislature to appropriate four
 4 hundred million dollars from the General Fund for fiscal year 2022-23 to
 5 the Department of Revenue for distribution as provided in section 2 of
 6 this act.
 7 Sec. 2. (1) The Department of Revenue shall distribute the funds
 8 appropriated pursuant to section 1 of this act directly to residents of
 9 Nebraska as provided in this section. The distribution shall be in the
 10 form of a prepaid debit card in an amount which equals four hundred
 11 million dollars, less the cost of the prepaid debit cards, program costs,
 12 and administrative costs, divided by the number of residents of Nebraska
 13 on July 1, 2022.
 14 (2)(a) The department shall mail the prepaid debit card to the
 15 address of each resident who has an address on record with the department
 16 as of July 1, 2022, and shall provide a method of application for each
 17 resident as of July 1, 2022, who does not have an address on record with
 18 the department or does not receive a card. The department may require
 19 evidence of residency in Nebraska as of July 1, 2022, as needed to carry
 20 out this section.
 21 (b) For dependents as determined by the department, the prepaid

22 debit card shall be sent to the head of household for use by the head of
23 household.

24 (3) The department shall design the prepaid debit card so that it

25 (a) may only be used at a business located in Nebraska, (b) is activated
26 by telephone, and (c) must be used within twelve months after the date
1 the card is activated.

2 (4) The prepaid debit card shall not be accessible at an automated
3 teller machine, shall not be eligible for cash back at a point-of-sale
4 system, and shall not be used to make any purchase associated with
5 gambling or any lottery.

6 (5) The department shall contract with a prepaid debit card vendor
7 to facilitate the distribution of the prepaid debit cards to Nebraska
8 residents. Before awarding a contract to a prepaid debit card vendor, the
9 department shall consider at least two vendors in the State of Nebraska
10 for the procurement.

Senator M. Hansen filed the following amendment to LB919:
[AM2565](#) is available in the Bill Room.

Senator M. Cavanaugh filed the following amendment to LB1015:
[AM2577](#)

(Amendments to AM2245)

1 1. On page 2, after line 15, insert the following new subsection:

2 "(6)(a) An individual listed in subdivision (b) of this subsection
3 shall not, directly or indirectly, hold a financial interest in any
4 entity which is party to a contract or have a financial interest in the
5 ownership or lease of any property relating to the development,
6 construction, management, or operation of the Perkins County Canal
7 Project.

8 (b) This subsection shall apply to:

9 (i) Any official in the executive branch as defined in section
10 49-1436. This subsection shall apply to such official while he or she is
11 in office and for ten years after he or she leaves office;

12 (ii) Any state employee; and

13 (iii) Any member of the Legislature.

14 (c) For purposes of this subsection, immediate family member means a
15 spouse, child, sibling, parent, grandparent, or grandchild and includes
16 the spouse of any child, sibling, parent, grandparent, or grandchild."

Senator M. Cavanaugh filed the following amendment to LB1023:
[AM2573](#)

(Amendments to AM2300)

1 1. On page 5, after line 27 insert the following new subsection:

2 "(9)(a) An individual listed in subdivision (9)(b) of this section
3 shall not have a financial interest, either personally or through an
4 immediate family member, in any purchase, sale, or lease of real property
5 relating to the construction or development of the lake or in any
6 contract entered into by the Department of Natural Resources relating to
7 the construction, development, or management of the lake.

8 (b) This subsection shall apply to:

9 (i) Any official in the executive branch as defined in section
10 49-1436. This subsection shall apply to such official while he or she is
11 in office and for ten years after he or she leaves office;

12 (ii) Any state employee; and

13 (iii) Any member of the Legislature.

14 (c) For purposes of this subsection, immediate family member means a
15 spouse, child, sibling, parent, grandparent, or grandchild and includes
16 the spouse of a child, sibling, parent, grandparent, or grandchild."

17 2. On page 8, after line 21 insert the following new subsection:
 18 "(5)(a) An individual listed in subdivision (5)(b) of this section
 19 shall not have a financial interest, either personally or through an
 20 immediate family member, in any purchase, sale, or lease of real property
 21 relating to a project authorized in this section or in any contract
 22 entered into by the Game and Parks Commission relating to a project
 23 authorized in this section.
 24 (b) This subsection shall apply to:
 25 (i) Any official in the executive branch as defined in section
 26 49-1436. This subsection shall apply to such official while he or she is
 1 in office and for ten years after he or she leaves office;
 2 (ii) Any state employee; and
 3 (iii) Any member of the Legislature.
 4 (c) For purposes of this subsection, immediate family member means a
 5 spouse, child, sibling, parent, grandparent, or grandchild and includes
 6 the spouse of a child, sibling, parent, grandparent, or grandchild."

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

[AM2567](#)

1 1. Strike section 9.
 2 2. Renumber the remaining sections and correct internal references
 3 accordingly.

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

[AM2566](#)

1 1. Insert the following new section:
 2 Sec. 10. No provision of the Nebraska Human Life Protection Act
 3 shall apply to any health care consultation or procedure, including, but
 4 not limited to, abortion, or provision of an abortion-inducing drug, to a
 5 person whose pregnancy resulted from subjection to sex trafficking
 6 whether or not such sex trafficking was reported, investigated, or
 7 prosecuted.
 8 2. On page 2, lines 4 and 6, strike "9" and insert "10".
 9 3. Renumber the remaining sections accordingly.

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

[AM2568](#)

1 1. Insert the following new section:
 2 Sec. 10. When any licensed physician or any person is charged in any
 3 prosecution arising from the Nebraska Human Life Protection Act and such
 4 charges are dismissed pretrial, at trial, after acquittal, or on appeal,
 5 or in any other manner, such licensed physician or person shall be
 6 entitled to recovery pursuant to the State Torts Claims Act, the
 7 Political Subdivisions Tort Claims Act, or the Wrongful Conviction and
 8 Imprisonment Act or under any other theory of recovery.
 9 2. On page 2, lines 4 and 6, strike "9" and insert "10".
 10 3. Renumber the remaining sections accordingly.

Senator J. Cavanaugh filed the following amendment to [LB1011](#):

[FA146](#)

Amend AM2110: Strike Section 2, renumber accordingly.

SELECT FILE

LEGISLATIVE BILL 1012. Senator Friesen renewed his amendment, [AM2344](#), found on page 880 and considered in this day's Journal.

SENATOR ARCH PRESIDING**SENATOR WILLIAMS PRESIDING****SENATOR ARCH PRESIDING**

Senator Friesen withdrew his amendment.

Senator Friesen offered his amendment, [AM2349](#), found on page 880.

Senator Bostelman offered the following amendment to the Friesen amendment:

[FA149](#)

To amend AM2349 to LB1012 by striking line 1 and inserting: on page 33, line 31 of AM2000, strike the word "annually".

Senator Stinner offered the following motion:

[MO180](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

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

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

Voting in the affirmative, 43:

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

Voting in the negative, 2:

Erdman Friesen

Present and not voting, 1:

Hughes

Excused and not voting, 3:

Lindstrom Pahls Wayne

The Stinner motion to invoke cloture prevailed with 43 ayes, 2 nays, 1 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

The Bostelman amendment was adopted with 42 ayes, 0 nays, 4 present and not voting, and 3 excused and not voting.

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

Advanced to Enrollment and Review for Engrossment.

The Chair declared the call raised.

AMENDMENT(S) - Print in Journal

Senator M. Hansen filed the following amendment to LB919:
AM2549

(Amendments to Standing Committee amendments, AM2513)

1 1. Insert the following new section:
2 Sec. 8. Since an emergency exists, this act takes effect when passed
3 and approved according to law.
4 2. On page 2, strike lines 9 through 21 and insert "For taxable
5 years beginning or deemed to begin on or after January 1, 2014, and
6 before January 1, 2023, the top rate shall be 6.84%. For taxable years
7 beginning or deemed to begin on or after January 1, 2023, the top rate
8 shall be determined on an annual basis as follows:
9 (a) On or before July 15, 2022, and on or before July 15 of each
10 year thereafter, the Tax Commissioner shall determine actual General Fund
11 net receipts for the most recently completed fiscal year minus actual
12 General Fund net receipts for the prior fiscal year;
13 (b) If the amount determined under subdivision (2)(a) of this
14 section is a positive number, the Tax Commissioner shall reduce the top
15 rate in effect on the date of such determination in accordance with the
16 schedule provided in subdivision (2)(c) of this section. Such reduced
17 rate shall apply to taxable years beginning or deemed to begin on or
18 after the immediately following January 1. If the amount determined under
19 subdivision (2)(a) of this section is a negative number, no reduction to
20 the top rate shall occur, and the top rate in effect on the date of such
21 determination shall remain in effect. In no case shall the top rate be
22 reduced to less than 5.84%; and
23 (c) The reductions to the top rate described in subdivision (2)(b)
24 of this section shall occur according to the following schedule:
25 (i) For the first time that the reduction occurs, the top rate shall
26 be reduced from 6.84% to 6.64%;
1 (ii) For the second time that the reduction occurs, the top rate
2 shall be reduced from 6.64% to 6.44%;
3 (iii) For the third time that the reduction occurs, the top rate
4 shall be reduced from 6.44% to 6.24%;
5 (iv) For the fourth time that the reduction occurs, the top rate
6 shall be reduced from 6.24% to 6.00%; and
7 (v) For the fifth time that the reduction occurs, the top rate shall
8 be reduced from 6.00% to 5.84%."

Senator Hilkemann filed the following amendment to [LB709](#):
[AM2248](#)

(Amendments to Standing Committee amendments, AM1936)

1 1. On page 12, line 31, after "Justice" insert ", a credential
 2 issued by an occupational board under the Uniform Credentialing Act which
 3 issues credentials based on reciprocity."

Senator Brandt filed the following amendment to [LB805](#):
[AM2581](#)

(Amendments to Standing Committee amendments, AM1976)

1 1. Insert the following new section:
 2 Sec. 13. Section 54-1915.02, Reissue Revised Statutes of Nebraska,
 3 is amended to read:
 4 54-1915.02 (1) The Independent Processor Assistance Program is
 5 created. The department shall administer the program contingent on funds
 6 being made available for such purpose.
 7 (2) The purpose of the Independent Processor Assistance Program is
 8 to:
 9 (a) Address supply chain disruptions caused by a public health
 10 emergency;
 11 (b) Increase and improve livestock slaughter and meat processing
 12 capacity;
 13 (c) Expand market access for small livestock producers; and
 14 (d) Facilitate workforce development.
 15 (3) In administering the Independent Processor Assistance Program,
 16 the department may develop policies and procedures for the disbursement
 17 of funds authorized by this section that include, at a minimum, the
 18 following:
 19 (a) Applicant eligibility standards. At a minimum, such standards
 20 shall require that eligible applicants:
 21 (i) Operate as a federally inspected, state-inspected, or custom-
 22 exempt slaughter and processing facility domiciled in Nebraska;
 23 (ii) Demonstrate existing sales revenue of less than two million
 24 five hundred thousand dollars and employment of fewer than fifty full-
 25 time equivalent twenty-five employees; and
 26 (iii) Be registered in good standing with the Secretary of State to
 1 do business in Nebraska; and
 2 (b) Expense eligibility standards. At a minimum, such standards
 3 shall include:
 4 (i) Capital improvements to expand capacity, including expansion and
 5 modifications to existing buildings or construction of new buildings at
 6 existing facilities;
 7 (ii) Upgrades to utilities, including water, electric, heat,
 8 refrigeration, freezing, and waste facilities;
 9 (iii) Livestock intake and storage equipment;
 10 (iv) Processing and manufacturing equipment, including cutting
 11 equipment, mixers, grinders, sausage stuffers, smokers, curing equipment,
 12 pipes, motors, pumps, and valves;
 13 (v) Packaging and handling equipment, including sealing, bagging,
 14 boxing, labeling, conveying, and product-moving equipment;
 15 (vi) Warehouse equipment, including storage and curing racks;
 16 (vii) Waste treatment and management equipment, including tanks,
 17 blowers, separators, dryers, digesters, and equipment that uses waste to
 18 produce energy, fuel, or industrial products;
 19 (viii) Technology that allows increased capacity or business
 20 resilience, including software and hardware related to business
 21 functions, logistics, inventory management, plant production controls,
 22 temperature monitoring controls, and website design that enables e-
 23 commerce;

24 (ix) Rental of buildings, facilities, or equipment necessary to
 25 expand capacity, including mobile slaughter units and mobile
 26 refrigeration units used exclusively for meat or poultry processing;
 27 (x) Costs associated with increased inspections or becoming
 28 inspected, including overtime inspection services by the Food Safety and
 29 Inspection Service of the United States Department of Agriculture and
 30 hazard analysis and critical control point consultation services; and
 31 (xi) Educational and workforce training provided either by the
 1 facility or by an institution of higher education.
 2 (4) The department may adopt and promulgate rules and regulations to
 3 carry out the purposes of the Independent Processor Assistance Program.
 4 2. Renumber the remaining sections and correct the repealer
 5 accordingly.

Senator McDonnell filed the following amendment to [LB1012](#):
[AM2510](#)

(Amendments to Standing Committee amendments, AM2000)

1 1. Insert the following new section:
 2 Sec. 11. There is hereby created the Ernie Chambers History-Arts-
 3 Humanities Museum Assistance Fund. The fund shall be used to contribute
 4 to the construction of the Ernie Chambers History-Arts-Humanities Museum
 5 to honor the legacy of Nebraska's longest-serving state senator and to
 6 educate the public on the legacy of the unique Nebraska Unicameral
 7 Legislature and the contributions made to the Legislature by Senator
 8 Chambers. The Nebraska State Historical Society shall administer the fund
 9 and may spend up to ten percent of the money available in the fund for
 10 administration of the fund. The fund shall consist of transfers
 11 authorized by the Legislature and money from any federal and state
 12 sources. Any money in the fund available for investment shall be invested
 13 by the state investment officer pursuant to the Nebraska Capital
 14 Expansion Act and the Nebraska State Funds Investment Act.
 15 2. Renumber the remaining sections accordingly.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 359. Introduced by Walz, 15.

PURPOSE: The purpose of this resolution is to propose an interim study to examine whether section 79-458, which authorizes certain property holders to attach their property to a different school district through a freeholder petition, should be updated or eliminated. In order to carry out the purpose of this resolution, the committee should seek the assistance of the Nebraska Department of Education and Nebraska Department of Revenue and should consider the input of county officials, school districts, and interested persons as the committee deems necessary and appropriate. The issues addressed by this interim study shall include, but are not limited to:

(1) A review of the applicable laws, regulations, policies, and exceptions regarding the transfer of property through freeholder petitions from one school district to another; and

(2) Whether property should automatically be returned to the original district when property ownership changes.

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

1. That the Education 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.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 1014. Placed on Select File with amendment. [ER155](#) is available in the Bill Room.

(Signed) Terrell McKinney, Chairperson

SELECT FILE

LEGISLATIVE BILL 1013. Senator Lathrop offered his amendment, [AM2252](#), found on page 787.

Senator Lathrop offered his amendment, [AM2256](#), found on page 787, to his amendment.

SENATOR HUGHES PRESIDING

SENATOR WILLIAMS PRESIDING

SENATOR ARCH PRESIDING

Senator M. Cavanaugh offered the following motion:

[MO181](#)

Bracket until April 5, 2022.

SENATOR WILLIAMS PRESIDING

Senator M. Cavanaugh withdrew her motion to bracket.

Senator Stinner offered the following motion:

[MO182](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Stinner moved for a call of the house. The motion prevailed with 31 ayes, 5 nays, and 13 not voting.

The Stinner motion to invoke cloture prevailed with 41 ayes, 3 nays, 1 present and not voting, and 4 excused and not voting.

The Lathrop amendment, [AM2256](#), lost with 0 ayes, 41 nays, 4 present and not voting, and 4 excused and not voting.

The Lathrop amendment, [AM2252](#), lost with 0 ayes, 41 nays, 4 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 360. Introduced by Day, 49.

PURPOSE: The purpose of this resolution is to propose an interim study to examine eligibility, enrollment, application, renewal, and redetermination practices for the medical assistance program and the Children's Health Insurance Program (CHIP) under the Department of Health and Human Services. The medical assistance program and CHIP currently provide health care coverage to hundreds of thousands of Nebraskans and play an important role in keeping our state healthy. However, eligible Nebraskans still face burdens when trying to access coverage. Reviewing the Department of Health and Human Services' current practices and recent program developments will help identify key opportunities for Nebraska.

This study shall examine eligibility, enrollment, application, renewal, and redetermination practices for the medical assistance program and CHIP and how these practices can be improved. This study shall include, but not be limited to:

- (1) Data collection and information gathering regarding:
 - (a) Eligibility, enrollment, application, renewal, and redetermination policies and practices for the medical assistance program and CHIP;
 - (b) The administration and performance of the iServe Nebraska application portal expected to be launched in April 2022; and
 - (c) Data sharing policies and practices across the medical assistance program, CHIP, and other Department of Health and Human Services programs; and
- (2) A determination of potential solutions to improve eligibility, enrollment, application, renewal, and redetermination practices for the medical assistance program and CHIP.

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.

LEGISLATIVE RESOLUTION 361. Introduced by Bostar, 29.

PURPOSE: The purpose of this resolution is to propose an interim study to examine insurance coverage for lung cancer screenings and make recommendations that will improve the availability of such screenings to Nebraskans. The study shall include, but not be limited to, an examination of:

- (1) Medicare policies regarding lung cancer screenings, including the recent change which reduces the starting age of eligibility for lung cancer screenings from age fifty-five to age fifty;
- (2) Recent published academic research demonstrating decreased lung cancer mortality with early detection;
- (3) Current Nebraska laws and rules and regulations that require insurance coverage of screenings of all types; and
- (4) Other state laws and rules and regulations that require insurance coverage of screenings of all types.

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

1. That the Banking, Commerce and Insurance Committee of the Legislature shall be designated to conduct an interim study to carry out the purpose 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.

VISITOR(S)

Visitors to the Chamber were members of the Nebraska Public Power District; fourth-grade students from Immanuel Lutheran, Columbus; fourth-grade students from Aurora Public Schools, Aurora; fifth- and sixth-grade students from Pender Public Schools, Pender; fourth-grade students from Waverly Intermediate, Waverly; Leadership Tomorrow, Grand Island; Leadership Class of Washington County, Blair; and Senator Pansing Brooks' husband Loel Brooks, her daughter Avary Pansing Brooks, and her son Graham Pansing Brooks.

The Doctor of the Day was Dr. John Jacobsen of Kearney.

ADJOURNMENT

At 10:36 p.m., on a motion by Senator Brewer, the Legislature adjourned until 9:00 a.m., Friday, March 25, 2022.

Patrick J. O'Donnell
Clerk of the Legislature

FORTY-EIGHTH DAY - MARCH 25, 2022**LEGISLATIVE JOURNAL****ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION****FORTY-EIGHTH DAY**

Legislative Chamber, Lincoln, Nebraska
Friday, March 25, 2022

PRAYER

The prayer was offered by Senator Geist.

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 Day, Pahls, and Walz who were excused; and Senators Blood, Bostar, Bostelman, B. Hansen, M. Hansen, Hunt, McCollister, Morfeld, Pansing Brooks, Stinner, Wayne, and Wishart who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the forty-seventh day was approved.

ATTORNEY GENERAL'S OPINIONOpinion 22-003

SUBJECT: Constitutionality of LB 543 – The Agricultural
 Equipment Right-to-Repair Act

REQUESTED BY: Senator Julie Slama
 Nebraska State Legislature

WRITTEN BY: Douglas J. Peterson, Attorney General
 L. Jay Bartel, Assistant Attorney General

INTRODUCTION

LB 543, as amended by AM1800, proposes to create the Agricultural Equipment Right-to-Repair Act ["Act"]. The Act would require an original equipment manufacturer ["OEM"] of electronics-enabled agricultural equipment to "make available, for purposes of diagnosis, maintenance, or repair of such equipment, to any independent repair provider, or to the owner of electronics-enabled agricultural equipment manufactured by or on behalf of, or sold or otherwise supplied by, the [OEM], on fair and reasonable terms, documentation, parts, and tools, inclusive of any updates to information or embedded software." LB 543, § 3. OEMs would not be required "to divulge a trade secret to an owner or an independent service provider except as necessary to provide documentation, parts, and tools on fair and reasonable terms." LB 543, § 5(1). Arrangements between OEMs and authorized repair providers, including warranty and recall provisions, would not be altered by the Act. LB 543, § 5(2). The Act would apply "to equipment sold or in use on or after" its effective date. LB 543, § 6. Violations of the Act would be enforceable by the Attorney General under the Uniform Deceptive Trade Practices Act. LB 543, § 4.

You have requested our opinion whether the Act would conflict with the prohibition against the impairment of contracts in the Nebraska Constitution. You have not identified any specific contracts which may be impaired by the Act. We assume your concern is directed to the Act's potential impact on End User License Agreements ["EULAs"] governing the use of embedded software in electronics-enabled agricultural equipment. "An EULA is a type of 'contract[] between software publishers and end users, which govern[s] the end user's right to use software,' and are thus extremely important as they prescribe what consumers may and may not do with the product."¹ While our analysis considers an EULA utilized by a major manufacturer of agricultural equipment widely discussed in available literature, it would be inappropriate for us to opine on whether the Act may impair any specific EULA, as this would require consideration of myriad facts not before us.

ANALYSIS

Article I, § 16 of the Nebraska Constitution provides that

¹ Mirr, Nicholas A., *Defending the Right to Repair: An Argument for Federal Legislation Guaranteeing the Right to Repair*, 105 Iowa L. Rev. 2393, 2397 (2020) ["Mirr"] (quoting Michael L. Rustad, *Software Licensing: Principles and Practical Strategies* 35 (2010)).

"[n]o...law impairing the obligation of contracts...shall be passed." "A three-part test is applied to determine whether a contract has been unconstitutionally interfered with." *Big John's Billiards, Inc. v. State*, 288 Neb. 938, 953, 852 N.W.2d 727, 740 (2014). "Pursuant to that test, a court must examine (1) whether there has been an impairment of the contract; (2) whether the governmental action, in fact, operated as a substantial impairment of the contractual relationship; and (3) whether the impairment was nonetheless a permissible, legitimate exercise of the government's sovereign powers." *Id.* "Impair" means "to make worse." *Miller v. City of Omaha*, 253 Neb. 798, 806, 573 N.W.2d 121, 127 (1998) (quoting *Caruso v. City of Omaha*, 222 Neb. 257, 260, 383 N.W.2d 41, 44 (1986)). "[I]n order for there to be an impairment, the change must take away something and not work to the party's benefit." *Id.*

The United States Constitution also prohibits state laws which impair the obligation of contracts. Article I, § 10 of the United States Constitution provides that "[n]o State...shall...pass any ...Law impairing the Obligation of Contracts." While the Contract Clause is "facially absolute, its prohibition must be accommodated to the inherent police power of the State 'to safeguard the vital interests of its people.'" *Energy Reserves Group, Inc. v. Kansas Power and Light Co.*, 459 U.S. 400, 410 (1983) ["*Energy Reserves*"] (quoting *Home Bldg. & Loan Ass'n v. Blaisdell*, 290 U.S. 398, 434 (1934)). "The threshold inquiry" in assessing if a state law violates the Contract Clause "is 'whether the state law has, in fact, operated as a substantial impairment of a contractual relationship.'" *Energy Reserves*, 459 U.S. at 411. "If the state regulation constitutes a substantial impairment, the State, in justification, must have a significant and legitimate public purpose behind the regulation,...such as the remedying of a broad and general social or economic problem." *Id.* at 411-412. "Once a legitimate public purpose has been identified, the next inquiry is whether the adjustment of 'the rights and responsibilities of contracting parties [is based] upon reasonable conditions and [is] of a character appropriate to the public purpose justifying [the legislation's] adoption.'" *Id.* at 412 (quoting *United States Trust Co. v. New Jersey*, 431 U.S. 1, 22 (1977) ["*United States Trust*"]). "Unless the State itself is a contracting party,...[a]s is customary in reviewing economic and social regulation,...courts properly defer to legislative judgment as to the necessity and reasonableness of a particular measure." *Energy Reserves*, 459 U.S. at 412-413 (quoting *United States Trust*, 431 U.S. at 22-23).

Given the overlap between the standards applied to judging Contract Clause claims under both the Nebraska and U.S. Constitutions, we will combine our analysis of these factors in discussing whether the Act impairs the obligation of existing contracts.

A. Does the Act Substantially Impair Existing Contracts?

In considering whether a state law operates to substantially impair a contractual relationship, a court will "consider[] the extent to which the law undermines the contractual bargain, interferes with a party's reasonable expectations, and prevents the party from safeguarding or reinstating his rights." *Sveen v. Melin*, 138 S. Ct. 1815, 1822 (2018). "Total destruction of contractual expectations is not necessary for a finding of substantial impairment." *Energy Reserves*, 459 U.S. at 411. "[T]he governing rule is akin to a question of reasonable foreseeability: 'if the party to the contract who is complaining could have seen it coming, it cannot claim that its expectations were disappointed.'" *Association of Equipment Manufacturers v. Burgum*, 932 F.3d 727, 730 (8th Cir. 2019) ["*Association of Equipment Manufacturers*"] (quoting *Holiday Inns Franchising, Inc. v. Branstad*, 29 F.3d 383, 385 (8th Cir. 1994)). "[W]hether the industry the complaining party has entered has been regulated in the past" is also considered "[i]n determining the extent of the impairment." *Energy Reserves*, 459 U.S. at 411.

Because assessing the validity of a Contract Clause claim "begin[s] by identifying the precise contractual right that has been impaired..." *Keystone Bituminous Coal Ass'n v. DeBenedictis*, 480 U.S. 470, 504 (1987), assessing the substantial impairment element is impossible absent reference to the terms of a specific contract. As noted previously, we are not able to draw conclusions based on any specific EULA or other contractual relationship which may be impacted by the Act. To the extent such an agreement includes prohibitions or limitations on access to or use of embedded software by an owner of electronics-enabled agricultural equipment for purposes of diagnosis, maintenance, or repair, or access to or use of such software by any independent repair provider, the Act would appear to alter those contractual terms. Such a change could be a substantial impairment of the parties' contractual relationship which would undermine the OEM's ability to safeguard its contractual rights.

On the other hand, the Act requires that owners or independent repair providers be given access to "documentation, parts, and tools, inclusive of any updates to information or embedded software" only "for purposes of diagnosis, maintenance, or repair" of electronics-enabled agricultural equipment. LB 543, § 3. The definition of "repair" specifically excludes "performing any activities that result in the machine being modified outside of the original equipment manufacturers specifications." LB 543, § 2(12). Further, "repair does not include the ability to: (a) Reset security-related electronic modules; (b) Reprogram any electronic processing units or engine control units and parameters; (c) Change any

equipment or engine settings that negatively affect emissions or safety compliance; and (d) Download or access the source code of any proprietary embedded software or code...." *Id.* The Act also provides an OEM is not required "to divulge a trade secret to an owner or independent service provider except as necessary to provide documentation, parts, and tools on fair and reasonable terms." LB 543, § 5.

A commonly referenced EULA utilized by a large agricultural equipment manufacturer has been said to "prevent[] consumers from accessing the software embedded in the equipment and prohibits any repairs other than those made by authorized repair providers."² This EULA identifies the licensor's right to protect its proprietary licensed materials under copyright and trade secret law, and restricts the licensee from attempting to "modify" licensed material, or to "reverse engineer" or "attempt to create the source code from the object code for the Software."³ The Act's limitation to access only for purposes of diagnosis, maintenance, and repair, and preservation of trade secret rights, appear to be consistent with these contractual terms protecting trade secrets and prohibiting modification or recreation of source codes. These considerations could be construed to lessen any impairment of such agreements created by the Act.

Another factor which may favor finding lack of substantial impairment is the foreseeability of legislation such as the Act impacting EULAs for electronics-enabled agricultural equipment. "In 2012, Massachusetts became the first state to take action preserving right to repair" by enacting a bill which covered only automotive repairs.⁴ "In 2014, the Automotive Aftermarket Industry Association, the Coalition for Auto Repair Equality, the Alliance of Automobile Manufacturers, and the Association of Global Automakers entered into a memorandum of understanding concerning the automotive Right to Repair movement. This memorandum of understanding effectively made the Massachusetts automotive right to repair legislation apply nationwide...."⁵ Since 2015, numerous states have introduced legislation to enact right-to-repair laws in

² Chan Grinvald, Leah, and Tur-Sinai, Ofer, *Smart Cars, Telematics and Repair*, 54 U. Mich. J. L. Reform 283, 321 (2021) ["Chan Grinvald and Tur-Sinai"] (citing Jason Bloomberg, *John Deere's Digital Transformation Runs Afoul of Right-to-Repair Movement*, *Forbes* (Apr. 30, 2017)), <https://www.forbes.com/sites/jasonbloomberg/2017/04/30/john-deeres-digital-transformation-runs-afoul-of-right-to-repair-movement/?sh=72ba41fe5ab9>

³ https://www.deere.com/assets/pdfs/common/privacy-and-data/docs/agreement_pdfs/english/2016-10-28-Embedded-Software-EULA.pdf

⁴ *Mirr*, *supra* note 1 at 2399.

⁵ *Id.*

various forms.⁶ "During the legislative sessions following the 2016 elections, almost half of the country's state legislatures considered right-to-repair laws."⁷ Right-to-Repair bills have taken several forms, including legislation addressing repair of: (1) Farm equipment (Wyoming); (2) Farm equipment and consumer electronics, but not motor vehicles (California); and (3) "Digital electronic products" (Iowa).⁸ In 2017, right-to-repair legislation was introduced in Nebraska to adopt the Fair Repair Act which would have applied to all equipment other than motor vehicles. 2017 Neb. Laws LB 67.

The Act under review would affect existing agreements as it applies to agricultural equipment "in use" after its effective date. LB 543, § 6. As right-to-repair legislation dates back to 2012, and has been introduced and considered in many states since 2015, OEMs of electronics-enabled agricultural equipment should have recognized that their EULAs or similar agreements could be impacted by such legislation. While legislative action was certainly foreseeable, it is less evident that OEMS could reasonably expect that right-to-repair laws would be applied retroactively to alter existing agreements. The widespread consideration of right-to-repair legislation in several states may play a role in evaluating the question of substantial impairment, but it is unclear whether OEMS "can[] reasonably be said to have had a fair and appreciable warning of an impending intervention into their agreements." *Association of Equipment Manufacturers*, 932 F.3d at 730 (quoting *Holiday Inns Franchising, Inc. v. Branstad*, 29 F.3d 383, 385 (8th Cir. 1994)).

Testimony at the committee hearing on LB 543 from representatives of agricultural equipment manufacturers and dealers in opposition to the bill may also be relevant to the impairment issue. Several of these testifiers represented that the legislation was unnecessary because the information and tools required to allow repairs by equipment owners or independent repair providers is already readily available. Grant Suhre, manager of customer support for John Deere in the U.S. and Canada, stated "we support customers' ability to repair their machines...[a]nd we certainly provide all the tools that are required." Committee Records on LB 543, 107th Neb. Leg., 2nd Sess. 51 (Feb. 25, 2021) ["Committee Records"]. He further stated "we don't believe we need legislation to enable customers to repair their machines. We've already enabled that." *Id.* at 52. Kevin Clark,

⁶ Moore, Daniel, *You Gotta Fight for Your Right to Repair: The Digital Millennium Copyright Act's Effect on Right-to-Repair Legislation*, 6 Texas A&M L. Rev. 509, 515 (2019).

⁷ *Id.*

⁸ Mirr, *supra* note 1 at 2401-402.

CEO of AKRS Equipment Solutions, a large agricultural equipment dealer with twenty-six John Deere stores in Nebraska, noting that customers have online availability through a subscription service to diagnostic tools, software codes, and parts, stated: "[I]f it's a matter of right to repair, that already exists." *Id.* at 59. Scott Raber of Titan Machinery, a Case IH, New Holland, and Case Construction dealer representing dealerships across Nebraska, testified a "service tool is available from Case IH or New Holland...for consumers to purchase, whether that be a farmer or an independent repair shop." *Id.* at 62. Mark Hennessey, President and CEO of the Iowa Nebraska Equipment Dealers Association, referring to this earlier testimony regarding the availability of information needed for producers and independent repair providers to repair equipment, stated:

[Y]ou heard about the products that are currently available in the market today, producers can buy diagnostic tools, equipment software subscriptions, much the same as an independent repair or a dealer themselves procure. This is available for them to be able to do themselves if they so wish. The question becomes, why aren't they doing it? Well, they can if they desire. It really boils down to an awareness issue. Are they aware that these tools exist? Why are we needing to have legislation for something that's currently on the market today?...We don't believe we need to have legislation to accomplish the ability to right to repair because the products are available on the market today. *Id.* at 65-66.

The testimony on behalf of manufacturers and dealers representing that the information and tools needed for owners or independent repair providers to repair agricultural equipment is already widely available seems incongruous to any claim that providing access to that information impairs current contracts. Those entities' primary objection to the Act was not to users' ability to repair equipment but to their ability to modify equipment. Committee Records at 51 ("The challenge comes when we talk about right to repair versus right to modify.") (Statement of Grant Suhre); 58 ("[W]hile we support the ability of customers to repair their own equipment, we do not support the ability for them to be able to modify the equipment...") (Statement of Kevin Clark). The Act's definition of "repair" is consistent with this concern, as it excludes "any activities that result in the machine being modified outside of the original equipment manufacturer specifications." LB 543, § 2(12). Ready access to necessary information and tools required to perform repairs, and the Act's prohibition of modification of equipment, appears to lessen any claim of impairment of existing contracts.⁹

⁹ In 2018, the Association of Equipment Manufacturers, a trade and

In sum, it is not clear that the Act would substantially impair existing contracts. If agreements between OEMs and equipment owners include prohibitions or limitations on access to or use of embedded software for purposes of diagnosis, maintenance, or repair, or access to or use of such software by any independent repair provider, the Act would alter those contractual terms. Such a change could operate as a substantial impairment of the parties' contractual relationship which would undermine an OEM's ability to safeguard its contractual rights. The question of impairment, however, may be impacted by consideration of other factors, including the reasonable foreseeability of legislation impacting those agreements, and the access to information and tools required to provide repairs to electronics-enabled agricultural equipment currently made available by manufacturers and dealers. These factors may support finding that any impairment of current agreements is not substantial.

B. Does the Act Have a Significant and Legitimate Public Purpose?

"If there is no substantial impairment on contractual relationships, the law does not violate the Contract Clause." *Equipment Manufacturers Inst. v. Janklow*, 300 F.3d 842, 850 (8th Cir. 2002) [*"Equipment*

lobbying group representing John Deere and other manufacturers, and the Equipment Dealers Association, committed that manufacturers would make repair tools, software, and diagnostics available beginning January 1, 2021. Jason Koebler and Matthew Gault, *John Deere Promised Farmers It Would Make Tractors Easy to Repair. It Lied*, Vice Motherboard (Feb. 18, 2021), <https://www.vice.com/en/article/v7m8mx/john-deere-promised-farmers-it-would-make-tractors-easy-to-repair-it-lied>. Proponents of LB 543 noted this commitment and claimed it had not been fulfilled. Committee Records at 30-31 ("Three years ago, OEMs said that by January 2021 farmers would have access to everything they need for equipment repairs. OEM[s] staved off right to repair legislation around the country by promising to deliver access. And here we are three years later and the farmers are still struggling to get the tools promised in the agreement.") (Statement of Sen. Brandt); *id.* at 40 ("In late 2018, John Deere and other manufacturers did promise to provide these tools by January 1, 2021, and they have not held up their end of this bargain.") (Statement of Jacob Bish). While opponents of the bill testified that such information and tools were in fact available, this further demonstrates that OEMs may be hard pressed to challenge the Act's requirement that they provide access to software solely for diagnosis, maintenance, or repair of equipment impairs any contractual rights.

Manufacturers Inst."]. Thus, a court "may stop after step one" if a "statute does not substantially impair pre-existing contractual arrangements." *Sveen v. Melin*, 138 S. Ct. 1815, 1822 (2018). As it is unclear if the Act would substantially impair existing contractual obligations, we will proceed to address the second step of the Contract Clause analysis, i.e., whether the Act has a significant and legitimate public purpose.

To demonstrate a significant and legitimate public purpose, "[t]he State must show that the regulation protects a 'broad societal interest rather than a narrow class.'" *Equipment Manufacturers Inst.*, 300 F.3d at 859 (quoting *Allied Structural Steel Co. v. Spannaus*, 438 U.S. 234, 249 (1978)). "The requirement of a legitimate public purpose guarantees that the State is exercising its police power, rather than providing a benefit to special interests." *Energy Reserves*, 459 U.S. at 412. "[T]he public purpose need not be addressed to an emergency or temporary situation." *Id.*

Two Eighth Circuit decisions involving Contract Clause challenges to South Dakota's and North Dakota's statutes regulating relationships between agricultural equipment manufacturers and dealers inform the public purpose analysis. The first case, decided in 2002, held the South Dakota statutes substantially impaired existing contracts between manufacturers and dealers, and rejected the claim that the regulation served a significant and legitimate public purpose. *Equipment Manufacturers Inst.*, 300 F.3d at 859-862. The state argued the act "benefit[ed] a broad social interest: serving the farmer and rural communities in South Dakota." *Id.* at 860. The court noted "[s]uch an interest is unquestionably significant and legitimate," and it "would be compelled to uphold the Act if [it] credited the State's rationale for the Act." *Id.* The statutes, however, included "no statement of legislative intent or any other legislative history from which to directly ascertain the purpose of the Act." *Id.* In fact, "[t]he State's evidence contradict[ed] this asserted broad societal interest...in several respects." *Id.* It was conceded that the statutory purpose was "to level the playing field between manufacturers and dealers," which "is expressly prohibited as a significant and legitimate public purpose." *Id.* at 860-861. The "sparse legislative history" also showed that "only implement dealers and manufacturers attended committee hearings on the Act," and there was "no evidence of farmers' participation." *Id.* at 861. Because "the only real beneficiaries under the Act [were] the narrow class of dealers of agricultural machinery," the court found "such special interest legislation [ran] afoul of the Contract Clause when it impair[ed] pre-existing contracts." *Id.*

In 2019, the Eighth Circuit found that a similar North Dakota statutory scheme violated the Contract Clause. Initially, the court concluded that manufacturers could not have reasonably foreseen the statutory

alteration of their contract rights. *Association of Equipment Manufacturers*, 932 F.3d at 730-31. Noting it had "previously held that a similar retroactive law governing agreements between farm equipment dealers and manufacturers in South Dakota violated the Contract Clause," the court proceeded to consider North Dakota's claim that the statute "further[ed] a significant public interest in serving farmers and rural communities." *Id.* at 731. Because "[t]he state legislature declined to...include[] well-supported findings or purposes within their...laws...any significant and legitimate public purpose" had to "be discerned from the design and operation of the legislation itself." *Id.* at 733. "[T]he Contract Clause prohibits special-interest redistributive laws, even if the legislation might have a conceivable or incidental public purpose." *Id.* at 732. The court found the statutes had "a narrow focus: restricting the contractual rights of farm equipment manufacturers," and "primarily benefit[ed] a particular economic actor in the farm economy—farm equipment dealers." *Id.* at 733. The court reasoned that "[e]ven if the law indirectly might benefit farmers and rural communities, the Contract Clause demands more than incidental public benefits." *Id.*

LB 543 contains no legislative findings or statement of purpose. The bill's introducer described the bill as "narrowly tailored, commonsense legislation meant to address repairs that farmers can do themselves and will save our farmers time and money and break the monopoly that manufacturers have over repairs." Committee Records at 32 (Statement of Sen. Brandt). He further noted that the significant reliance on software to operate agricultural equipment "allow[ed] manufacturers to take increasing control of the repair process by restricting access to authorized dealers." *Id.* at 30. Further, "[w]hen breakdowns happen during the narrow window of planting or harvest, they have a detrimental effect on the ag operation. Dealership mechanics can be swamped with work, and it can sometimes take days to make it out to the farm for what in many situations is a simple repair that could be performed by the customer, while precious time is lost." *Id.* The adverse impact of time lost waiting for dealer repairs was also noted by testifying producers. *Id.* at 37 ("We work in an unforgiving industry where weather rules our lives. A crop that's ready to harvest today may not be there tomorrow. Farmers and ranchers need the ability to have local mechanics help them with their equipment repairs.") (Statement of Tom Schwarz); at 49 ("[D]owntime is money lost during planting and harvesting operations.") (Statement of Vern Jantzen). While it would be preferable for the Act to contain findings and a declaration of purpose, this history is some evidence to establish the significant and legitimate legislative purposes served by the Act.

The Act is also broader than the narrow, special interest legislation

struck down in *Equipment Manufacturers Inst. and Association of Equipment Manufacturers*. Beyond the Act's impact on agreements between OEMs and owners of electronics-enabled agricultural equipment, as well as dealers currently performing repairs and prospective independent repair providers, it also serves broader significant and legitimate public purposes. Agriculture is of vital importance to Nebraska's economy. Ensuring the ability of agricultural producers to repair their equipment in a timely manner facilitates the broader purpose of strengthening our farms and businesses in rural communities. It would also address concerns regarding monopolistic practices in the market for repair of agricultural machinery.¹⁰ At least one commentator has noted that limiting right-to-repair legislation to agricultural equipment is "appropriate considering the large size and difficulty of transporting farming equipment to repair facilities, the expertise farmers possess with regards to the equipment they operate daily, and the reliance farmers have on their equipment to earn a living."¹¹ On balance, it

¹⁰ “[C]ertain contractual restrictions that seek to inhibit competition in markets for diagnostic tools and repairs could run afoul of federal antitrust law as agreements in unlawful restraint of trade.” Chan Grinvald and Tur-Sinai, *supra* note 2 at 321-22. “The collective purpose of [right-to-repair] legislation is to prevent a monopoly by compelling manufacturers to make parts, diagnostic software, and repair tools freely available to individuals and independent repair shops.” Daniel Cadia, *Fix Me: Copyright, Antitrust, and the Restriction on Independent Repairs*, 52 U.C. Davis L. Rev. 1701, 1704 (2019). Two recently filed federal lawsuits claim John Deere’s repair service practices violate the anti-monopoly provisions of the Sherman Act. *Forest River Farms v. Deere & Co.*, No. 1:22CV188 (N.D. Ill. 2022) [“*Forest Farms*”]; *Underwood v. Deere & Co.*, No. 4:22CV00005 (E.D. Tenn. 2022). The *Forest Farms* complaint alleges Deere has violated the Sherman Act by “monopolization of the repair service market for [its] agricultural equipment with onboard central computers known as engine control units, or ‘ECUs.’” *Forest Farms* Complaint at 1 ¶ 1. The Complaint alleges that, “in newer generations of agricultural equipment, Deere has deliberately monopolized the market for repair and maintenance services of its agricultural equipment with ECUs...by making crucial software and repair tools inaccessible to farmers and independent repair shops.” *Id.* While we express no view on the merits of these allegations, legislation intended to curb anticompetitive and monopoly practices plainly furthers a significant and legitimate public purpose.

¹¹ MacAneney, Marissa, *If It is Broken, You Should Not Fix It: The Threat Fair Repair Legislation Poses to the Manufacturer and the Consumer*, 92 St. John’s L. Rev. 2, 331, 353 (2018)).

appears the Act serves a significant and legitimate public purpose.

C. Is the Act a Reasonable and Appropriate Measure to Serve a Legitimate Public Purpose?

The final step in the Contract Clause analysis is "[o]nce a legitimate public purpose has been identified,...whether the adjustment of 'the rights and responsibilities of contracting parties [is based] upon reasonable conditions and [is] of a character appropriate to the public purpose justifying [the legislation's] adoption.'" *Energy Reserves*, 459 U.S. at 412 (quoting *United States Trust*, 431 U.S. at 22). Because the state is not a contracting party, deference is due the legislative judgment of the reasonableness and necessity of the Act.

A state's "economic interests...may justify the exercising of its continuing and dominant protective power notwithstanding interference with contracts.' ... Once we are in this domain of the reserve power of a State we must respect the 'wide discretion on the part of the legislature in determining what is and what is not necessary.'" *City of El Paso v. Simmons*, 379 U.S. 497, 508-09 (1965) (quoting *Home Bldg. & Loan Assn. v. Blaisdell*, 290 U.S. 398, 437 (1934)). As noted above, the Act serves the substantial and legitimate public purposes of: (1) Ensuring agricultural producers and independent repair providers have the right to repair agricultural equipment in a timely manner, which will benefit farmers and businesses in rural communities; and (2) Promoting competition and removing monopolistic practices in the market for repair of agricultural machinery. Given the substantial deference due the Legislature to establish "the means chosen to implement these purposes," *Energy Reserves*, 459 U.S. at 418, the Act is a reasonable and appropriate measure to serve those legitimate public purposes.

CONCLUSION

A state law does not violate the constitutional prohibition against the impairment of contracts under the Nebraska and United States Constitutions unless the impairment is substantial. Even if a law substantially impairs contractual rights, it is permissible if it has a significant and legitimate public purpose and is a reasonable and appropriate measure to serve that purpose. The Act requires that OEMs of electronics-enabled agricultural equipment make available to owners and independent repair providers, on fair and reasonable terms, access to information and tools, including embedded software, for purposes of diagnosis, maintenance, and repair of such equipment. This requirement may well impact existing EULAs or other contractual arrangements. The

Act, however, defines "repair" to exclude modifications, including changes affecting equipment or engine settings, and prohibits accessing any proprietary software code. These limitations on access and use of repair information would lessen any impairment of such agreements. Other factors, including the foreseeability of the enactment of right-to-repair legislation impacting those agreements, and representations made on behalf of manufacturers and dealers that such information is already readily available, further reduce any claim of impairment to existing contracts. Accordingly, we cannot definitively say the Act substantially impairs existing contractual obligations. Even if substantial impairment exists, the Act serves significant and legitimate public purposes, including: (1) ensuring the ability of agricultural producers to repair their equipment in a timely manner, which facilitates the broader purpose of strengthening farms and businesses in rural communities; and (2) reducing monopolistic practices in the market for repair of agricultural machinery. Finally, the Act is a reasonable and appropriate means to serve these purposes. We therefore conclude that the Act likely does not violate the Contract Clause.

Very truly yours,
DOUGLAS J. PETERSON
Attorney General
(Signed) L. Jay Bartel
Assistant Attorney General

pc Patrick J. O'Donnell
Clerk of the Nebraska Legislature

07-1437-30

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 24, 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

White, Tom
 Alter Trading Corporation
 Institute of Scrap Recycling Industries, Upper Mid-West Chapter

SELECT FILE

LEGISLATIVE BILL 825. Senator Wayne withdrew his amendment, [AM1649](#), found on page 424.

Senator Wayne withdrew his amendment, [AM1648](#), found on page 423.

Senator Wayne withdrew his amendment, [AM1647](#), found on page 423.

Senator Briese offered the following amendment:
[AM2514](#) is available in the Bill Room.

Senator DeBoer requested a division of the question on the Briese amendment.

The Chair sustained the division of the question.

The first Briese amendment is as follows:
[AM2588](#) is available in the Bill Room.

The second Briese amendment is as follows:
[AM2590](#)

1 1. Insert the following new sections:
 2 Sec. 4. Section 77-6701, Revised Statutes Cumulative Supplement,
 3 2020, is amended to read:
 4 77-6701 Sections 77-6701 to 77-6705 and section 7 of this act shall
 5 be known and may be cited as the Nebraska Property Tax Incentive Act.
 6 Sec. 5. Section 77-6702, Revised Statutes Cumulative Supplement,
 7 2020, is amended to read:
 8 77-6702 For purposes of the Nebraska Property Tax Incentive Act:
 9 (1) Allowable growth percentage means the percentage increase, if
 10 any, in the total assessed value of all real property in the state from
 11 the prior year to the current year, as determined by the department,
 12 except that in no case shall the allowable growth percentage exceed five
 13 percent in any one year;
 14 (2) Community college taxes means property taxes levied on real
 15 property in this state by a community college area, excluding any
 16 property taxes levied for bonded indebtedness and any property taxes
 17 levied as a result of an override of limits on property tax levies
 18 approved by voters pursuant to section 77-3444;
 19 (3) (2) Department means the Department of Revenue;
 20 (4) (3) Eligible taxpayer means any individual, corporation,
 21 partnership, limited liability company, trust, estate, or other entity
 22 that pays school district taxes or community college taxes during a
 23 taxable year; and
 24 (5) (4) School district taxes means property taxes levied on real
 25 property in this state by a school district or multiple-district school
 26 system, excluding any property taxes levied for bonded indebtedness and
 27 any property taxes levied as a result of an override of limits on
 1 property tax levies approved by voters pursuant to section 77-3444.

2 Sec. 7. (1) For taxable years beginning or deemed to begin on or
3 after January 1, 2022, under the Internal Revenue Code of 1986, as
4 amended, there shall be allowed to each eligible taxpayer a refundable
5 credit against the income tax imposed by the Nebraska Revenue Act of 1967
6 or against the franchise tax imposed by sections 77-3801 to 77-3807. The
7 credit shall be equal to the credit percentage for the taxable year, as
8 set by the department under subsection (2) of this section, multiplied by
9 the amount of community college taxes paid by the eligible taxpayer
10 during such taxable year.
11 (2)(a) For taxable years beginning or deemed to begin during
12 calendar year 2022, the department shall set the credit percentage so
13 that the total amount of credits for such taxable years shall be fifty
14 million dollars;
15 (b) For taxable years beginning or deemed to begin during calendar
16 year 2023, the department shall set the credit percentage so that the
17 total amount of credits for such taxable years shall be one hundred
18 million dollars;
19 (c) For taxable years beginning or deemed to begin during calendar
20 year 2024, the department shall set the credit percentage so that the
21 total amount of credits for such taxable years shall be one hundred
22 twenty-five million dollars;
23 (d) For taxable years beginning or deemed to begin during calendar
24 year 2025, the department shall set the credit percentage so that the
25 total amount of credits for such taxable years shall be one hundred fifty
26 million dollars;
27 (e) For taxable years beginning or deemed to begin during calendar
28 year 2026, the department shall set the credit percentage so that the
29 total amount of credits for such taxable years shall be one hundred
30 ninety-five million dollars; and
31 (f) For taxable years beginning or deemed to begin during calendar
1 year 2027 and each calendar year thereafter, the department shall set the
2 credit percentage so that the total amount of credits for such taxable
3 years shall be the maximum amount of credits allowed in the prior year
4 increased by the allowable growth percentage.
5 (3) If the community college taxes are paid by a corporation having
6 an election in effect under subchapter S of the Internal Revenue Code, a
7 partnership, a limited liability company, a trust, or an estate, the
8 refundable credit shall be claimed by such corporation, partnership,
9 limited liability company, trust, or estate.
10 (4) For any fiscal year or short year taxpayer, the credit may be
11 claimed in the first taxable year that begins following the calendar year
12 for which the credit percentage was determined. The credit shall be taken
13 for the community college taxes paid by the taxpayer during the
14 immediately preceding calendar year.
15 2. Renumber the remaining sections and correct the repealer
16 accordingly.

The third Briese amendment is as follows:

AM2591

1 1. Insert the following new section:
2 Sec. 6. Section 77-6703, Revised Statutes Supplement, 2021, is
3 amended to read:
4 77-6703 (1) For taxable years beginning or deemed to begin on or
5 after January 1, 2020, under the Internal Revenue Code of 1986, as
6 amended, there shall be allowed to each eligible taxpayer a refundable
7 credit against the income tax imposed by the Nebraska Revenue Act of 1967
8 or against the franchise tax imposed by sections 77-3801 to 77-3807. The
9 credit shall be equal to the credit percentage for the taxable year, as
10 set by the department under subsection (2) of this section, multiplied by
11 the amount of school district taxes paid by the eligible taxpayer during

12 such taxable year.

13 (2)(a) For taxable years beginning or deemed to begin during
14 calendar year 2020, the department shall set the credit percentage so
15 that the total amount of credits for such taxable years shall be one
16 hundred twenty-five million dollars;

17 (b) For taxable years beginning or deemed to begin during calendar
18 year 2021, the department shall set the credit percentage so that the
19 total amount of credits for such taxable years shall be one hundred
20 twenty-five million dollars plus either (i) the amount calculated for
21 such calendar year under subdivision (3)(b)(ii)(B) of section 77-4602 or
22 (ii) the amount calculated for such calendar year under subdivision (3)
23 (c)(ii)(B) of section 77-4602, whichever is applicable;

24 (c) For taxable years beginning or deemed to begin during calendar
25 year 2022, the department shall set the credit percentage so that the
26 total amount of credits for such taxable years shall be five hundred
27 forty-eight million dollars ~~the maximum amount of credits allowed under~~
1 ~~subdivision (2)(b) of this section plus either (i) the amount calculated~~
2 ~~for such calendar year under subdivision (3)(b)(ii)(B) of section 77-4602~~
3 ~~or (ii) the amount calculated for such calendar year under subdivision~~
4 ~~(3)(c)(ii)(B) of section 77-4602, whichever is applicable;~~

5 (d) For taxable years beginning or deemed to begin during calendar
6 year 2023, the department shall set the credit percentage so that the
7 total amount of credits for such taxable years shall be five hundred
8 sixty million seven hundred thousand dollars ~~the maximum amount of~~
9 ~~credits allowed under subdivision (2)(c) of this section plus either (i)~~
10 ~~the amount calculated for such calendar year under subdivision (3)(b)(ii)~~
11 ~~(B) of section 77-4602 or (ii) the amount calculated for such calendar~~
12 ~~year under subdivision (3)(c)(ii)(B) of section 77-4602, whichever is~~
13 ~~applicable; and~~

14 (e) For taxable years beginning or deemed to begin during calendar
15 year 2024, the department shall set the credit percentage so that the
16 total amount of credits for such taxable years shall be three hundred
17 seventy-five million dollars; and

18 (e) (f) For taxable years beginning or deemed to begin during
19 calendar year ~~2024~~ 2025 and each calendar year thereafter, the department
20 shall set the credit percentage so that the total amount of credits for
21 such taxable years shall be the maximum amount of credits allowed in the
22 prior year increased by the allowable growth percentage.

23 (3) If the school district taxes are paid by a corporation having an
24 election in effect under subchapter S of the Internal Revenue Code, a
25 partnership, a limited liability company, a trust, or an estate, the
26 amount of school district taxes paid during the taxable year may be
27 allocated to the shareholders, partners, members, or beneficiaries in the
28 same proportion that income is distributed for taxable years beginning or
29 deemed to begin before January 1, 2021, under the Internal Revenue Code
30 of 1986, as amended. The department shall provide forms and schedules
31 necessary for verifying eligibility for the credit provided in this
1 section and for allocating the school district taxes paid. For taxable
2 years beginning or deemed to begin on or after January 1, 2021, under the
3 Internal Revenue Code of 1986, as amended, the refundable credit shall be
4 claimed by the corporation having an election in effect under subchapter
5 S of the Internal Revenue Code, the partnership, the limited liability
6 company, the trust, or the estate that paid the school district taxes.

7 (4) For any fiscal year or short year taxpayer, the credit may be
8 claimed in the first taxable year that begins following the calendar year
9 for which the credit percentage was determined. The credit shall be taken
10 for the school district taxes paid by the taxpayer during the immediately
11 preceding calendar year.

12 (5) For the first taxable year beginning or deemed to begin on or
13 after January 1, 2021, and before January 1, 2022, under the Internal

14 Revenue Code of 1986, as amended, for a corporation having an election in
 15 effect under subchapter S of the Internal Revenue Code, a partnership, a
 16 limited liability company, a trust, or an estate that paid school
 17 district taxes in calendar year 2020 but did not claim the credit
 18 directly or allocate such school district taxes to the shareholders,
 19 partners, members, or beneficiaries as permitted under subsection (3) of
 20 this section, there shall be allowed an additional refundable credit.
 21 This credit shall be equal to six percent, multiplied by the amount of
 22 school district taxes paid during 2020 by the eligible taxpayer.
 23 2. Renumber the remaining sections and correct the repealer
 24 accordingly.

The fourth Briese amendment is as follows:

AM2589

1 1. Insert the following new section:
 2 Sec. 3. Section 77-2734.02, Revised Statutes Supplement, 2021, is
 3 amended to read:
 4 77-2734.02 (1) Except as provided in subsection (2) of this section,
 5 a tax is hereby imposed on the taxable income of every corporate taxpayer
 6 that is doing business in this state:
 7 (a) For taxable years beginning or deemed to begin before January 1,
 8 2013, at a rate equal to one hundred fifty and eight-tenths percent of
 9 the primary rate imposed on individuals under section 77-2701.01 on the
 10 first one hundred thousand dollars of taxable income and at the rate of
 11 two hundred eleven percent of such rate on all taxable income in excess
 12 of one hundred thousand dollars. The resultant rates shall be rounded to
 13 the nearest one hundredth of one percent;
 14 (b) For taxable years beginning or deemed to begin on or after
 15 January 1, 2013, and before January 1, 2022, at a rate equal to 5.58
 16 percent on the first one hundred thousand dollars of taxable income and
 17 at the rate of 7.81 percent on all taxable income in excess of one
 18 hundred thousand dollars;
 19 (c) For taxable years beginning or deemed to begin on or after
 20 January 1, 2022, and before January 1, 2023, at a rate equal to 5.58
 21 percent on the first one hundred thousand dollars of taxable income and
 22 at the rate of 7.50 percent on all taxable income in excess of one
 23 hundred thousand dollars; ~~and~~
 24 (d) For taxable years beginning or deemed to begin on or after
 25 January 1, 2023, ~~and before January 1, 2024,~~ at a rate equal to 5.58
 26 percent on the first one hundred thousand dollars of taxable income and
 27 at the rate of 7.25 percent on all taxable income in excess of one
 1 hundred thousand dollars; -
 2 (e) For taxable years beginning or deemed to begin on or after
 3 January 1, 2024, and before January 1, 2025, at a rate equal to 5.58
 4 percent on the first one hundred thousand dollars of taxable income and
 5 at the rate of 6.50 percent on all taxable income in excess of one
 6 hundred thousand dollars;
 7 (f) For taxable years beginning or deemed to begin on or after
 8 January 1, 2025, and before January 1, 2026, at a rate equal to 5.58
 9 percent on the first one hundred thousand dollars of taxable income and
 10 at the rate of 6.24 percent on all taxable income in excess of one
 11 hundred thousand dollars;
 12 (g) For taxable years beginning or deemed to begin on or after
 13 January 1, 2026, and before January 1, 2027, at a rate equal to 5.58
 14 percent on the first one hundred thousand dollars of taxable income and
 15 at the rate of 6.00 percent on all taxable income in excess of one
 16 hundred thousand dollars; and
 17 (h) For taxable years beginning or deemed to begin on or after
 18 January 1, 2027, at a rate equal to 5.58 percent on the first one hundred
 19 thousand dollars of taxable income and at the rate of 5.84 percent on all
 20 taxable income in excess of one hundred thousand dollars.
 21 It is the intent of the Legislature to enact legislation after
 22 August 28, 2021, to lower the tax rate applicable to income in excess of

23 one hundred thousand dollars to 7.00 percent for taxable years beginning
 24 or deemed to begin on or after January 1, 2024, and before January 1,
 25 2025, and to 6.84 percent for taxable years beginning or deemed to begin
 26 on or after January 1, 2025.
 27 For corporate taxpayers with a fiscal year that does not coincide
 28 with the calendar year, the individual rate used for this subsection
 29 shall be the rate in effect on the first day, or the day deemed to be the
 30 first day, of the taxable year.
 31 (2) An insurance company shall be subject to taxation at the lesser
 1 of the rate described in subsection (1) of this section or the rate of
 2 tax imposed by the state or country in which the insurance company is
 3 domiciled if the insurance company can establish to the satisfaction of
 4 the Tax Commissioner that it is domiciled in a state or country other
 5 than Nebraska that imposes on Nebraska domiciled insurance companies a
 6 retaliatory tax against the tax described in subsection (1) of this
 7 section.
 8 (3) For a corporate taxpayer that is subject to tax in another
 9 state, its taxable income shall be the portion of the taxpayer's federal
 10 taxable income, as adjusted, that is determined to be connected with the
 11 taxpayer's operations in this state pursuant to sections 77-2734.05 to
 12 77-2734.15.
 13 (4) Each corporate taxpayer shall file only one income tax return
 14 for each taxable year.
 15 2. Renumber the remaining sections and correct the repealer
 16 accordingly.

The first Briese amendment, [AM2588](#), found in this day's Journal, was offered.

SPEAKER HILGERS PRESIDING

SENATOR HUGHES PRESIDING

Senator Vargas moved the previous question. The question is, "Shall the debate now close?"

The Chair ruled there had not been a full and fair debate, pursuant to Rule 7, Sec. 4, on the Briese amendment.

SENATOR ARCH PRESIDING

Pending.

COMMITTEE REPORT(S) Enrollment and Review

LEGISLATIVE BILL 1011. Placed on Final Reading.

[ST55](#)

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

1. The Lathrop amendment, AM2465, has been incorporated into the Standing Committee amendment, and the Lathrop amendment, AM2110, has been stricken.

LEGISLATIVE BILL 1012. Placed on Final Reading.

LEGISLATIVE BILL 1013. Placed on Final Reading.

LEGISLATIVE BILL 1241. Placed on Final Reading.

[ST54](#)

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

1. On page 1, line 5, "to adopt the Law Enforcement Attraction and Retention Act;" has been inserted after the second semicolon; and in line 6, "to provide operative dates;" has been inserted after the first semicolon.

(Signed) Terrell McKinney, Chairperson

NOTICE OF COMMITTEE HEARING(S)

Health and Human Services
Room 1510 8:30 AM

Monday, April 11, 2022

Frances Beurivage - Commission for the Deaf and Hard of Hearing

(Signed) John Arch, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 362. Introduced by McDonnell, 5.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the costs and benefits associated with the usage of permeable surfaces. This study will determine the water quality and quantity benefits of permeable surfacing and measure the cost of installation and maintenance against the reduced costs for storm water conveyance infrastructure.

This study shall include, but not be limited to:

- (1) Determining what qualifies as a permeable surface;
- (2) Evaluating the cost of installation of permeable surfaces compared to traditional surfaces;
- (3) Evaluating the cost of operation and maintenance associated with permeable surfaces compared to traditional surfaces;
- (4) Determining the environmental impacts of permeable surfaces to water flow and runoff;
- (5) Determining the water quality benefits of permeable surfaces compared to traditional surfaces in terms of pollutant retention and reduction;
- (6) Determining the water quantity benefits of permeable surfaces compared to traditional surfaces in terms of volume and rate of storm water runoff;
- (7) Determining the relative economic benefit in terms of dollar value or a dollars-per-acre metric of water quality and quantity benefits of permeable surfaces compared to traditional surfaces;
- (8) Determining the minimum or maximum size threshold at which the water quality and quantity benefits of permeable surfaces are negligible compared to traditional surfaces; and
- (9) Determining potential statutory changes that balance the costs and benefits associated with the usage of permeable surfaces including potential property tax reduction.

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

1. That the Natural Resources Committee of the Legislature shall be designated to conduct an interim study to carry out the purpose of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 363. Introduced by Bostelman, 23.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the reprocessing and recycling of spent nuclear fuel and to examine the statutes relating to the disposal, transportation, and storage of spent nuclear fuel. The study may include, but not be limited to, an examination of the following:

(1) Statutes governing the disposal, transportation, and storage of spent nuclear fuel within Nebraska;

(2) The feasibility of conducting pyrochemical processing or electrorefining of spent nuclear fuel;

(3) Molten salt reactors and the potential of such reactors to recycle spent nuclear fuel;

(4) Advanced non-light water reactors and advanced nuclear reactors and the potential of such reactors to reprocess spent nuclear fuel; and

(5) The amount of money Nebraska has paid into the federal Nuclear Waste Fund, which has failed to produce a permanent nuclear waste storage facility.

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

1. That the Natural Resources Committee of the Legislature shall be designated to conduct an interim study to carry out the purpose 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 M. Hansen filed the following amendment to [LB825](#):

[FA152](#)

Strike the enacting clause.

Senator Slama filed the following amendment to [LB825](#):

[FA153](#)

Strike Section 1.

CONFLICT OF INTEREST STATEMENT

Pursuant to Rule 1, Sec. 19, Senator Pansing Brooks has filed a Potential

Conflict of Interest Statement under the Nebraska Political Accountability and Disclosure Act. The statement is on file in the Clerk of the Legislature's Office.

SELECT FILE

LEGISLATIVE BILL 825. The first Briese amendment, [AM2588](#), found and considered in this day's Journal, was renewed.

SENATOR WILLIAMS PRESIDING

Senator Slama offered the following motion:

[MO183](#)

Bracket until April 13, 2022.

SENATOR ARCH PRESIDING

SENATOR WILLIAMS PRESIDING

Senator Lindstrom offered the following motion:

[MO184](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Lindstrom moved for a call of the house. The motion prevailed with 33 ayes, 5 nays, and 11 not voting.

Senator Lindstrom requested a roll call vote on the motion to invoke cloture.

Voting in the affirmative, 32:

Aguilar	Clements	Halloran	Lindstrom	Slama
Albrecht	Dorn	Hansen, B.	Linehan	Stinner
Arch	Erdman	Hilgers	Lowe	Wayne
Bostelman	Flood	Hilkemann	McDonnell	Williams
Brandt	Friesen	Hughes	Moser	
Brewer	Geist	Jacobson	Murman	
Briese	Gragert	Kolterman	Sanders	

Voting in the negative, 0.

Present and not voting, 13:

Blood	Cavanaugh, M.	Hunt	McKinney	Wishart
Bostar	DeBoer	Lathrop	Morfeld	
Cavanaugh, J.	Hansen, M.	McCollister	Vargas	

Excused and not voting, 4:

Day	Pahls	Pansing Brooks	Walz
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The Lindstrom motion to invoke cloture failed with 32 ayes, 0 nays, 13 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

BILL ON FIRST READING

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

LEGISLATIVE BILL 741A. Introduced by DeBoer, 10.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 741, One Hundred Seventh Legislature, Second Session, 2022.

AMENDMENT(S) - Print in Journal

Senator Stinner filed the following amendment to LB1014:

[AM2580](#)

(Amendments to E&R amendments, ER155)

1 1. Insert the following new section:

2 Sec. 18. AGENCY NO. 25 — DEPARTMENT OF HEALTH AND HUMAN SERVICES

3 Program No. 347 - Public Assistance

4

	<u>FY2021-22</u>	<u>FY2022-23</u>
5 FEDERAL FUND	-0-	4,000,000
6 PROGRAM TOTAL	-0-	4,000,000

7 There is included in the appropriation to this program for FY2022-23

8 \$4,000,000 Federal Funds for state aid, which shall only be used for such

9 purpose.

10 There is included in the amount shown as aid for this program for

11 FY2022-23 \$4,000,000 Federal Funds to contract with a statewide nonprofit

12 organization that supports children and families to increase child care

13 capacity in areas of need by providing grants to expand or start child

14 care programs for children from birth through five years of age.

15 Expenditures from the appropriation to this program shall not be

16 restricted to state aid if operating and administrative expenditures are

17 necessary to administer the funding appropriated pursuant to this

18 section. In such instances, an agency, board, or commission shall be

19 reimbursed through the Federal Fund appropriation to the Military

20 Department, Agency No. 31, Program No. 191, as identified in section 31

21 of this act.

22 2. On page 25, line 30; and page 26 line 1, strike "46,000,000" and

23 insert "42,000,000".

24 3. On page 26, line 3, strike "\$46,000,000" and insert

25 "\$42,000,000".

26 4. On page 27, line 4, strike "\$10,000,000" and insert "\$6,000,000".

1 5. Renumber the remaining sections and correct internal references

2 accordingly.

Senator Stinner filed the following amendment to LB1014:

[AM2584](#)

(Amendments to E&R amendments, ER155)

1 1. On page 8, after line 11 insert the following new paragraph:

2 "Expenditures from the appropriation to this program shall not be

3 restricted to state aid if operating and administrative expenditures are

- 4 necessary to administer the funding appropriated pursuant to this
 5 section. In such instances, an agency, board, or commission shall be
 6 reimbursed through the Federal Fund appropriation to the Military
 7 Department, Agency No. 31, Program No. 191, as identified in section 30
 8 of this act."
- 9 2. On page 9, after line 3 insert the following new subsection:
 10 "(3) Expenditures from the appropriation to this program shall not
 11 be restricted to state aid if operating and administrative expenditures
 12 are necessary to administer the funding appropriated pursuant to this
 13 section. In such instances, an agency, board, or commission shall be
 14 reimbursed through the Federal Fund appropriation to the Military
 15 Department, Agency No. 31, Program No. 191, as identified in section 30
 16 of this act."
- 17 3. On page 13, line 22, after "departments" insert "that receive aid
 18 pursuant to section 71-1628.08".
- 19 4. On page 21, line 1, before both occurrences of "\$5,000,000"
 20 insert "up to".
- 21 5. On page 22, line 13, strike "\$15,000,000" and insert
 22 "\$10,000,000".
- 23 6. On page 29, line 22, after "FY2021-22" insert "no less than".

Senator Bostelman filed the following amendment to [LB1102](#):
[AM2470](#)

(Amendments to E&R amendments, ER142)

- 1 1. On page 1, line 13, after "agent" insert "of the state"; and in
 2 line 25 strike "which is" and insert "in such quantities that are".
- 3 2. On page 2, line 3, strike "land, air" and insert "air, land"; and
 4 strike beginning with "apply" in line 15 through "spills" in line 16 and
 5 insert "be used to pay for the costs of releases".
- 6 3. On page 3, line 7, strike "issue" and insert "including issuing".
- 7 4. On page 4, line 15, strike "6" and insert "10"; in line 16 strike
 8 "this act" and insert "the Nebraska Environmental Response Act"; in line
 9 25 strike "another person, entity, or responsible person" and insert "the
 10 responsible person or any other person"; in line 27 strike "An entity"
 11 and insert "A person"; and strike beginning with the third "the" in line
 12 29 through "responsible" in line 30 and insert "such".
- 13 5. On page 5, line 3, strike "a responsible" and insert "such"; in
 14 line 7 strike "The responsible" and insert "Such"; in line 23 after
 15 "county" insert "in Nebraska"; in line 28 strike "responsible"; and
 16 strike line 31 and insert "violation has occurred of any provision of the
 17 Nebraska Environmental Response Act, an order issued under the act".
- 18 6. On page 6, line 1, strike "Environmental Response Act."; in line
 19 2 strike "has occurred."; in line 4 strike "of"; in line 5 strike "the
 20 act"; in line 16 strike "act" and insert "Nebraska Environmental Response
 21 Act"; and in line 25 strike the first "or" and insert ", including" and
 22 strike "to seek" and insert "seeking".
- 23 7. On page 10, line 14, strike "and" and insert ". The order"; in
 24 line 21 strike "hearing" and insert "director or hearing"; in line 23
 25 after "director" insert "or hearing officer shall" and strike "shall";
 26 and in line 25 after "director" insert "or hearing officer".
- 1 8. On page 11, line 5, strike "Department of Environment and Energy"
 2 and insert "department".

RESOLUTION(S)

LEGISLATIVE RESOLUTION 364. Introduced by Wishart, 27.

PURPOSE: The purpose of this resolution is to propose an interim study to explore the establishment of an insurtech regulatory sandbox. Insurers using innovative technologies in their business operations may be uncertain if those initiatives can meet the state's existing statutory framework. This study will evaluate whether current statutes need temporary flexibility. The issues addressed by this interim study shall include, but not be limited to:

- (1) How insurtech sandbox programs work, examined in conjunction with the Department of Insurance;
- (2) Efforts in other states to establish insurance specific sandbox programs in an effort to encourage innovation, entrepreneurship, and economic development; and
- (3) Costs associated with establishing an insurtech sandbox.

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 365. Introduced by Wishart, 27.

PURPOSE: The purpose of this resolution is to propose an interim study to review the operations of the Department of Motor Vehicles and explore potential policies to improve efficiency in the department. The issues addressed by this interim study shall include, but not be limited to:

- (1) Evaluating the current structure of the Department of Motor Vehicles;
- (2) Examining what services could be made more efficient, including moving some services online; and
- (3) Assessing potential costs that could be reduced and how those savings could be passed on to Nebraska taxpayers.

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 366. Introduced by Wishart, 27.

PURPOSE: The purpose of this resolution is to propose an interim study to survey and examine at least three of the current certified community behavioral health clinics established through the federal Substance Abuse and Mental Health Services Administration's demonstration program in order to provide additional information on the impact of the implementation of such clinics on the current mental health and substance use treatment system in Nebraska. Such clinics have been established in 42 states across the country to expand access to care and improve coordination with law enforcement, the legal system, and schools. The study shall include, but not be limited to, an examination of:

(1) The need for accessible care in each area served by the current clinics and how implementation of the new model has impacted that need and waitlists for services;

(2) The impact of clinics on individuals with co-occurring mental health conditions;

(3) The effect of increased access to initial services;

(4) The effect of efficient and timely transitioning between levels of care such as the transition from residential facilities to community-based care management and support;

(5) The effect of reductions in high emergency department utilizers with at least one psychiatric condition;

(6) How partnerships with other agencies and resources supports reduction in law enforcement interactions and avoids need for hospitalization;

(7) How implementation of the clinic model in the state medical assistance program system would increase Nebraska's behavioral health workforce and provide detailed data on impact to the system; and

(8) Best practices and essential elements in choosing a type of prospective payment system.

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.

MOTION(S) - Place LB933 on General File

Senator Albrecht offered her motion, [MO159](#), found on page 871, to place LB933 on General File pursuant to Rule 3, Section 20(b).

Pending.

AMENDMENT(S) - Print in Journal

Senator M. Hansen filed the following amendments to LB596:

[FA154](#)

Amend AM2034: Strike line 1.

[FA155](#)

Strike Section 1.

[FA156](#)

Strike the enacting clause.

Senator M. Hansen filed the following amendments to LB723:

[FA157](#)

Strike Section 1.

[FA158](#)

Strike the enacting clause.

Senator M. Hansen filed the following amendments to LB729:

[FA159](#)

Amend AM2084: Strike lines 4-5 beginning with the word "and" and ending with "Legislature".

[FA160](#)

Strike Section 1.

[FA161](#)

Strike the enacting clause.

Senator M. Hansen filed the following amendments to LB730:

[FA162](#)

Amend AM2087: Strike Section 1.

[FA163](#)

Strike Section 2.

[FA164](#)

Strike the enacting clause

Senator M. Hansen filed the following amendments to LB853:

[FA165](#)

Amend AM1601: Strike Section 1.

[FA166](#)

Strike Section 2.

[FA167](#)

Strike the enacting clause.

Senator M. Hansen filed the following amendments to LB873:

[FA168](#)

Strike Section 1.

[FA169](#)

Strike Section 2.

[FA170](#)

Strike the enacting clause.

Senator M. Hansen filed the following amendment to [LB917](#):

[FA171](#)

Strike the enacting clause.

Senator M. Hansen filed the following amendments to [LB927](#):

[FA172](#)

AM2023: Strike Section 2.

[FA173](#)

Strike Section 1.

[FA174](#)

Strike the enacting clause.

Senator M. Hansen filed the following amendments to [LB984](#):

[FA175](#)

Amend AM2130: Strike Section 1.

[FA176](#)

Strike Section 2.

[FA177](#)

Strike the enacting clause.

Senator M. Hansen filed the following amendments to [LB1261](#):

[FA178](#)

Amend AM2111: Strike "2027" and insert "2028".

[FA179](#)

Strike Section 1.

[FA180](#)

Strike the enacting clause.

Senator M. Hansen filed the following amendments to [LR264CA](#):

[FA181](#)

Strike Section 1.

[FA182](#)

Strike Section 2.

[FA183](#)

Strike the enacting clause.

Senator M. Hansen filed the following amendment to [LB919](#):

[AM2593](#) is available in the Bill Room.

MOTION(S) - Place LB933 on General File

Senator Albrecht renewed her motion, [MO159](#), found on page 871 and considered in this day's Journal, to place LB933 on General File pursuant to Rule 3, Section 20(b).

SPEAKER HILGERS PRESIDING**SENATOR WILLIAMS PRESIDING**

Pending.

AMENDMENT(S) - Print in Journal

Senator Friesen filed the following amendment to [LB344](#):
[AM2582](#)

(Amendments to AM1880)

- 1 1. Insert the following new section:
- 2 Sec. 3. This act becomes operative on July 1, 2023.
- 3 2. Renumber the remaining sections accordingly.

Senator DeBoer filed the following amendment to [LB919](#):
[AM2594](#) is available in the Bill Room.

Senator M. Hansen filed the following amendment to [LR283CA](#):
[FA184](#)
Strike the enacting clause.

Senator M. Hansen filed the following amendment to [LB864](#):
[FA185](#)
Strike the enacting clause.

Senator M. Hansen filed the following amendments to [LB1273](#):
[FA186](#)
Strike section 1.

[FA187](#)
Strike the enacting clause.

Senator M. Hansen filed the following amendments to [LB1150](#):
[FA188](#)
Strike section 1.

[FA189](#)
Strike section 2.

[FA190](#)
Strike the enacting clause.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 367. Introduced by DeBoer, 10.

PURPOSE: The purpose of this resolution is to propose an interim study to examine home visitation for families in Nebraska. Home visitation is a prevention strategy used to support pregnant moms and new parents which promotes infant and child health, fosters educational development and school readiness, and prevents abuse and neglect. This study shall assess the status of home visitation in the state of Nebraska and explore ways to expand programming to more families. This study shall include, but not be limited to:

(1) A collection of existing data on the type and location of home visitation programs available in Nebraska and to what extent each program aligns with evidence-based or evidence-informed approaches, including training or professional credentials required for each program model;

(2) A review of the number of parents and children impacted by home visitation, as well as eligibility criteria, target populations, outcome measures, if available, and consideration of wait lists for programs and referral sources, if applicable;

(3) An examination of existing federal, state, and local funding sources for home visitation in the State of Nebraska, including, but not limited to:

(a) Department of Health and Human Services funds;

(b) State Department of Education funds;

(c) Head Start funds;

(d) Private funds;

(e) Maternal, Infant and Early Childhood Home Visitation program funds;

(f) Temporary Assistance for Needy Families funds;

(g) Medicaid funds;

(h) Family First Prevention Services Act funds; and

(i) State of Nebraska General Funds;

(4) A review of potential statutory or administrative changes that would support current models or establish new models of home visitation in Nebraska, a consideration of the status of home visitation in other states, and the potential for home visitation to meet work requirements in the Temporary Assistance for Needy Families program; and

(5) A determination of whether additional state funding is needed to increase development and access to home visitation.

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.

MOTION(S) - Place LB933 on General File

LEGISLATIVE BILL 933. Senator Albrecht renewed her motion, [MO159](#), found on page 871 and considered in this day's Journal, to place on General File pursuant to Rule 3, Section 20(b).

Senator Albrecht moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 26 ayes, 3 nays, and 20 not voting.

Senator Albrecht moved for a call of the house. The motion prevailed with 34 ayes, 2 nays, and 13 not voting.

Senator Albrecht requested a roll call vote on the motion to place LB933 on General File.

Voting in the affirmative, 28:

Albrecht	Dorn	Halloran	Kolterman	Murman
Arch	Erdman	Hansen, B.	Lindstrom	Sanders
Bostelman	Flood	Hilgers	Linehan	Slama
Brandt	Friesen	Hilkemann	Lowe	Williams
Briese	Geist	Hughes	McDonnell	
Clements	Gragert	Jacobson	Moser	

Voting in the negative, 13:

Blood	Cavanaugh, M.	Hunt	Pansing Brooks	Wishart
Bostar	DeBoer	McKinney	Vargas	
Cavanaugh, J.	Hansen, M.	Morfeld	Wayne	

Present and not voting, 1:

Stinner

Excused and not voting, 7:

Aguilar	Day	McCollister	Walz
Brewer	Lathrop	Pahls	

The Albrecht motion to place LB933 on General File prevailed with 28 ayes, 13 nays, 1 present and not voting, and 7 excused and not voting.

The Chair declared the call raised.

AMENDMENT(S) - Print in Journal

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

[AM2595](#)

1. Insert the following new section:

2. Sec. 11. The State of Nebraska shall provide free contraceptives
3 that are approved by the federal Food and Drug Administration to any
4 woman who requests and needs such contraceptives. Such contraceptives
5 shall be distributed through distribution points, including, but not
6 limited to, Title X clinics, family planning clinics, public health
7 clinics, hospitals, and pharmacies. The costs for such contraceptives
8 shall be covered through General Fund appropriations.

9 2. Renumber the remaining sections accordingly.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 368. Introduced by Cavanaugh, M., 6.

PURPOSE: The purpose of this resolution is to propose an interim study to identify deficiencies and inefficiencies in Nebraska public policy surrounding disability related service provision and discuss policy reforms that would increase the ability of families that have children with disabilities to access necessary disability related services statewide. Many Nebraska families that have children with disabilities struggle to arrange necessary disability related services for their child with a disability. Families of children with disabilities often face a lack of appropriate services, especially at a nursing level of care, through agency or independent providers. Therefore, family members are forced to provide this care without compensation or reimbursement and are unable to acquire or maintain employment.

The study shall include, but not be limited to, an examination of:

- (1) The adequacy of staffing for direct service professionals by agency providers and independent providers with an emphasis on the availability of service providers for children;
- (2) Opportunities to eliminate the barriers to family member guardians as paid caretakers for those with a nursing level of care or higher;
- (3) How other states have best leveraged the flexibility in medicaid waivers to expand opportunities to find additional providers; and
- (4) Appropriate policies and procedures that will protect the rights of individuals with disabilities who have guardians that provide care in order to minimize potential conflicts of interest without overly invasive regulation.

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.

VISITOR(S)

Visitors to the Chamber were fourth-grade students from Syracuse Middle School, Syracuse; fourth-grade students from Centura Elementary, Cairo; fourth-grade students from Walt Disney Elementary, Omaha; and members of the Nebraska Chapter of the American Academy of Pediatrics from across the state.

The Doctor of the Day was Dr. George Voigtlander of Lincoln.

ADJOURNMENT

At 3:27 p.m., on a motion by Senator Lindstrom, the Legislature adjourned until 9:00 a.m., Monday, March 28, 2022.

Patrick J. O'Donnell
Clerk of the Legislature

FORTY-NINTH DAY - MARCH 28, 2022

LEGISLATIVE JOURNAL

**ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION**

FORTY-NINTH DAY

Legislative Chamber, Lincoln, Nebraska
Monday, March 28, 2022

PRAYER

The prayer was offered by Senator Erdman.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Hilkemann.

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 Lindstrom and Pahls who were excused; and Senators Bostar, Geist, M. Hansen, Hunt, Kolterman, Morfeld, Pansing Brooks, and Vargas who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the forty-eighth day was approved.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 369. Introduced by Gragert, 40.

WHEREAS, the Hartington-Newcastle High School speech team won the 2022 Nebraska School Activities Association Class C-2 State Speech Championship; and

WHEREAS, under the direction of Coach A.J. Johnson, Hartington-Newcastle High School prevailed over runner-up Twin River by a score of 118 to 70; and

WHEREAS, this is the seventh such championship title for Hartington-Newcastle High School, four as Hartington High School and three as Hartington-Newcastle High School; and

WHEREAS, the team placed in five different categories; and

WHEREAS, one individual and one group of the Hartington-Newcastle High School speech team earned state champion honors: Reece Morten in Oral Interpretation of Serious Prose and Reece Morten, Parker Hopping, Carsen Hopping, Turner Dendinger, and Bennet Sievers in Oral Interpretation of Drama; and

WHEREAS, such team and individual achievements are made possible through the support of teachers, administrators, parents, and the community; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

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

1. That the Legislature congratulates the Hartington-Newcastle High School speech team for winning the 2022 Nebraska School Activities Association Class C-2 State Speech Championship.

2. That copies of this resolution be sent to the Hartington-Newcastle High School speech team and Coach A.J. Johnson.

Laid over.

LEGISLATIVE RESOLUTION 370. Introduced by Hughes, 44.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the coordination and administration of boundary layers in Nebraska and improve spatial data infrastructure coordination and usage. In order to carry out the purpose of this resolution, the board shall seek the assistance of the Legislative Research Office. The study shall include, but not be limited to, the following:

(1) Identifying any statutory requirements for established boundaries in Nebraska;

(2) Creating an inventory of existing boundaries and stakeholders;

(3) Organizing the reporting of boundary changes to a specific commission or agency;

(4) Identifying existing standards for boundaries that may be used;

(5) Developing a strategy for updating and maintaining boundaries;

(6) Recognizing partners that will have an interest in boundaries; and

(7) Designing strategies to work with the United States Bureau of the Census to maximize its coordination of the next census.

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

1. That the Executive Board of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the board 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.

GENERAL FILE

LEGISLATIVE RESOLUTION 263CA. Read. Considered.

SENATOR WILLIAMS PRESIDING

Pending.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 371. Introduced by Williams, 36.

PURPOSE: The purpose of this resolution is to propose an interim study to review the requirements regarding occupational regulation as administered by the Department of Banking and Finance in furtherance of the purposes of the Occupational Board Reform Act.

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

1. That the Banking, Commerce and Insurance Committee of the Legislature shall be designated to conduct an interim study to carry out the purpose of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 372. Introduced by Williams, 36.

PURPOSE: The purpose of this resolution is to propose an interim study to examine whether the Real Property Appraiser Act should be updated. In order to carry out the purpose of this resolution, the committee should seek the assistance of the Real Property Appraiser Board and should consider the input of interested persons as the committee deems necessary and appropriate.

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

1. That the Banking, Commerce and Insurance Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 373. Introduced by Walz, 15.

PURPOSE: The purpose of this resolution is to examine the feasibility of developing a policy and implementing a statewide process for awarding college credit consistently in specific programs of study across all public educational institutions for military education and training so that students with a military affiliation can easily understand and determine how their military training and experience will translate into college credit.

This study shall include, but not be limited to:

- (1) Examining how postsecondary educational institutions, service education providers, and other states have approached this topic;
- (2) Considering programs of study that could be prioritized for review and inclusion based on H3 status (high demand, high wage, and high skill occupations), required credentials, and predominant military occupations in Nebraska and surrounding states; and
- (3) Learning about the process used by Nebraska postsecondary educational institutions in evaluating military transcripts, training, and experience as well as academic and vocational degrees, certifications, licenses, or credentials earned in order to award the appropriate college credit.

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 374. Introduced by Walz, 15.

PURPOSE: The purpose of this resolution is to create a select interim committee of the Legislature, to be known as the State and Local School Aid Committee, to conduct an in-depth study of the balancing of state and local financing of the public elementary and secondary schools in Nebraska.

In order to carry out the purpose of this resolution, the committee should seek the assistance of the State Department of Education and the Department of Revenue and should consider the input of school districts and interested parties as the committee deems necessary and appropriate. The study shall include, but not be limited to:

- (1) An examination of ways to equitably balance the financing of public education from state and local sources; and
- (2) Developing recommendations for improving equity in school funding in Nebraska.

The committee shall consist of:

(1) The chairperson of the Education Committee of the Legislature, or the chairperson's designee, who shall serve as the chairperson of the State and Local School Aid Committee;

(2) A member of the Education Committee of the Legislature, appointed by the chairperson of such committee;

(3) The chairperson of the Revenue Committee of the Legislature, or the chairperson's designee;

(4) A member of the Revenue Committee of the Legislature, appointed by the chairperson of such committee;

(5) The chairperson of the Appropriations Committee of the Legislature, or the chairperson's designee; and

(6) A member of the Appropriations Committee of the Legislature, appointed by the chairperson of such committee.

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

1. That a select interim committee of the Legislature, to be known as the State and Local School Aid Committee, shall be designated as provided in this resolution to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 375. Introduced by Lathrop, 12.

PURPOSE: The purpose of this resolution is to propose an interim study to examine any issues within the jurisdiction of the Judiciary Committee of the Legislature that may arise during the interim.

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

1. That the Judiciary Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 376. Introduced by Hansen, M., 26.

PURPOSE: The purpose of this resolution is to propose an interim study to determine whether reports of the resistance of public agencies to fulfill public record requests are representative of a broad statewide issue or represent isolated incidents. If these incidents are commonplace, the study should determine what reforms could be enacted to ensure that public record

requests are being properly met and that Nebraskans have prompt, unfettered, and robust access to open government.

Sections 84-712 to 84-712.09 are intended to guarantee that the public has access to public records of government bodies at all levels of government. However, even though the purpose and scope of sections 84-712 to 84-712.09 are for broad disclosure and accessibility, some categories of records are exempt from disclosure. Section 84-712.05 provides twenty-three separate categories of records that may be withheld from the public so long as such records have not been publicly disclosed in open court, an open administrative proceeding, or an open meeting or disclosed by a public entity pursuant to its duty. There are additional statutory exceptions which provide that governmental records can be withheld from public inspection.

News media members, advocacy groups, and other members of the public have reported that public records requests are regularly and routinely resisted by governmental bodies. Such reports indicate that resistance takes the form of prolonged delays in responding to requests, demands of excessive prepayment amounts for the costs of retrieving such records, tenuous claims of exemptions allowing for the public agency to withhold records, or other justifications.

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

1. That the Government, Military and Veterans Affairs Committee of the Legislature shall be designated to conduct an interim study to carry out the purpose of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 377. Introduced by Hansen, M., 26.

PURPOSE: The purpose of this resolution is to propose an interim study to examine statutes relating to the incorporation of new municipalities. The issues addressed by this interim study shall include, but not be limited to:

(1) The potential preference among existing sanitary improvement districts to incorporate directly into municipal classifications other than villages;

(2) Current population requirements and other requirements for the incorporation of new municipalities; and

(3) Potential statutory changes necessary to achieve sanitary improvement district incorporation into municipal classifications other than villages.

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

1. That the Urban Affairs Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 378. Introduced by Day, 49.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the process for determining the rate of reimbursement for the child care subsidy program and whether current rates sufficiently cover the cost of providing quality child care. The child care subsidy program, funded through the federal Child Care and Development Fund, provides subsidies to low-income families to pay for child care while parents work or attend school. This study shall include, but not be limited to:

- (1) The use of a market rate survey, as outlined in section 43-536, for determining rates of reimbursement;
- (2) Analysis of the anticipated monthly subsidy billing available to providers compared to the amounts paid;
- (3) Analysis of the market rates for child care compared to the cost of providing quality child care for providers;
- (4) Analysis of total expenditures on the child care subsidy program in Nebraska;
- (5) A review of the reimbursement rate setting processes utilized in other states; and
- (6) Alternative methodologies available for determining child care subsidy reimbursement rates.

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 purpose of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 379. Introduced by Day, 49.

PURPOSE: The purpose of this resolution is to propose an interim study to examine fentanyl distribution in Nebraska. Pharmaceutical fentanyl is a synthetic opioid that is used to treat pain and has fifty to one hundred times the potency of morphine. However, in recent years the use of fentanyl that was illegally made and distributed has shown harmful consequences. When mixed with other drugs, whether or not the user knows about the combination product, fentanyl can cause overdose and death. Studying fentanyl distribution in Nebraska and assessing the current response will

identify life-saving actionable steps the Legislature can take to address the opioid crisis and protect Nebraskans.

This study shall include, but not be limited to, an examination of the following:

- (1) Data collection and information gathering regarding:
 - (a) Fentanyl manufacturing and distribution in Nebraska and surrounding states;
 - (b) The classification of drug-induced homicide and drug delivery resulting in death charges in Nebraska as compared to other states;
 - (c) Punitive or restorative responses to drug-induced homicide and drug delivery resulting in death charges; and
 - (d) Potential expansion of prevention, intervention, and response activities; and
- (2) Possible solutions pertaining to fentanyl distribution in the state and collaboration with the appropriate community partners about these solutions.

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 380. Introduced by Day, 49.

PURPOSE: The purpose of this resolution is to propose an interim study to examine a potential limit on taxation of public and private pension income. In order to carry out the purpose of this resolution, the committee shall consider the input of interested individuals, public officials, and such entities as the committee deems necessary and appropriate.

This study shall include, but not be limited to:

- (1) Identifying the tax burden on retirees in Nebraska and surrounding states;
- (2) Examining the potential fiscal impact of limiting taxation on retiree pensions;
- (3) Compiling information about taxation of retirees in other states and creating a list of actionable steps on how to make Nebraska a more retiree-friendly state as it relates to taxation;
- (4) Analyzing past proposals to limit taxation in Nebraska; and
- (5) Collaborating with individuals on other tax relief options for retirees.

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

1. That the Revenue 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.

GENERAL FILE

LEGISLATIVE RESOLUTION 263CA. Considered.

Senator Blood moved for a call of the house. The motion prevailed with 25 ayes, 4 nays, and 20 not voting.

Senator Blood requested a roll call vote, in reverse order, on the advancement of the resolution.

Voting in the affirmative, 34:

Arch	DeBoer	Hansen, M.	McDonnell	Stinner
Blood	Dorn	Hilgers	McKinney	Vargas
Bostar	Erdman	Hilkemann	Morfeld	Walz
Brewer	Flood	Hunt	Murman	Wayne
Cavanaugh, J.	Gragert	Jacobson	Pansing Brooks	Williams
Cavanaugh, M.	Halloran	Lathrop	Sanders	Wishart
Day	Hansen, B.	McCollister	Slama	

Voting in the negative, 5:

Albrecht	Briese	Hughes	Linehan	Moser
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Present and not voting, 7:

Aguilar	Brandt	Friesen	Lowe
Bostelman	Clements	Geist	

Excused and not voting, 3:

Kolterman	Lindstrom	Pahls
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Advanced to Enrollment and Review Initial with 34 ayes, 5 nays, 7 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 381. Introduced by Murman, 38.

WHEREAS, the 2022 Nebraska School Activities Association State Speech Championships were held from March 16 through March 18 at Kearney High School in Kearney, Nebraska; and

WHEREAS, Sydney Mitchell, an outstanding student at Alma High School, competed in the Class C-2 Oral Interpretation of Poetry category; and

WHEREAS, Sydney won the Class C-2 Oral Interpretation of Poetry State Speech Championship with a score of one hundred forty-eight; and

WHEREAS, Sydney earned the first state championship title in speech for Alma High School since 1990; and

WHEREAS, Sydney has also received a Nebraska School Activities Association Academic All-State Award in the speech category, sponsored by the Nebraska Chiropractic Physicians Association; 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 Sydney Mitchell on winning the 2022 Class C-2 Oral Interpretation of Poetry State Speech Championship.

2. That copies of this resolution be sent to Alma High School, Coach Courtney Stottler, and Sydney Mitchell.

Laid over.

LEGISLATIVE RESOLUTION 382. Introduced by Gragert, 40.

WHEREAS, the Stuart High School speech team won the 2022 Nebraska School Activities Association Class D-2 State Speech Championship; and

WHEREAS, under the direction of Coach Brenda Larabee, Stuart High School prevailed over runner-up Potter-Dix by a score of 146 to 104; and

WHEREAS, this is the fifth such championship title for Stuart High School; and

WHEREAS, the team placed in six different categories; and

WHEREAS, two individuals of the Stuart High School speech team earned state champion honors: William Paxton in Entertainment Speaking and Taya Schmaderer in Persuasive Speaking; and

WHEREAS, such team and individual achievements are made possible through the support of teachers, administrators, parents, and the community; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

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

1. That the Legislature congratulates the Stuart High School speech team for winning the 2022 Nebraska School Activities Association Class D-2 State Speech Championship.

2. That copies of this resolution be sent to the Stuart High School speech team and Coach Brenda Larabee.

Laid over.

SENATOR ARCH PRESIDING

GENERAL FILE

LEGISLATIVE BILL 852. Title read. Considered.

Committee [AM1607](#), found on page 707, was adopted with 33 ayes, 2 nays, 10 present and not voting, and 4 excused and not voting.

Senator Day offered her amendment, [AM2563](#), found on page 961.

The Day amendment was adopted with 34 ayes, 0 nays, 11 present and not voting, and 4 excused and not voting.

Senator Morfeld offered his amendment, [AM2272](#), found on page 797.

The Morfeld amendment was adopted with 28 ayes, 0 nays, 14 present and not voting, and 7 excused and not voting.

Advanced to Enrollment and Review Initial with 27 ayes, 0 nays, 15 present and not voting, and 7 excused and not voting.

LEGISLATIVE BILL 1016. Title read. Considered.

Committee [AM2128](#), found on page 718, was offered.

Senator Bostelman offered his amendment, [AM2239](#), found on page 845, to the committee amendment.

The Bostelman amendment was adopted with 31 ayes, 0 nays, 9 present and not voting, and 9 excused and not voting.

The committee amendment, as amended, was adopted with 31 ayes, 0 nays, 9 present and not voting, and 9 excused and not voting.

Advanced to Enrollment and Review Initial with 31 ayes, 0 nays, 9 present and not voting, and 9 excused and not voting.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 383. Introduced by Erdman, 47.

PURPOSE: The purpose of this resolution is to propose an interim study to explore best practices for the implementation of a consumption tax in Nebraska.

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

1. That the Revenue 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.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 519. Placed on Final Reading.

LEGISLATIVE BILL 741. Placed on Final Reading.
[ST53](#) is available in the Bill Room.

LEGISLATIVE BILL 917. Placed on Final Reading.
[ST52](#)

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

1. On page 1, the matter beginning with "section" in line 1 through line 4 has been struck and "sections 77-2717 and 77-2734.03, Revised Statutes Cumulative Supplement, 2020, and sections 77-2701 and 77-2715.07, Revised Statutes Supplement, 2021; to provide an income tax credit for certain wages paid to individuals convicted of a felony; to provide duties for the Department of Revenue; to define a term; to harmonize provisions; and to repeal the original sections." inserted.

(Signed) Terrell McKinney, Chairperson

RECESS

At 12:01 p.m., on a motion by Senator Hilkemann, the Legislature recessed until 1:00 p.m.

AFTER RECESS

The Legislature reconvened at 1:00 p.m., Senator Hughes presiding.

ROLL CALL

The roll was called and all members were present except Senators Lindstrom and Pahls who were excused; and Senators Bostar, Day, Flood, Halloran, B. Hansen, Hilkemann, Hunt, McCollister, McKinney, Pansing Brooks, Sanders, Slama, and Wishart who were excused until they arrive.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 384. Introduced by Cavanaugh, M., 6.

PURPOSE: The purpose of this resolution is to propose an interim study to investigate laws and procedures pertaining to the use of emergency protective custody and to suggest improvements in procedures and statutes related to emergency protective custody and court orders for the treatment of persons with severe and persistent mental illness.

The study shall include, but not be limited to, an examination of the following:

- (1) Laws and procedures governing emergency protective custody and the use of court orders for mental health treatment;
- (2) Continuation of treatment through facility or placement changes;

(3) Treatment planning for persons being discharged from mental health facilities;

(4) Continuity of care when persons with severe and persistent mental illness move from the jurisdiction of one behavioral health region to another; and

(5) Other related factors affecting the mental health treatment of persons with severe and persistent mental illness.

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

1. That the Judiciary Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

SELECT FILE

LEGISLATIVE BILL 1014. [ER155](#), found on page 978, was adopted.

Senator Stinner offered his amendment, [AM2584](#), found on page 1002.

SENATOR WILLIAMS PRESIDING

Senator Briese moved the previous question. The question is, "Shall the debate now close?"

The Chair ruled there had not been a full and fair debate, pursuant to Rule 7, Sec. 4, on the Stinner amendment.

SENATOR ARCH PRESIDING

Senator Stinner moved for a call of the house. The motion prevailed with 19 ayes, 2 nays, and 28 not voting.

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

Voting in the affirmative, 39:

Aguilar	Briese	Gragert	Linchan	Slama
Albrecht	Cavanaugh, J.	Hilgers	Lowe	Stinner
Arch	Clements	Hilkemann	McCollister	Vargas
Blood	Day	Hughes	McDonnell	Walz
Bostar	DeBoer	Hunt	McKinney	Wayne
Bostelman	Dorn	Jacobson	Moser	Williams
Brandt	Friesen	Kolterman	Murman	Wishart
Brewer	Geist	Lathrop	Sanders	

Voting in the negative, 0.

Present and not voting, 2:

Cavanaugh, M. Hansen, M.

Excused and not voting, 8:

Erdman	Halloran	Lindstrom	Pahls
Flood	Hansen, B.	Morfeld	Pansing Brooks

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

The Chair declared the call raised.

Pending.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 385. Introduced by Linehan, 39.

WHEREAS, the 2022 Nebraska School Activities Association Class B Girls State Basketball Championship was held on March 12 at Pinnacle Bank Arena in Lincoln; and

WHEREAS, the Elkhorn North High School girls basketball team won the 2022 Class B Girls State Basketball Championship; and

WHEREAS, the top-ranked Elkhorn North Wolves won against the only team to defeat them during the season, Omaha Skutt, in the championship game with a score of 49 to 36; and

WHEREAS, this is the second such state championship for the Elkhorn North Lady Wolves in the school's second season; and

WHEREAS, such a team achievement is made possible through the support of parents, teachers, administrators, classmates, and the community; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

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

1. That the Legislature congratulates Elkhorn North High School girls basketball team and its coaches on winning the 2022 Class B Girls State Basketball Championship.

2. That copies of this resolution be sent to the Elkhorn North High School girls basketball team and Coach Ann Prince.

Laid over.

LEGISLATIVE RESOLUTION 386. Introduced by DeBoer, 10.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the Nebraska Juvenile Code. The study shall include a review of the Nebraska Juvenile Code, including related statutes and court rules to potentially modify. In order to fulfill the purpose of the resolution, the committee should seek the assistance of county judges, juvenile judges, attorneys, and any others the committee deems necessary.

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 387. Introduced by Day, 49.

PURPOSE: The purpose of this resolution is to propose an interim study to review the statutes relating to homestead exemptions and the current system and guidelines in place for determining income for applications for a homestead exemption, to assess whether such system and guidelines are appropriate and fair for applicants, and to evaluate possible changes and solutions.

A homestead exemption is a property tax relief option available for certain categories of homeowners. Income limits exist to claim a homestead exemption on a sliding scale for persons over age sixty-five, veterans totally disabled by a non-service-connected accident or illness, and persons with developmental disabilities. No such income limits exist for qualified totally disabled veterans and their surviving spouses or for veterans and their surviving spouses whose homes were substantially contributed to by the United States Department of Veterans Affairs. Applicants for a homestead exemption must report their income on the Nebraska Schedule I document which is filed with their application and that report must be supplemented by income documents from the Internal Revenue Service, Social Security Administration, and Railroad Retirement Board. Several factors determine the income levels for purposes of qualifying for a homestead exemption such as passive income, social security benefits, and whether the names of any children or other individuals are on the deed as owners and also occupy the homestead.

This study shall include, but not be limited to:

- (1) Reviewing income guidelines for homestead exemptions;
- (2) Assessing the guidelines and the barriers in place that prevent Nebraskans from qualifying for a homestead exemption;

(3) Determining the fiscal impact of changing income guidelines for applicants;

(4) Comparing current guidelines to neighboring states; and

(5) Determining whether changing income guidelines for homestead exemptions is appropriate and, if needed, examine alternative solutions for persons who do not qualify for the exemption.

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

1. That the Revenue Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 388. Introduced by Day, 49.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the rating and combined rating system that the Department of Veterans' Affairs uses to determine compensation payments and access to other benefits. The combined total rating for a disabled veteran determines the benefits and compensation rates the disabled veteran receives. Combined ratings also determine whether a disabled veteran meets the requirements for total disability based on individual unemployability.

The calculation for determining benefits and compensation rates is relatively simple when a person only has one rated service-connected disability. Combined ratings are far more complicated as each service-connected disability is assigned its own rating based on the severity of the veteran's symptoms. This study shall assess the current process for calculating such percentages and examine any changes that may need to be made to ensure disabled veterans are receiving the benefits they need.

This study shall include, but not be limited to:

(1) Examining how disability rates are compounded and calculated; and

(2) Discerning whether the compounded disability rates that are being assigned to Nebraska disabled veterans are appropriate for their level of disability and the way their disabilities have impacted their life.

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

1. That the Government, Military and Veterans Affairs Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 389. Introduced by Day, 49.

PURPOSE: The purpose of this resolution is to propose an interim study to examine how information on all Parkinson's disease cases can best be collected and reported to the Parkinson's Disease Registry (PDR) to provide a rich data source that can be used to improve Parkinson's disease prevention, survival, treatment, and research. The issues addressed by this study shall include, but not be limited to, an examination of:

- (1) Current strategies in Nebraska to collect and store information on all Parkinson's disease cases diagnosed or receiving treatment;
- (2) Current strategies to report diagnosis and treatment of Parkinson's disease to the PDR;
- (3) Obstacles to enhanced data collection and reporting to the PDR;
- (4) Current strategies among other states for enhanced data collection and reporting to such state's Parkinson's disease registries; and
- (5) Uses for data collected through the PDR both statewide and nationwide to improve Parkinson's disease prevention, care, treatment, and research.

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.

LEGISLATIVE RESOLUTION 390. Introduced by Murman, 38.

PURPOSE: The purpose of this resolution is to propose an interim study to review the current medicaid reimbursement model and processes for Nebraska's critical access hospitals and to determine if changes should be made to strengthen the financial position of these rural hospitals. The study shall include, but not be limited to:

- (1) Reviewing medicaid inpatient per diem rates and outpatient cost-to-charges ratio rates, when such rates were last updated, and if such rates accurately reflect hospital costs;
- (2) Reviewing how much time the medical assistance program takes to settle cost reports and how significant delays impact the ability of critical access hospitals to fund hospital operations; and
- (3) Reviewing how critical access hospitals financially sustain other important rural health initiatives, including community wellness outreach and long-term care services.

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.

LEGISLATIVE RESOLUTION 391. Introduced by Gragert, 40.

WHEREAS, the Wausa High School speech team won the 2022 Nebraska School Activities Association Class D-1 State Speech Championship; and

WHEREAS, under the direction of Coaches Kyle and Samantha Stevens, Wausa High School prevailed over runner-up Humphrey by a score of 202 to 106; and

WHEREAS, this is the fourth such championship title for Wausa High School; and

WHEREAS, the team placed in eight different categories; and

WHEREAS, two individuals and two groups of the Wausa High School speech team earned state champion honors: Trey McQuay in Entertainment Speaking, Tyler Baue in Oral Interpretation of Serious Prose, Tyler Baue and Cole Story in Duet Acting, and Leah Bloomquist, Abrielle Nelson, Cole Story, Trey McQuay and Tyler Baue in Oral Interpretation of Drama; and

WHEREAS, such team and individual achievements are made possible through the support of teachers, administrators, parents, and the community; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

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

1. That the Legislature congratulates the Wausa High School speech team on winning the 2022 Nebraska School Activities Association Class D-1 State Speech Championship.

2. That copies of this resolution be sent to the Wausa High School speech team and Coaches Kyle and Samantha Stevens.

Laid over.

AMENDMENT(S) - Print in Journal

Senator Hunt filed the following amendment to [LB1173](#):

[AM2597](#)

(Amendments to Final Reading copy)

1 1. Strike section 8 and insert the following new section:

2 Sec. 8. Section 43-907, Reissue Revised Statutes of Nebraska, is
3 amended to read:
4 43-907 (1) Unless a guardian shall have been appointed by a court
5 of competent jurisdiction, the Department of Health and Human Services
6 shall take custody of and exercise general control over assets owned by
7 children under the charge of the department. Children owning assets shall
8 at all times pay for personal items. Assets over and above a maximum of
9 one thousand dollars and current income shall be available for
10 reimbursement to the state for the cost of care. Assets may be deposited
11 in a checking account, invested in United States bonds, or deposited in a
12 savings account insured by the United States Government. All income
13 received from the investment or deposit of assets shall be credited to
14 the individual child whose assets were invested or deposited. The
15 department shall make and maintain detailed records showing all receipts,
16 investments, and expenditures of assets owned by children under the
17 charge of the department.
18 (2) When the Department of Health and Human Services serves as
19 representative payee for a child beneficiary of social security benefits,
20 the department shall provide:
21 (a) Notice to the child beneficiary, in an age-appropriate manner,
22 and the child's guardian ad litem, that the department is acting as the
23 child's representative payee for the purposes of receiving social
24 security benefits, within thirty days after receiving the first social
25 security benefit payment on behalf of the child;
26 (b) Notice to the juvenile court, at every review hearing regarding
1 the child beneficiary after January 1, 2023, regarding the department's
2 receipt and conservation of the child's social security benefits, that
3 shall include:
4 (i) The total amount of social security benefit funds the department
5 has received on behalf of the child beneficiary as of the review hearing;
6 and
7 (ii) The total amount of social security benefit funds received on
8 behalf of the child beneficiary that are currently conserved or unspent
9 as of the review hearing; and
10 (c) All accounting records regarding the department's receipt, use,
11 and conservation of the child's social security benefits, to the child
12 beneficiary, the child's guardian ad litem or attorney, or the child's
13 parent upon:
14 (i) Request from the child beneficiary, the child's guardian ad
15 litem or attorney, or the child's parent; and
16 (ii) Termination of the department's role as the child beneficiary's
17 representative payee.
18 (3) On or before October 1, 2023, the Department of Health and Human
19 Services shall adopt and promulgate rules and regulations to carry out
20 subsection (2) of this section consistent with federal requirements
21 regarding representative payees for social security beneficiaries.

BILL ON FIRST READING

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

LEGISLATIVE BILL 750A. Introduced by Friesen, 34.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 750, One Hundred Seventh Legislature, Second Session, 2022.

SELECT FILE

LEGISLATIVE BILL 1014. Senator Linehan offered the following amendment:

[AM2610](#)

(Amendments to E & R amendments, ER155)

- 1 1. On page 2, after line 19 insert the following new paragraph:
- 2 "The administrative expenditures of any agency, board, or commission
- 3 related to the use of the Federal Funds appropriated pursuant to this act
- 4 shall not exceed fifteen percent of the Federal Fund appropriation to
- 5 such agency, board, or commission for such purpose.".

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

Senator Stinner offered his amendment, [AM2580](#), found on page 1002.

SENATOR HUGHES PRESIDING

The Stinner amendment was adopted with 26 ayes, 7 nays, 9 present and not voting, and 7 excused and not voting.

Senator Morfeld offered his amendment, [AM2561](#), found on page 953.

The Morfeld amendment was adopted with 27 ayes, 5 nays, 13 present and not voting, and 4 excused and not voting.

Senator Linehan offered the following amendment:

[AM2608](#)

(Amendments to E & R amendments, ER155)

- 1 1. Insert the following new section:
- 2 Sec. 10. None of the funds appropriated in this act shall be used
- 3 for or by a joint public agency as defined in the Joint Public Agency
- 4 Act.
- 5 2. Renumber the remaining sections and correct internal references
- 6 accordingly.

The Linehan amendment was adopted with 31 ayes, 0 nays, 15 present and not voting, and 3 excused and not voting.

Senator Wayne offered the following amendment:

[AM2619](#)

(Amendments to E & R amendments, ER155)

- 1 1. Insert the following new section:
- 2 Sec. 10. All grants utilizing Federal Funds allocated to the State
- 3 of Nebraska from the federal Coronavirus State Fiscal Recovery Fund shall
- 4 meet the eligible uses under the federal American Rescue Plan Act of 2021
- 5 and any relevant guidance on the use of such funds by the United States
- 6 Department of the Treasury.
- 7 Each agency, board, or commission shall complete the adoption and
- 8 promulgation of rules and regulations related to the distribution of the
- 9 Federal Funds appropriated pursuant to this act within sixty days after
- 10 the effective date of this act.
- 11 Each such agency, board, or commission shall provide a report to the

12 Executive Board of the Legislative Council within ninety days after the
 13 effective date of this act that outlines whether the projects or
 14 appropriations assigned to the agency, board, or commission by the
 15 Legislature comply with the federal act or regulations.

SENATOR WILLIAMS PRESIDING

Senator Wayne withdrew his amendment.

Senator Morfeld offered the following amendment:

[AM2616](#)

(Amendments to E & R amendments, ER155)

1 1. On page 7, line 2, after "Labor" insert "and distributed through
 2 the recommendation of the Nebraska Worker Training Board pursuant to the
 3 guidelines established in section 48-622.03".

The Morfeld amendment was adopted with 30 ayes, 2 nays, 13 present and not voting, and 4 excused and not voting.

Senator Stinner offered the following motion:

[MO185](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Stinner moved for a call of the house. The motion prevailed with 29 ayes, 5 nays, and 15 not voting.

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

Voting in the affirmative, 34:

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

Voting in the negative, 4:

Albrecht	Briese	Sanders	Slama
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Present and not voting, 7:

Arch	Erdman	Halloran	Murman
Clements	Friesen	Linehan	

Excused and not voting, 4:

Geist Hughes Lindstrom Pahls

The Stinner motion to invoke cloture prevailed with 34 ayes, 4 nays, 7 present and not voting, and 4 excused and not voting.

Senator Slama requested a machine vote on the advancement of the bill.

Advanced to Enrollment and Review for Engrossment with 33 ayes, 7 nays, 5 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 392. Introduced by Friesen, 34; DeBoer, 10.

PURPOSE: The purpose of this resolution is to propose an interim study to examine any issues within the jurisdiction of the Transportation and Telecommunications Committee of the Legislature that may arise during the interim.

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

1. That the Transportation and Telecommunications 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 Friesen filed the following amendment to LB344A:
[AM2626](#)

1 1. Strike the original sections and insert the following new
2 section:
3 Section 1. There is hereby appropriated (1) \$241,240 from the
4 General Fund and \$50,000 from Federal Funds for FY2022-23 and (2)
5 \$168,642 from the General Fund and \$50,000 from Federal Funds for
6 FY2023-24 to the State Fire Marshal, for Program 193, to aid in carrying
7 out the provisions of Legislative Bill 344, One Hundred Seventh
8 Legislature, Second Session, 2022.
9 Total expenditures for permanent and temporary salaries and per
10 diems from funds appropriated in this section shall not exceed \$76,042
11 for FY2022-23 or \$78,324 for FY2023-24.

Senator Linehan filed the following amendment to LB1014:

[AM2609](#)

(Amendments to E & R amendments, ER155)

- 1 1. On page 12, lines 21 and 22, strike "47,500,000" and insert
- 2 "35,000,000"; and in lines 24 and 27 strike "\$47,500,000" and insert
- 3 "\$35,000,000".
- 4 2. On page 13, line 9, after the semicolon insert "and"; in line 10
- 5 strike "; and" and insert an underscored period; and strike line 11.
- 6 3. On page 15, lines 15 and 16, strike "47,500,000" and insert
- 7 "35,000,000"; in line 18 strike "\$47,500,000" and insert "\$35,000,000";
- 8 and in line 23 strike "\$35,625,000" and insert "\$23,125,000".
- 9 4. On page 16, line 12, after the semicolon insert "and"; in line 13
- 10 strike "; and" and insert an underscored period; and strike line 14.
- 11 5. On page 36, lines 19 and 20, strike "15,000,000" and insert
- 12 "10,000,000"; and in line 22 strike "\$15,000,000" and insert
- 13 "\$10,000,000".
- 14 6. On page 37, line 2, after the semicolon insert "and"; in line 3
- 15 strike "; and" and insert an underscored period; and strike line 4.

Senator Linehan filed the following amendment to [LB1014](#):

[FA191](#)

Amend ER155: Strike Subsection (4) in Section 38.

Senator Friesen filed the following amendment to [LB1014](#):

[AM2630](#)

(Amendments to E&R amendments, ER155)

- 1 1. Insert the following new section:
- 2 Sec. 10. It is the intent of the Legislature that one-half of the
- 3 funds allocated to the State of Nebraska from the federal Coronavirus
- 4 State Fiscal Recovery Fund pursuant to the federal American Rescue Plan
- 5 Act of 2021 be appropriated for FY2021-22 and FY2022-23 and the other
- 6 one-half of the funds may be appropriated in FY2023-24 and thereafter.
- 7 2. Renumber the remaining sections and correct internal references
- 8 accordingly.

GENERAL FILE

LEGISLATIVE BILL 1083. Considered.

Committee [AM2142](#), found on page 858 and considered on page 921, was renewed.

Senator M. Cavanaugh offered her motion, [MO176](#), found on page 922, to bracket until March 31, 2022.

Senator M. Cavanaugh withdrew her motion to bracket.

The committee amendment was adopted with 33 ayes, 0 nays, 9 present and not voting, and 7 excused and not voting.

Advanced to Enrollment and Review Initial with 34 ayes, 0 nays, 8 present and not voting, and 7 excused and not voting.

SENATOR ARCH PRESIDING

LEGISLATIVE BILL 902. Title read. Considered.

Committee [AM2194](#), found on page 789, was adopted with 35 ayes, 0 nays, 8 present and not voting, and 6 excused and not voting.

Advanced to Enrollment and Review Initial with 36 ayes, 0 nays, 7 present and not voting, and 6 excused and not voting.

LEGISLATIVE BILL 902A. Title read. Considered.

Advanced to Enrollment and Review Initial with 29 ayes, 0 nays, 14 present and not voting, and 6 excused and not voting.

SENATOR HUGHES PRESIDING**LEGISLATIVE BILL 1069.** Title read. Considered.

Senator Williams withdrew his amendment, [AM1867](#), found on page 799.

Senator Williams offered his amendment, [AM2299](#), found on page 826.

The Williams amendment was adopted with 27 ayes, 4 nays, 11 present and not voting, and 7 excused and not voting.

Senator Vargas offered the following amendment:

[AM2303](#)

1 1. Insert the following new sections:

2 Sec. 5. Section 81-1238, Revised Statutes Cumulative Supplement,
3 2020, is amended to read:

4 81-1238 (1) The director shall establish a workforce housing
5 investment grant program to foster and support the development of
6 workforce housing in urban communities.

7 (2) A nonprofit development organization may apply to the director
8 for approval of a workforce housing grant for a workforce housing
9 investment fund. The application shall be in a form and manner prescribed
10 by the director. Through fiscal year ~~2026-27~~ 2022-2023, grants shall be
11 awarded by the director on a competitive basis until grant funds are no
12 longer available. Grant maximums shall not exceed one million dollars to
13 any one nonprofit development organization over a two-year period, with
14 ~~the no more than two million five hundred thousand dollars~~ cumulative
15 ~~amount for any single grantee to be determined by the department at the~~
16 ~~discretion of the director through fiscal year 2022-2023. An applicant~~
17 ~~shall provide matching funds of at least one-half of the amount of~~
18 ~~workforce housing grant funds awarded. Grants shall require a minimum one-~~
19 ~~to-one in matching funds to be considered a qualified grant application.~~

20 Unallocated funds held by the department shall be rolled to the next
21 program year. ~~Unallocated funds on June 30, 2025, shall be returned to~~
22 ~~the Middle Income Workforce Housing Investment Fund.~~

23 (3) Grants shall be awarded based upon:

24 (a) A demonstrated need for additional owner-occupied housing. Need
25 can be demonstrated with a recent housing study or a letter from the
26 planning department of the city in which the fund is intending to operate
27 stating that the proposal is in line with the city's most recent
1 consolidated plan submitted under 24 C.F.R. part 91, subpart D, as such
2 subpart existed on January 1, 2020;

3 (b) A neighborhood or community that has a higher-than-state-average
4 unemployment rate;

5 (c) A neighborhood or community that exhibits a demonstrated
6 commitment to growing its housing stock;
7 (d) Projects that can reasonably be ready for occupancy in a period
8 of twenty-four months; and
9 (e) A demonstrated ability to grow and manage a workforce housing
10 investment fund.

11 (4) A workforce housing investment fund shall:
12 (a) Be required to receive annual certification from the department;
13 (b) Invest or intend to invest in eligible activities for a
14 workforce housing investment fund;
15 (c) Use any fees, interest, loan repayments, or other funds received
16 by the nonprofit development organization as a result of the
17 administration of the grant to support qualified activities; and
18 (d) Have an active board of directors with expertise in development,
19 construction, and finance that meets at least quarterly to approve all
20 qualified investments made by the nonprofit development organization. A
21 nonprofit development organization shall have a formal plan and proven
22 expertise to invest unused workforce housing investment fund balances and
23 shall conduct an annual audit of all financial records by an independent
24 certified public accountant.

25 Sec. 6. Section 81-1239, Revised Statutes Cumulative Supplement,
26 2020, is amended to read:
27 81-1239 (1) The Middle Income Workforce Housing Investment Fund is
28 created. Funding for the grant program described in section 81-1238 shall
29 come from the Middle Income Workforce Housing Investment Fund. The Middle
30 Income Workforce Housing Investment Fund may include revenue from
31 appropriations from the Legislature, grants, private contributions, and
1 other sources. In addition, the Middle Income Workforce Housing
2 Investment Fund shall receive a one-time transfer of ten million dollars
3 on November 14, 2020, from the General Fund. Any money in the Middle
4 Income Workforce Housing Investment Fund available for investment shall
5 be invested by the state investment officer pursuant to the Nebraska
6 Capital Expansion Act and the Nebraska State Funds Investment Act.

7 (2) The department shall administer the Middle Income Workforce
8 Housing Investment Fund and may seek additional private or nonstate funds
9 to use in the grant program, including, but not limited to, contributions
10 from the Nebraska Investment Finance Authority and other interested
11 parties.

12 (3) Interest earned by the department on grant funds shall be
13 applied to the grant program.

14 (4) If a nonprofit development organization fails to engage in a
15 qualified activity within twenty-four months after receiving initial
16 grant funding, the nonprofit development organization shall return the
17 grant proceeds to the department for credit to the General Affordable
18 Housing Trust Fund.

19 (5) Beginning July 1, ~~2029~~ 2025, any funds held by the department in
20 the Middle Income Workforce Housing Investment Fund shall be transferred
21 to the General Affordable Housing Trust Fund.

22 Sec. 7. Section 81-1240, Revised Statutes Cumulative Supplement,
23 2020, is amended to read:
24 81-1240 (1) Each nonprofit development organization shall submit an
25 annual report to the director to be included as a part of the
26 department's annual status report required under section 81-1201.11. The
27 report shall certify that the workforce housing investment fund meets the
28 requirements of the Middle Income Workforce Housing Investment Act and
29 shall include a breakdown of program activities.

30 (2) The annual report shall include, but not be limited to:
31 (a) The name and geographical location of the nonprofit development
1 organization;
2 (b) The number, amount, and type of workforce housing investment

3 funds invested in qualified activities;
 4 (c) The number, geographical location, type, and amount of
 5 investments made;
 6 (d) A summary of matching funds and where such matching funds were
 7 generated; and
 8 (e) The results of the annual audit required under subdivision (4)
 9 (d) of section 81-1238.
 10 (3) If a nonprofit development organization ceases administration of
 11 a workforce housing investment fund, it shall file a final report with
 12 the director in a form and manner required by the director. Before July
 13 1, ~~2029~~ 2025, any unallocated workforce housing investment fund grant
 14 funds shall be returned for credit to the Middle Income Workforce Housing
 15 Investment Fund. On and after July 1, 2029, any unallocated workforce
 16 housing investment fund grant funds shall be returned to the department
 17 for transfer to the General Fund.
 18 (4) If a workforce housing investment fund fails to file a complete
 19 annual report by February 15, the director may, in his or her discretion,
 20 impose a civil penalty of not more than five thousand dollars for such
 21 violation. All money collected by the department pursuant to this
 22 subsection shall be remitted to the State Treasurer for distribution in
 23 accordance with Article VII, section 5, of the Constitution of Nebraska.
 24 2. Renumber the remaining sections and correct the repealer
 25 accordingly.

The Vargas amendment was adopted with 25 ayes, 3 nays, 14 present and not voting, and 7 excused and not voting.

Advanced to Enrollment and Review Initial with 30 ayes, 3 nays, 9 present and not voting, and 7 excused and not voting.

LEGISLATIVE BILL 853. Title read. Considered.

Committee [AM1601](#), found on page 619, was offered.

Senator Sanders offered her amendment, [AM2371](#), found on page 928, to the committee amendment.

The Sanders amendment was adopted with 37 ayes, 0 nays, 7 present and not voting, and 5 excused and not voting.

Senator M. Hansen withdrew his amendment, [FA165](#), found on page 1006.

The committee amendment, as amended, was adopted with 38 ayes, 0 nays, 6 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review Initial with 39 ayes, 0 nays, 5 present and not voting, and 5 excused and not voting.

LEGISLATIVE BILL 741A. Title read. Considered.

Senator DeBoer offered the following amendment:
[AM2628](#)

1 1. Strike the original section and insert the following new
 2 sections:
 3 Section 1. There is hereby appropriated (1) \$116,837 from the
 4 General Fund for FY2022-23 and (2) \$118,034 from the General Fund for
 5 FY2023-24 to the Attorney General, for Program 507, to aid in carrying
 6 out the provisions of Legislative Bill 741, One Hundred Seventh
 7 Legislature, Second Session, 2022.
 8 Total expenditures for permanent and temporary salaries and per
 9 diems from funds appropriated in this section shall not exceed \$52,000
 10 for FY2022-23 or \$53,040 for FY2023-24.
 11 Sec. 2. There is hereby appropriated (1) \$11,209 from the General
 12 Fund for FY2022-23 and (2) \$11,209 from the General Fund for FY2023-24 to
 13 the Department of Health and Human Services, for Program 345, to aid in
 14 carrying out the provisions of Legislative Bill 741, One Hundred Seventh
 15 Legislature, Second Session, 2022.
 16 No expenditures for permanent and temporary salaries and per diems
 17 for state employees shall be made from funds appropriated in this
 18 section.

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

Advanced to Enrollment and Review Initial with 33 ayes, 0 nays, 11 present and not voting, and 5 excused and not voting.

LEGISLATIVE BILL 752A. Title read. Considered.

Advanced to Enrollment and Review Initial with 35 ayes, 0 nays, 9 present and not voting, and 5 excused and not voting.

LEGISLATIVE BILL 1024A. Title read. Considered.

Advanced to Enrollment and Review Initial with 27 ayes, 0 nays, 17 present and not voting, and 5 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 707. [ER127](#), found on page 739, was adopted.

Senator Flood offered his amendment, [AM2205](#), found on page 767.

The Flood amendment was adopted with 26 ayes, 3 nays, 15 present and not voting, and 5 excused and not voting.

Senator Dorn offered his amendment, [AM2405](#), found on page 874.

The Dorn amendment was adopted with 30 ayes, 1 nay, 13 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 863. [ER129](#), found on page 740, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 752. [ER131](#), found on page 740, was adopted.

Senator Arch offered his amendment, [AM2302](#), found on page 830.

SENATOR WILLIAMS PRESIDING

The Arch 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 805. [ER130](#), found on page 740, was adopted.

Senator Brandt withdrew his amendment, [AM2581](#), found on page 976.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 805A. [ER151](#), found on page 950, was adopted.

Senator Hughes offered the following amendment:

[AM2592](#)

(Amendments to E&R amendments, ER151)

1 1. Strike the original section and all amendments thereto and insert
2 the following new section:
3 Section 1. There is hereby appropriated (1) \$2,000,000 from Federal
4 Funds for FY2022-23 and (2) \$2,000,000 from the General Fund for
5 FY2023-24 to the Department of Agriculture, for Program 78, to aid in
6 carrying out the provisions of Legislative Bill 805, One Hundred Seventh
7 Legislature, Second Session, 2022. The Federal Funds appropriated in this
8 section are from the funds allocated to the State of Nebraska from the
9 federal Coronavirus State Fiscal Recovery Fund pursuant to the federal
10 American Rescue Plan Act of 2021, 42 U.S.C. 802, as amended.
11 There is included in the appropriation to this program for FY2022-23
12 \$2,000,000 Federal Funds for state aid, which shall only be used for such
13 purpose. There is included in the appropriation to this program for
14 FY2023-24 \$2,000,000 General Funds for state aid, which shall only be
15 used for such purpose.
16 No expenditures for permanent and temporary salaries and per diems
17 for state employees shall be made from funds appropriated in this
18 section.

The Hughes amendment was adopted with 31 ayes, 0 nays, 13 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 809. [ER141](#), found on page 849, was adopted.

Senator Gragert withdrew his amendment, [AM2501](#), found on page 904.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 809A. Senator Gragert withdrew his amendment, [AM2442](#), found on page 905.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 800. [ER143](#), found on page 849, was adopted.

Speaker Hilgers requested to pass over.

LEGISLATIVE BILL 750. [ER140](#), found on page 850, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 1273. [ER132](#), found on page 741, was adopted.

Senator M. Hansen withdrew his amendment, [FA186](#), found on page 1008.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 1273A. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 1112. [ER135](#), found on page 792, was adopted.

Senator Moser requested a machine vote on the advancement of the bill.

Advanced to Enrollment and Review for Engrossment with 26 ayes, 5 nays, 12 present and not voting, and 6 excused and not voting.

LEGISLATIVE BILL 1112A. Advanced to Enrollment and Review for Engrossment.

GENERAL FILE

LEGISLATIVE BILL 1144. Title read. Considered.

Committee [AM2107](#), found on page 753, was offered.

Senator Flood withdrew his amendment, [AM2316](#), found on page 833.

Senator Hilgers offered the following amendment to the committee amendment:

[AM2428](#)

(Amendments to Standing Committee amendments, AM2107)

1 1. Strike section 9 and insert the following new section:

2 Section 1. Section 75-109.01, Revised Statutes Cumulative

3 Supplement, 2020, is amended to read:

4 75-109.01 Except as otherwise specifically provided by law, the

5 Public Service Commission shall have jurisdiction, as prescribed, over

6 the following subjects:

7 (1) Common carriers, generally, pursuant to sections 75-101 to

8 75-158;

9 (2) Grain pursuant to the Grain Dealer Act and the Grain Warehouse

10 Act and sections 89-1,104 to 89-1,108;

11 (3) Manufactured homes and recreational vehicles pursuant to the

12 Uniform Standard Code for Manufactured Homes and Recreational Vehicles;

13 (4) Modular housing units pursuant to the Nebraska Uniform Standards

14 for Modular Housing Units Act;

15 (5) Motor carrier registration, licensure, and safety pursuant to

16 sections 75-301 to 75-343, 75-369.03, 75-370, and 75-371;

17 (6) Pipeline carriers and rights-of-way pursuant to the Major Oil

18 Pipeline Siting Act, the State Natural Gas Regulation Act, and sections

19 75-501 to 75-503. If the provisions of Chapter 75 are inconsistent with

20 the provisions of the Major Oil Pipeline Siting Act, the provisions of

21 the Major Oil Pipeline Siting Act control;

22 (7) Railroad carrier safety pursuant to sections 74-918, 74-919,

23 74-1323, and 75-401 to 75-430;

24 (8) Telecommunications carriers pursuant to the Automatic Dialing-

25 Announcing Devices Act, the Emergency Telephone Communications Systems

26 Act, the Enhanced Wireless 911 Services Act, the Intrastate Pay-Per-Call

1 Regulation Act, the Nebraska Telecommunications Regulation Act, the

2 Nebraska Telecommunications Universal Service Fund Act, the

3 Telecommunications Relay System Act, the Telephone Consumer Slamming

4 Prevention Act, and sections 86-574 to 86-579 and section 86-1308;

5 (9) Transmission lines and rights-of-way pursuant to sections 70-301

6 and 75-702 to 75-724;

7 (10) Water service pursuant to the Water Service Regulation Act; and

8 (11) Jurisdictional utilities governed by the State Natural Gas

9 Regulation Act. If the provisions of Chapter 75 are inconsistent with the

10 provisions of the State Natural Gas Regulation Act, the provisions of the

11 State Natural Gas Regulation Act control.

12 2. On page 7, line 6, strike "sections 9 and 10" and insert "section

13 10".

14 3. On page 10, line 4, strike the second comma and show as stricken;

15 and in line 5 strike the comma, show as stricken, and after "application"

16 insert "except that the commission may, upon good cause shown, allow a

17 provider up to ninety days to submit a challenge to an application".

18 4. On page 11, strike lines 17 through 21, show the old matter as

19 stricken, and insert the following new subsection:

20 "(2)(a) As conditions for accepting a grant under the program, the

21 applicant and its successors and affiliates shall agree to:

22 (i) Offer broadband Internet service in the project area for fifteen

23 years after receipt of grant funding; and

24 (ii) Commit to maintaining minimum speed capability of one hundred

25 megabits per second for downloading and one hundred megabits per second

26 for uploading in all locations for which the applicant will receive

27 support for the period of time prescribed in subdivision (2)(a)(i) of

28 this section.

29 (b) Any applicant that declines to accept the conditions described

30 in subdivision (2)(a) of this section shall not be eligible to receive a

31 grant. For any grant recipient, the commission shall have the authority

1 to enforce the performance of such agreed-upon conditions, including the

2 authority to impose civil penalties pursuant to section 75-156."

3 5. On page 14, line 19, strike "3" and insert "4"; and in line 26

4 after the first comma insert "section 75-109.01, Revised Statutes

5 Cumulative Supplement, 2020,".

6 6. Renumber the remaining sections accordingly.

The Hilgers amendment was adopted with 34 ayes, 0 nays, 8 present and not voting, and 7 excused and not voting.

The committee amendment, as amended, was adopted with 37 ayes, 0 nays, 6 present and not voting, and 6 excused and not voting.

Advanced to Enrollment and Review Initial with 37 ayes, 0 nays, 6 present and not voting, and 6 excused and not voting.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 393. Introduced by Cavanaugh, J., 9.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the committee hearing procedures of the Legislature and explore changes that would improve access to participation from the public.

One of the advantages of a unicameral form of government is better transparency, accountability, and access to the legislative process for members of the public. To realize these benefits, the Legislature should ensure committee procedures maximize opportunities for public input, especially during the committee hearing process where the goal is to allow for participation from the "second house".

The COVID-19 public health emergency led to changes in how the Legislature collects and records public comments on legislative bills, including implementation of an online public comment portal and the practice of accepting written testimony. It also allowed many to become more familiar with technology that facilitates virtual communication. These circumstances necessitate an examination of committee procedures and practices and potential improvements.

The issues addressed by this interim study shall include, but not be limited to:

- (1) An examination of current and past committee hearing procedures, including procedures on taking and recording testimony and written comments;
- (2) An overview of the public comment portal implemented in 2020 and its effectiveness;
- (3) A review of methods used in other states and other Nebraska government bodies for input from the public on policy issues; and
- (4) Potential improvements in committee hearing procedures that increase public participation and input from all Nebraskans, especially those often left out of the policy process.

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

1. That the Executive Board of the Legislative Council shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the board 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 Linehan filed the following amendment to LB1014:

[FA192](#)

Strike Subsection (4) of Section 38.

Senator Wayne filed the following amendment to LB888:

[FA193](#)

Amend AM1995: On Page 1, line 14, after "genocide" add "slavery, lynching, and racial massacres in America."

Senator Blood filed the following amendment to LB800:

[AM2210](#) is available in the Bill Room.

Senator Flood filed the following amendment to LB1144:

[AM2408](#)

(Amendments to Standing Committee amendments, AM2107)

1 1. On page 10, line 24, strike "may" and insert "shall"; and in line
2 26 after "area" insert "in which the provider submitting the challenge
3 states that broadband service is currently available at minimum speeds of
4 one hundred megabits per second for downloading and twenty megabits per
5 second for uploading".

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator M. Hansen name added to LB852.

VISITOR(S)

Visitors to the Chamber were Senators Stinner's guest, Charlie Knapper, Gering; twelfth-grade students, teachers, and their sponsor from Central Valley High School, Greeley; fourth-grade students from Trumble Park Elementary, Papillion; fifth-grade students from Norfolk Middle School, Norfolk; twelfth-grade students from Burwell High School, Burwell; and students from Karen Western Elementary, Omaha.

The Doctor of the Day was Dr. Eric Thomsen of Beatrice.

ADJOURNMENT

At 8:05 p.m., on a motion by Senator M. Hansen, the Legislature adjourned until 9:00 a.m., Tuesday, March 29, 2022.

Patrick J. O'Donnell
Clerk of the Legislature

FIFTIETH DAY - MARCH 29, 2022**LEGISLATIVE JOURNAL****ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION****FIFTIETH DAY**

Legislative Chamber, Lincoln, Nebraska
Tuesday, March 29, 2022

PRAYER

The prayer was offered by Senator DeBoer.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Jacobson.

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 and Pahls who were excused; and Senators Bostar, Day, B. Hansen, M. Hansen, Hilkemann, Lindstrom, Morfeld, Slama, Vargas, and Wayne who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the forty-ninth day was approved.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 394. Introduced by Cavanaugh, J., 9.

PURPOSE: The purpose of this resolution is to propose an interim study to examine and analyze potential changes to Nebraska's net metering policy to facilitate the increased utilization of solar energy to power Nebraska livestock production facilities. The study shall include, but not be limited to, an examination of the following:

(1) Whether the current twenty-five kilowatts cap on rated capacity for a qualified facility should be increased for livestock production facilities;

(2) Whether livestock production facilities should be exempt from the current cap on the total generating capacity of all customer-generators using net metering served by a local distribution utility;

(3) Whether the rated capacity of a livestock production facility should be measured in alternating current; and

(4) Any other issues related to the purpose of the study.

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

1. That the Natural Resources Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 395. Introduced by Cavanaugh, J., 9.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the judicial inefficiency and increased costs to the state arising from Nebraska's four separate statutory based mechanisms for postconviction relief. The study shall include, but need not be limited to, an examination of:

(1) Nebraska's statutory mechanisms for postconviction relief, including a new trial in section 29-2101, postconviction relief in section 29-3001, habeas corpus in section 29-2801, and the DNA Testing Act;

(2) How Nebraska's splintered postconviction structure wastes judicial resources, adds burdens to prosecutors, and increases costs to the state when it prevents innocent petitioners from presenting the full scope of their claims at one time in front of one court;

(3) The gateway standard for innocence adopted by the federal court system and other state jurisdictions, including South Dakota, Montana, Missouri, and North Carolina under the United States Supreme Court decision in *Schlup v. Delo*, 513 U.S. 298 (1995). The gateway standard is a narrow exception provided to defendants who can prove their innocence in order to overcome a procedural default that otherwise prevents a challenge to the conviction. Such exception is not currently applicable under Nebraska's postconviction mechanisms;

(4) Claims of actual innocence, even absent an independent constitutional violation, if a person establishes by clear and convincing evidence that no reasonable fact finder would have found such person guilty of the underlying offense; and

(5) Whether Nebraska should join other states by adopting a rule that necessitates ineffective assistance of counsel claims involving issues of trial strategy be brought for the first time at the postconviction phase in order to protect defendants, prevent injustice, and preserve judicial resources.

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 396. Introduced by Cavanaugh, J., 9; Brandt, 32; Dorn, 30; McKinney, 11; Slama, 1; Wayne, 13.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the funding needs of the Commission on Public Advocacy and to find a long-term funding solution. The study may include, but is not limited to:

- (1) Reviewing existing statutes that direct funding to the Commission on Public Advocacy;
- (2) Examining the trends in Nebraska case filings over the last fifteen years and the impact that such trends have on the Commission on Public Advocacy;
- (3) Reviewing other possible funding mechanisms in addition to filing fees for the Commission on Public Advocacy, including the state General Fund or other cash funds;
- (4) Determining whether the Commission on Public Advocacy could take on additional cases with additional funding; and
- (5) Examining the amount of property tax relief that the Commission on Public Advocacy has provided through its legal services.

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 397. Introduced by McDonnell, 5.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the needs, workforce, and funding streams for mental health care across Nebraska. In order to fulfill the purpose of this resolution, the committee shall make recommendations for improving access to and ensuring financial stability for mental health care.

The study shall include, but not be limited to, an examination of:

- (1) National and best practices related to providing access to and funding for mental health care;
- (2) The impact of COVID-19 on the mental health of Nebraskans;
- (3) The state's current financing mechanisms for mental health care;
- (4) Disparities that exist in access to mental health care in Nebraska; and
- (5) Potential ongoing funding streams for mental health care and the overall cost to fill any gaps in access to mental health care in Nebraska.

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 purpose of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 398. Introduced by McDonnell, 5.

PURPOSE: The purpose of this resolution is to propose an interim study to examine issues related to the funding of emergency communications in Nebraska. This study shall include, but not be limited to, an examination of the following:

- (1) The historical decline in revenue from landline service fees that support public safety answering points and the impact of the decline on delivering 911 operations;
- (2) Alternative sources of funding for public safety answering points that do not rely on local property taxes;
- (3) Technology upgrades that could reduce operational costs; and
- (4) Potential new revenue streams for emergency medical services from next generation 911 technologies, such as telehealth, nurse or mental health triage services, or other nonemergency alternatives, for below cost reimbursement from medicare, medicaid, and other government insurers.

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

1. That the Transportation and Telecommunications 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.

WITHDRAW - Amendments to LB1012

Senator Arch withdrew his amendment, [AM2389](#), found on page 884, to LB1012.

Senator Aguilar withdrew his amendment, [AM2425](#), found on page 895, to LB1012.

Senator Morfeld withdrew his amendment, [AM2541](#), found on page 935, to LB1012.

Senator McDonnell withdrew his amendment, [AM2510](#), found on page 977, to LB1012.

BILL ON FINAL READING**Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB1012 with 33 ayes, 4 nays, 1 present and not voting, and 11 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 1012. With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to amend sections 81-1210.02 and 81-12,145, Reissue Revised Statutes of Nebraska, sections 75-1101, 81-829.33, 81-1210.01, 81-1210.04, 81-12,153, 81-12,154, 81-12,156, 81-12,162, and 83-904, Revised Statutes Cumulative Supplement, 2020, and sections 71-7611, 81-12,147, 81-12,148, 81-12,149, 81-12,213, 81-12,218, 82-331, 83-973, 85-424, and 86-324, Revised Statutes Supplement, 2021; to provide for and change fund transfer provisions; to create and change permitted uses of funds; to provide for and change grant provisions; to change provisions relating to internship programs, capital construction, the Business Innovation Act, and the Nebraska Rural Projects Act; to eliminate provisions regarding state agency postage reimbursement and obsolete provisions regarding fund transfers; to harmonize provisions; to repeal the original sections; to outright repeal section 81-167, Reissue Revised Statutes of Nebraska; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 34:

Aguilar	Cavanaugh, M.	Hilgers	McCollister	Sanders
Arch	Clements	Hilkemann	McDonnell	Stinner
Blood	DeBoer	Hughes	McKinney	Vargas
Bostelman	Dorn	Hunt	Morfeld	Walz
Brandt	Erdman	Jacobson	Moser	Williams
Brewer	Flood	Kolterman	Murman	Wishart
Cavanaugh, J.	Gragert	Lathrop	Pansing Brooks	

Voting in the negative, 6:

Albrecht	Friesen	Linehan
Briese	Halloran	Lowe

Excused and not voting, 9:

Bostar	Geist	Hansen, M.	Pahls	Wayne
Day	Hansen, B.	Lindstrom	Slama	

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

MOTION(S) - Bracket LB1011

Senator M. Cavanaugh offered the following motion to LB1011:

[MO189](#)

Bracket until April 20, 2022.

SENATOR WILLIAMS PRESIDING

SENATOR ARCH PRESIDING

Senator Stinner offered the following motion:

[MO190](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

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

Voting in the affirmative, 36:

Aguilar	Cavanaugh, M.	Hilgers	McCollister	Vargas
Arch	Clements	Hilkemann	McDonnell	Walz
Blood	Day	Hughes	McKinney	Williams
Bostar	DeBoer	Hunt	Morfeld	Wishart
Bostelman	Dorn	Jacobson	Moser	
Brandt	Erdman	Kolterman	Pansing Brooks	
Brewer	Flood	Lathrop	Sanders	
Cavanaugh, J.	Hansen, M.	Lindstrom	Stinner	

Voting in the negative, 3:

Albrecht Briese Friesen

Present and not voting, 7:

Gragert Hansen, B. Lowe Slama
Halloran Linehan Murman

Excused and not voting, 3:

Geist Pahls Wayne

The Stinner motion to invoke cloture prevailed with 36 ayes, 3 nays, 7 present and not voting, and 3 excused and not voting.

The M. Cavanaugh motion to bracket failed with 1 aye, 43 nays, 2 present and not voting, and 3 excused and not voting.

BILL ON FINAL READING

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB1011 with 34 ayes, 6 nays, 6 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 1011. With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to amend Laws 2021, LB380, sections 24, 48, 81, 89, 95, 96, 98, 103, 104, 110, 111, 116, 120, 136, 156, 158, 198, 217, 246, 261, 262, 266, and 267; and Laws 2021, LB383, sections 9, 10, 22, 23, 24, and 37; to define terms; to provide, change, and eliminate appropriations for operation of state government; to repeal the original sections; to outright repeal Laws 2021, LB396A, section 1; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 38:

Aguilar	Cavanaugh, M.	Hansen, B.	Lindstrom	Slama
Arch	Clements	Hilgers	McCollister	Stinner
Blood	Day	Hilkemann	McDonnell	Vargas
Bostar	DeBoer	Hughes	McKinney	Walz
Bostelman	Dorn	Hunt	Morfeld	Williams
Brandt	Erdman	Jacobson	Moser	Wishart
Brewer	Flood	Kolterman	Pansing Brooks	
Cavanaugh, J.	Gragert	Lathrop	Sanders	

Voting in the negative, 4:

Albrecht	Briese	Friesen	Halloran
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Present and not voting, 4:

Hansen, M.	Linehan	Lowe	Murman
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Excused and not voting, 3:

Geist	Pahls	Wayne
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A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

NOTICE OF COMMITTEE HEARING(S)

General Affairs
Room 1510 12:15 PM

Tuesday, April 5, 2022

Alec Gorynski - Nebraska Arts Council
Amy M. Haddad - Nebraska Arts Council
Clark Roush - Nebraska Arts Council
Ellen L. Hornady - Nebraska Arts Council
Jana Goranson - Nebraska Arts Council
Sarah G. Peetz - Nebraska Arts Council
Walter A. Seiler - Nebraska Arts Council

(Signed) Tom Briese, Chairperson

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 1083. Placed on Select File.

(Signed) Terrell McKinney, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 399. Introduced by Lathrop, 12.

PURPOSE: The purpose of this resolution is to propose an interim study to review and identify what judicial resources are necessary to expand problem-solving courts across the State of Nebraska.

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 400. Introduced by Brandt, 32; Brewer, 43; Briese, 41; Dorn, 30; Erdman, 47; Friesen, 34; Gragert, 40; Halloran, 33; Hughes, 44; Jacobson, 42; Murman, 38.

PURPOSE: The purpose of this resolution is to propose an interim study to examine current farm economic conditions in Nebraska and how best to aid and support beginning farmers and livestock and dairy producers in this state. The study shall include, but need not be limited to:

- (1) Examining current statutory policies used to support beginning farmers and livestock and dairy producers, the effectiveness of such policies, and potential changes to such policies, including the Beginning Farmer Tax Credit Act;
- (2) Determining the type of supports most beneficial to beginning farmers and livestock and dairy producers;
- (3) Developing recommendations related to supporting beginning farmers and livestock and dairy producers in order to continue to grow the agriculture industry in the state; and
- (4) Examining the Department of Agriculture implementation of the NextGen program.

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 401. Introduced by Friesen, 34; Albrecht, 17; Bostelman, 23; DeBoer, 10; Hughes, 44; Moser, 22.

PURPOSE: The purpose of this resolution is to propose an interim study to review the administration of the Nebraska Broadband Bridge Act. The study shall include, but need not be limited to:

(1) Examining changes made by the Public Service Commission in docket C-5368;

(2) Reviewing the distribution of grants under the Nebraska Broadband Bridge Act with special attention to grants for the second year; and

(3) Considering the need for additional legislation governing the administration of the Nebraska Broadband Bridge Act and the need for legislation to implement the federal Broadband Equity, Access, and Deployment Program and any other federal broadband assistance program.

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

1. That the Transportation and Telecommunications Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 402. Introduced by McCollister, 20.

PURPOSE: The purpose of this resolution is to propose an interim study to assess the ranking criteria and practices of the Nebraska Environmental Trust. The six-member grants committee votes on which projects are eligible for grants with only projects that have at least three of the six members rate the project a perfect score of eleven being eligible for grants.

This year the committee deemed eighty-two of the one hundred eighteen projects eligible for grants, an abnormally low amount. Of those eighty-two, seventy-one projects were granted funding, so the trust only spent around fourteen million dollars out of the approximately twenty million dollars allocated to the trust to spend this year. The funding of only sixty percent of the project applications and expenditure of only sixty-five percent of the funds authorized is unprecedented. The rating of the grants this year also raises a concern as rating scores differed wildly and illogically for projects that had traditionally been funded. One project that had received funding each previous year it had applied was deemed ineligible, with two reviewers rating it an eleven and another rating it a two. The study is intended to assess the rating criteria of the Nebraska Environmental Trust and any other potential factors that might result in such unprecedented changes.

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

1. That the Natural Resources Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 403. Introduced by McKinney, 11.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the use of no-knock warrants in Nebraska and across the nation.

As has been documented, the execution of a no-knock warrant has the capacity to infringe upon a resident's reasonable expectation of privacy and can allow police to enter a dwelling house in the same way as a burglar. The study shall include, but not be limited to, an examination of the following:

- (1) Potential revisions and statutory reforms regarding no-knock warrants;
- (2) How relevant stakeholders are collaborating on addressing the consequences of any errors regarding evidence admitted as a result of no-knock warrants;
- (3) How widespread Fourth Amendment violations may be, including how many Nebraskans are impacted by these issues and relevant demographic information about the populations most impacted;
- (4) Whether additional funding or training or other solutions to address these issues should be implemented; and
- (5) Any and all related issues to protect and defend the right of a reasonable expectation of privacy for Nebraskans.

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

1. That the Judiciary Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 404. Introduced by McKinney, 11.

PURPOSE: The purpose of this resolution is to examine the racial and ethnic disproportionality within Nebraska's child welfare system. Research overwhelmingly demonstrates that children and families of color make up a greater percentage of individuals in the child welfare system as compared to their percentage in the national and state general population, and this is

especially true for Black and Native American children and families. Research also overwhelmingly demonstrates that individuals and families of color make up a greater percentage of individuals that law enforcement officials interact with as compared to their percentage in the national and state general population. In thinking about the various pathways for entry into the child welfare system, law enforcement officers have a role through reporting, referring, or assisting child welfare system workers in investigating families who come into contact with the system.

This study shall examine this disproportionality in Nebraska's child welfare system, and if and how the role of law enforcement on the front-end of the child welfare system contributes to it. This study shall include, but not be limited to:

- (1) Collecting race and ethnicity data regarding:
 - (a) Nebraska's child welfare system population as a whole as well as specific parts within such system compared to the state's general population;
 - (b) Sources of reports or referrals to the child welfare system, including, but not limited to, law enforcement officials; and
 - (c) Length of time in the child welfare system including both alternative response or traditional response child welfare cases;
- (2) An examination of the pathways leading to entry into Nebraska's child welfare system, including the role of law enforcement officials, the scope of law enforcement authority, and relevant statutes and rules and regulations controlling such entry and such role;
- (3) Gathering of community input regarding the racial and ethnic disproportionality in Nebraska's child welfare system and law enforcement's role within it; and
- (4) A determination of potential solutions to reduce the racial and ethnic disproportionality in Nebraska's child welfare system, focusing on the pathways of entry into the child welfare system and law enforcement's role in such entry.

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.

LEGISLATIVE RESOLUTION 405. Introduced by Stinner, 48.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the operation of the statewide financial systems by the Accounting Administrator of the accounting division of the Department of Administrative Services and ensure that internal controls are properly implemented.

The accounting division operates and maintains statewide financial systems, preaudits agency transactions, issues the statewide Comprehensive Annual Financial Report and budgetary reports, coordinates the long-term financing needs of the State of Nebraska, and prepares the statewide cost allocation plan. The mission statement of the accounting division is, "To lead State agencies through our customer-oriented management and support of the financial management systems; to be mindful of our responsibility to the taxpayers; and to establish and follow a well-constructed plan to maximize our future endeavors."

The Department of Administrative Services has the duty to fulfill the mission statement of the accounting division and the obligation to conform with generally accepted accounting principles for state and local governments, which are established by the Governmental Accounting Standards Board.

This study shall include, but not be limited to, the following:

- (1) Analysis of the accounting division's financial reports, including the Comprehensive Annual Financial Report and annual budgetary reports;
- (2) Assessment of the Department of Administrative Services compliance with generally accepted accounting principles;
- (3) Review of deficiencies identified by the Auditor of Public Accounts, including significant deficiencies and material weaknesses;
- (4) Review of improvements resulting from corrective actions identified by the Auditor of Public Accounts;
- (5) Review of existing significant deficiencies and material weaknesses still exhibited by the Department of Administrative Services; and
- (6) Recommendations for the improvement of internal controls to fulfill the accounting division's mission statement and comply with generally accepted accounting principles.

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

1. That the Appropriations Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 406. Introduced by Stinner, 48.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the implementation the office of Chief Information Officer's information technology consolidation initiative to ensure efficient use of Nebraska taxpayer resources.

The office of Chief Information Officer's website states "The Office of the Chief Information Officer was created to assure a coordinated, efficient, and cost-effective approach is taken on an enterprise level for the deployment of

technology by the Nebraska State Government. The Office of the CIO provides a wide range of technology services to state agencies, boards, and commissions, as well as political subdivisions. As the State continues to explore shared services, we have eliminated the duplication of several IT expenditures and services, lowered costs through enterprise purchases and agreements, and provided more efficient and effective ways to expand access to government services."

The office of Chief Information Officer has the duty to fulfill its mission statement and the obligation to ensure its stated purpose of coordinating a cost-effective operation of information technology services to Nebraska state agencies.

This study shall include, but not be limited to, the following:

(1) Analysis of budget programs under the purview of the office of Chief Information Officer, including revolving funds and requests for full-time equivalent employees;

(2) Analysis of agency revenues, including a list of billable services and fees;

(3) Comparison of expenditures to agency revenues;

(4) Review of historical increases in full-time equivalent employees compared with increases in revenue from billable services;

(5) Evidence of improvements resulting from the consolidation initiative;

(6) Existing needs for improvement in the consolidation initiative, where they exist; and

(7) Recommendations for the improvement of implementation of the consolidation initiative.

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

1. That the Appropriations Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 407. Introduced by Arch, 14; Cavanaugh, M., 6; Day, 49; Murman, 38; Walz, 15; Williams, 36.

PURPOSE: The purpose of this resolution is to propose an interim study to examine how Nebraska is utilizing Temporary Assistance for Needy Families funds. The study shall include, but need not be limited to, gathering information on the utilization, transfer, and availability of Temporary Assistance for Needy Families block grant funds. The study should also include a breakdown of funding utilization categorized by use including, but not limited to, basic assistance, administration, work-related activities, child care, tax credits, pregnancy prevention, and other services as well as specific uses within those categories.

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.

LEGISLATIVE RESOLUTION 408. Introduced by McKinney, 11.

PURPOSE: The purpose of this resolution is to propose an interim study to examine ways to grow and diversify Nebraska's health care workforce by engaging communities that are underrepresented in the current health care workforce. The State of Nebraska should focus on developing a health care workforce that reflects the communities in our state.

Health care disparities have long existed for racial and ethnic minority populations resulting in individuals suffering disproportionately from treatable, curable, and preventable diseases. A lack of diversity in the health care workforce could worsen these health disparities.

According to a study from the George Washington University Milken Institute School of Public Health dated March 31, 2021, Black, Hispanic, and Native American individuals are all significantly underrepresented in the health care workforce in the United States.

The State of Nebraska must work with health care providers and health care educators to educate, recruit, retain, and cultivate a diverse health care workforce that mirrors the communities they serve.

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.

LEGISLATIVE RESOLUTION 409. Introduced by Arch, 14; Cavanaugh, M., 6; Day, 49; Murman, 38; Walz, 15; Williams, 36.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the Department of Health and Human Services' capacity and resources to treat individuals who have been committed to the department for treatment to restore competency to stand trial. The study should include,

but not be limited to, an examination of the current challenges to increasing availability for such treatment and the Department of Health and Human Services' immediate and long-term plans for capacity in order to provide treatment to such individuals.

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.

LEGISLATIVE RESOLUTION 410. Introduced by Arch, 14; Cavanaugh, M., 6; Day, 49; Murman, 38; Walz, 15; Williams, 36.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the long-term fiscal sustainability of the Nebraska Health Care Cash Fund. The Nebraska Health Care Cash Fund was initially created with a fifty million dollar endowment for health care programs using the principal and investment income from the Nebraska Tobacco Settlement Trust Fund and the Nebraska Medicaid Intergovernmental Trust Fund. The purpose of this endowment was to create an ongoing funding mechanism for health care in Nebraska. This study shall include, but not be limited to:

(1) A review of the annual Nebraska Health Care Cash Fund reports provided by the Department of Health and Human Services;

(2) Input from interested parties regarding the funds necessary to continue using the Nebraska Health Care Cash Fund to pay for health care and related services; and

(3) Recommendations as to any statutory or funding changes that the Legislature should make in order to protect the ongoing viability of the Nebraska Health Care Cash Fund.

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

1. That the Appropriations Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 411. Introduced by Arch, 14; Cavanaugh, M., 6; Day, 49; Murman, 38; Walz, 15; Williams, 36.

PURPOSE: The purpose of this resolution is to propose an interim study to examine any issues within the jurisdiction of the Health and Human Services Committee of the Legislature that may arise during the interim.

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.

LEGISLATIVE RESOLUTION 412. Introduced by DeBoer, 10.

PURPOSE: In 1996, Nebraska voters approved an amendment to the Constitution of the State of Nebraska that provided for crime victims to have certain rights. Following the voters' approval of the amendment, the Legislature enacted a number of statutes to provide victims and survivors of criminal offenses with some procedural and substantive protections. These protections include the duty of prosecutors to notify certain victims of charges and plea agreements, the opportunity for victims to provide a statement to a court regarding imposition of sentences, requirements that victims be notified when certain offenders are released from custody, and other provisions.

Prior to the constitutional amendment providing victims with such rights, the Legislature had created the Nebraska Crime Victim's Reparations Act. The act provides for financial compensation to innocent victims and survivors of crimes for certain expenses and monetary losses related to such crimes. Compensation for victims and survivors under the act is funded through the federal Victims of Crime Act of 1984, state General Fund appropriations, and cash funds. Unfortunately, in recent years the funds in the Nebraska Crime Victim's Reparations Act have not been sufficient to provide for adequate compensation to all victims and survivors who seek compensation.

Additionally, the Criminal Justice Reinvestment Working Group which met with various stakeholders in the Nebraska criminal justice system in 2021 and 2022 found various issues with corrections operations and the court system. Among the recommended solutions for the Legislature to consider was a suggestion that state law be amended to provide for a priority of payment of restitution to victims and survivors of crimes.

This study shall examine if existing statutory rights and protections relating to victims and survivors are adequate or whether and how such

rights and protections can be modified and improved so that victims and survivors are adequately and meaningfully protected and empowered.

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

1. That the Judiciary Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 413. Introduced by Dorn, 30.

PURPOSE: The purpose of this resolution is to propose an interim study to evaluate the potential transition to a statewide professional license for heating, ventilation, and air conditioning technicians. These skilled trades provide career opportunities for many Nebraskans, but the technicians must get a separate license for each municipality in which they work often imposing barriers in terms of time and cost. Nebraska has a demand for economic development and housing projects but is facing a shortage of workers in these trades. Therefore, the state could potentially benefit from a more streamlined licensing process.

In order to carry out the purpose of this resolution, the committee should seek the assistance of the State Electrical Division and consider the input of additional interested parties as the committee deems necessary and appropriate. The issues addressed by this study shall include, but not be limited to:

(1) Efforts in other states to establish statewide licensing of heating, ventilation, and air conditioning technicians;

(2) Costs associated with establishing a state-issued license; and

(3) Needs for local or state licensing in light of a robust inspection regime by municipalities.

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

1. That the Urban Affairs Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 414. Introduced by McDonnell, 5.

PURPOSE: The purpose of this resolution is to examine programming, opportunities, and interventions for students attending an alternative school, class, or educational program in Nebraska. This study shall include, but not be limited to, an examination of the following:

- (1) What programming is available for students who have been expelled from their school;
- (2) Program completion rates for students attending an alternative school, class, or educational program;
- (3) The relationship between unverified status, truancy, and expulsions and suspensions for students;
- (4) Whether certain months during the year have an unexpected increase in expulsions; and
- (5) National best practices for students attending an alternative school, class, or educational program.

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

1. That the Education 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.

MOTION(S) - Bracket LB1013

Senator M. Cavanaugh offered the following motion to LB1013:

MO191

Bracket until March 30, 2022.

SPEAKER HILGERS PRESIDING

Pending.

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LRs 341, 342, 343, 344, and 345 were adopted.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LRs 341, 342, 343, 344, and 345.

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LBs 1011 and 1012.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 415. Introduced by Jacobson, 42; Cavanaugh, M., 6; Day, 49; DeBoer, 10; Hilkemann, 4; Kolterman, 24; Stinner, 48; Williams, 36.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the lack of access to quality and affordable health insurance for Nebraska's early childhood workforce and potential solutions to this issue. This study shall include, but not be limited to, a consideration of the following:

- (1) A review of research on the issue of health insurance for the early childhood workforce in all licensed child care settings in Nebraska;
- (2) Efforts being undertaken in other states to broaden access to health insurance for the early childhood workforce; and
- (3) The feasibility and cost of the early childhood workforce entering existing health insurance pools and securing quality health insurance through the health insurance marketplace or private markets.

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.

LEGISLATIVE RESOLUTION 416. Introduced by Lindstrom, 18.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the risks and potential adverse economic consequences to the State of Nebraska, and its residents, from the transfer of business interests from one generation to the next.

The continued economic growth and success of the Nebraska economy is dependent on the retention of successful Nebraska small businesses as the baby boomer generation continues to age and retire.

Over the next fifty years, Nebraskans will pass nearly one trillion dollars of economic value to the next generation, with a large proportion attributed to the transfer of small business interests. In fact, more than forty percent of small businesses are owned by baby boomers, which employ more than twenty-five million people in the United States. Notwithstanding, nearly sixty percent of small business owners have failed to develop a succession plan.

The failure to adequately develop a succession plan is likely to disrupt the economic output of otherwise profitable Nebraska small businesses due to:

- (1) Conflicts between stakeholders following the business owner's death;
- (2) Lack of liquidity of business interests to finance retirement;
- (3) Lack of adequate financing mechanisms to facilitate a subsequent sale to employees of or outside investors in the small business; and
- (4) Unanticipated federal tax consequences.

The failure of certain small business owners to adequately develop a succession plan is a threat to the continued growth of the Nebraska economy and overall economic well-being of Nebraska's residents. Following the death of the business owner, such a failure jeopardizes the continued viability of an otherwise profitable Nebraska small business as a going concern. Often times those who inherit Nebraska small businesses decide to liquidate or sell the business, frequently at a discounted value. The sale or liquidation of a Nebraska small business results in the loss of Nebraska jobs and removes economic value from the Nebraska economy.

Presently, the State of Nebraska and its institutions lack appropriate infrastructure to facilitate the sale of Nebraska small businesses to Nebraska residents, creating an obstacle to the development of an adequate succession plan. Due to the lack of such infrastructure, the sale of a small business will more likely be to a nonresident of Nebraska and at a discounted value. Moreover, the sale of a Nebraska business to such a foreign buyer risks the relocation of the business to a competing state with a more favorable tax environment.

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 417. Introduced by Hansen, B., 16.

PURPOSE: The purpose of this resolution is to propose an interim study to review the current medicaid reimbursement rates and processes for difficult to place patients in Nebraska's acute care hospitals. The study shall include, but not be limited to:

- (1) Review of inpatient medicaid reimbursement rates, when such rates were last updated, and if such rates accurately reflect acute care hospital costs;
- (2) Review of the conditions surrounding the inability for acute care hospitals and critical access hospitals to discharge patients to skilled nursing facilities or similar long-term care facilities;
- (3) Review of acute care hospital bed capacity being occupied by patients that do not meet the appropriate level of care;

(4) Review of medicaid reimbursement for acute care hospital patients that do not meet the appropriate level of care and are unable to be transferred to a facility with the appropriate level of care;

(5) Review of the utilization of home health care replacing long-term care for patients in acute care hospitals; and

(6) Establishing medicaid reimbursement rates for patients in long-term acute care hospitals.

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.

LEGISLATIVE RESOLUTION 418. Introduced by Bostar, 29.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the sales tax system in Nebraska with respect to exemptions provided to various industries in an effort to incentivize business investment and economic growth in the state. The study shall include, but not be limited to, an examination of the following:

(1) The current statutory approach to sales tax exemptions provided to various industries for certain inputs in Nebraska, including those exemptions provided to manufacturing and agriculture;

(2) The current statutory approach to sales tax exemptions provided to various industries for certain inputs in other states, including the sales tax exemptions provided to data centers by neighboring states and the nationwide trends for providing such exemptions to incentivize business investment;

(3) The beneficial economic impacts of data center investments and expansion in Nebraska and in other states nationwide; and

(4) Recommendations to modify the current statutory approach to sales tax exemptions provided to data centers that invest and expand in Nebraska.

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

1. That the Revenue Committee of the Legislature shall be designated to conduct an interim study to carry out the purpose of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 419. Introduced by Bostelman, 23.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the existing federal rule process for nuclear generation license renewal applications. The study may include, but need not be limited to, an examination of the following:

(1) The need to have reliable baseload generation resources that can ensure utilities can meet zero carbon initiatives;

(2) The need to have a predictable process for sustaining existing nuclear generation and implementing a process to approve advanced nuclear generation;

(3) The delays in creating a new rulemaking process for advanced nuclear reactors which were authorized by Congress under the Nuclear Energy Innovation and Modernization Act;

(4) Continued rulemaking delays, reversal of previous license renewal application approvals, and holds on reviews currently in progress; and

(5) Whether the Legislature should send communication to Congress and the Nuclear Regulatory Commission urging the commission to follow through with the existing federal rule process to streamline nuclear generation license renewal applications and work to move forward with the rulemaking process for the approval of advanced nuclear reactors.

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

1. That the Natural Resources Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 420. Introduced by Hansen, B., 16.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the education process and procedures for serving students with special needs. The requirements for special needs programs vary from district to district and addressing student needs for children in all of Nebraska's schools will promote excellence in education. This study may include, but is not limited to:

(1) Evaluating how to best serve students with special needs;

(2) Examining educational opportunities for students with special needs;

(3) Evaluating the benefits of keeping families with children who have special needs together;

(4) Reviewing how each district approaches the relationships between public and private schools in providing education for students with special needs;

(5) Examining the option of offering consistent equitable services in nonpublic schools; and

(6) Examining special education funding for the state's public schools.

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

1. That the Education Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 421. Introduced by Bostar, 29.

PURPOSE: The purpose of this resolution is to propose an interim study to examine property rights issues. In order to carry out the purpose of this resolution, the committee shall seek the assistance of attorneys with experience in eminent domain.

The right to own property is fundamental to American law. The Fifth Amendment to the United States Constitution provides that private property cannot be taken without due process and that such property can only be taken for a public use with just compensation. Article I, section 3, of the Nebraska Constitution requires due process to take private property and Article I, section 21, requires just compensation for property taken for public use.

Eminent domain is a process by which the government takes property from unwilling property owners and should be used only as a last resort. An easement taken by eminent domain may permanently alter the character of the land and its surroundings, including impacts on natural resources, and may create liabilities which fall on the property owner.

Section 76-710.04 restricts the use of eminent domain for economic development purposes but carves out certain exceptions including exceptions for a pipeline and a transmission line. An easement taken by eminent domain for major infrastructure projects like pipelines may create abandonment, restoration, and reclamation issues. A one-time payment for a permanent easement for a pipeline project that generates income for a private business may not provide just compensation to the property owner as required by the state and federal constitutions.

The use of zoning by local jurisdictions may provide one means of protection for property owners. Limiting easements for property taken for private gain to a term of years or requiring reversion to the property owner upon abandonment may provide other means of protecting property owners.

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

1. That the Judiciary Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 422. Introduced by Wayne, 13.

PURPOSE: The purpose of this resolution is to propose an interim study to examine issues related to the Middle Income Workforce Housing Investment Act. The issues addressed by this study shall include, but not be limited to:

(1) A comparison of the provisions in the Middle Income Workforce Housing Investment Act to similar provisions in the Rural Workforce Housing Investment Act;

(2) A review of past grant awards and recipients under the Middle Income Workforce Housing Investment Act; and

(3) A review of the use of federal dollars under the federal American Rescue Plan Act of 2021 for housing in qualified census tracts, including under the Middle Income Workforce Housing Investment Act.

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

1. That the Urban Affairs Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 423. Introduced by Cavanaugh, J., 9.

PURPOSE: The purpose of this resolution is to propose an interim study to determine whether the current arrangement of court appointment of attorneys is appropriate and whether this arrangement is adequately meeting the needs of providing indigent defense for the counties of Nebraska. Additionally, the study should examine whether counties are fairly assessed the costs of indigent defense costs, particularly in counties in which a public defender office does not exist or for prosecuting complex or high-profile cases, which might lead to increased fees for court appointment of attorneys. The study should also examine whether the current funding mechanism at county expense is the appropriate means to fund indigent defense and whether such costs should be funded by the state General Fund, a shared-cost arrangement with the counties, or some other manner of funding. Finally, the study should assess whether the difference in court-appointed fee rates and the process for providing indigent defense ensures that indigent defendants are receiving adequate representation in criminal

and juvenile cases. In order to carry out the purpose of this resolution, the committee shall obtain input from the public and impacted individuals relating to the subject matter of this resolution.

The Nebraska statutes require that counties are responsible for the costs of providing representation to indigent people charged with criminal offenses. Larger counties in Nebraska have created public defender offices to maintain regular and robust representation of indigent defendants and to minimize expense to the counties.

In instances in which a public defender office does not exist in a county or cannot ethically or practically be appointed to represent criminal defendants, counties appoint private attorneys to represent indigent defendants. In such situation, counties will generally pay such private attorneys an hourly rate to represent indigent defendants in criminal and juvenile cases. The hourly rates vary in differing counties. Additionally, the rate is set by local county officials or by judges appointing counsel.

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 424. Introduced by Cavanaugh, J., 9.

PURPOSE: The purpose of this resolution is to propose an interim study to research the topic of home equity theft. Home equity theft occurs when a home is foreclosed on for tax debt and none of the home's value in excess of the tax and other debts is returned to the original owner. In most states, if a property owner fails to pay their property taxes on their home or property, the home or property can be foreclosed on and sold at auction to pay the debt with any remaining proceeds from the sale being returned to the original homeowner. However, in 12 states, including Nebraska, a property owner can lose their property and all their invested equity in that property as recompense for a minor tax debt. Unlike traditional tax or mortgage foreclosures, home equity theft schemes leave the original owner with nothing, regardless of the size of the debt or value of the property. This study shall include, but not be limited to, an examination of the following:

- (1) How many homes or properties are having their equity taken in the property tax foreclosure process;
- (2) How much home equity is being lost from excessive fines;
- (3) The property tax foreclosure process in other states, including Wyoming, South Dakota, Iowa, Missouri, Kansas, and Colorado; and
- (4) Potential violations of constitutional rights.

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 425. Introduced by Lathrop, 12.

PURPOSE: The purpose of this interim study is to examine the operational and statutory needs of law enforcement departments of the University of Nebraska. The study shall include, but need not be limited to, the examination of:

- (1) Relevant Nebraska laws governing the law enforcement departments of the University of Nebraska;
- (2) Relevant Nebraska laws governing law enforcement agencies, law enforcement officers, and peace officers;
- (3) Existing agreements between law enforcement departments of the University of Nebraska and the Nebraska State Patrol; and
- (4) Relevant Nebraska laws to determine whether establishing such university law enforcement departments in statute would be beneficial.

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

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

Referred to the Executive Board.

RECESS

At 12:03 p.m., on a motion by Senator DeBoer, the Legislature recessed until 1:00 p.m.

AFTER RECESS

The Legislature reconvened at 1:00 p.m., Senator Hughes presiding.

ROLL CALL

The roll was called and all members were present except Senators Geist and Pahls who were excused; and Senators Arch, Blood, Bostelman, Briese,

B. Hansen, Hunt, Jacobson, McDonnell, Morfeld, Moser, Pansing Brooks, Vargas, Walz, Wayne, and Wishart who were excused until they arrive.

PRESENTED TO THE GOVERNOR

Presented to the Governor on March 29, 2022, at 12:15 p.m. were the following: LBs 1012e and 1011e.

(Signed) Jamie Leishman
Clerk of the Legislature's Office

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE BILL 1014. Placed on Final Reading.

ST56

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

1. The Morfeld amendment, AM2561, has been correlated with the Stinner amendment, AM2580 and incorporated into the E & R amendments, ER155, as follows:

- a. Section 20 has been renumbered as section 24; and
- b. In lieu of amendments 2 and 3, in the E & R amendments, ER155:
 - i. On page 25, line 30; and page 26, line 1, "46,000,000" has been struck and "41,500,000" inserted;
 - ii. On page 26, line 3, "\$46,000,000" has been struck and "\$41,500,000" inserted; and
 - iii. On page 27, line 30, "\$11,000,000" has been struck and "\$10,500,000" inserted.
2. In the E & R amendments, ER155, section numbers have been renumbered and internal references corrected to incorporate all adopted amendments.

(Signed) Terrell McKinney, Chairperson

MOTION(S) - Bracket LB1013

Senator M. Cavanaugh renewed her motion, [MO191](#), found in this day's Journal, to bracket LB1013 until March 30, 2022.

SENATOR WILLIAMS PRESIDING

Senator Stinner offered the following motion:

MO192

Invoke cloture pursuant to Rule 7, Sec. 10.

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

The Stinner motion to invoke cloture prevailed with 34 ayes, 3 nays, 9 present and not voting, and 3 excused and not voting.

The M. Cavanaugh motion to bracket failed with 1 aye, 43 nays, 2 present and not voting, and 3 excused and not voting.

BILL ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 1013. With Emergency Clause.

A BILL FOR AN ACT relating to the Cash Reserve Fund; to amend section 84-612, Revised Statutes Supplement, 2021; to provide and eliminate fund transfer provisions; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 33:

Aguilar	Day	Hilkemann	McCollister	Vargas
Blood	DeBoer	Hughes	McDonnell	Walz
Bostar	Dorn	Hunt	McKinney	Wayne
Bostelman	Erdman	Jacobson	Morfeld	Williams
Brandt	Flood	Kolterman	Pansing Brooks	Wishart
Cavanaugh, J.	Gragert	Lathrop	Sanders	
Clements	Hilgers	Lindstrom	Stinner	

Voting in the negative, 5:

Albrecht	Brewer	Briese	Friesen	Slama
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Present and not voting, 8:

Cavanaugh, M.	Hansen, B.	Linehan	Moser
Halloran	Hansen, M.	Lowe	Murman

Excused and not voting, 3:

Arch	Geist	Pahls
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A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

SELECT FILE

LEGISLATIVE BILL 1084. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 1083. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 1023. Senator Hilgers renewed his amendment, [AM2300](#), found on page 836 and considered on page 953.

Senator M. Cavanaugh renewed her amendment, [AM2496](#), found on page 920 and considered on page 953, to the Hilgers amendment.

Senator M. Cavanaugh moved for a call of the house. The motion prevailed with 17 ayes, 8 nays, and 24 not voting.

The M. Cavanaugh amendment was adopted with 25 ayes, 2 nays, 17 present and not voting, and 5 excused and not voting.

The Chair declared the call raised.

Senator M. Cavanaugh offered her amendment, [AM2546](#), found on page 935, to the Hilgers amendment.

SENATOR HUGHES PRESIDING

Senator M. Cavanaugh moved for a call of the house. The motion prevailed with 20 ayes, 9 nays, and 20 not voting.

The M. Cavanaugh amendment lost with 6 ayes, 25 nays, 13 present and not voting, and 5 excused and not voting.

The Chair declared the call raised.

Senator M. Cavanaugh withdrew her amendment, [AM2573](#), found on page 972.

The Hilgers amendment, as amended, was adopted with 32 ayes, 2 nays, 10 present and not voting, and 5 excused and not voting.

Senator M. Cavanaugh requested a machine vote on the advancement of the bill.

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

LEGISLATIVE BILL 1015. Senator Stinner withdrew his amendment, [AM2245](#), found on page 950.

The M. Cavanaugh amendment, [AM2577](#), found on page 972, was not considered.

Senator M. Cavanaugh offered her amendment, [AM2494](#), found on page 954.

SENATOR WILLIAMS PRESIDING

Senator M. Cavanaugh moved for a call of the house. The motion prevailed with 18 ayes, 2 nays, and 29 not voting.

The M. Cavanaugh amendment was adopted with 44 ayes, 0 nays, 1 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

Pending.

BILL ON FIRST READING

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

LEGISLATIVE BILL 596A. Introduced by Albrecht, 17.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 596, One Hundred Seventh Legislature, Second Session, 2022.

SELECT FILE**SENATOR HUGHES PRESIDING**

LEGISLATIVE BILL 1015. Senator M. Cavanaugh offered the following amendment:

[AM2647](#)

(Amendments to AM2494)

1 1. Strike amendment 1 and insert the following new amendment:

2 1. Insert the following new section:

3 Sec. 4. (1) An individual listed in subsection (2) of this section

4 or his or her immediate family member shall not, directly or indirectly,

5 hold a financial interest in any entity which is party to a contract or

6 have a financial interest in the ownership or lease of any property

7 relating to the development, construction, management, or operation of

8 the Perkins County Canal Project.

9 (2) This section shall apply to:

10 (a) Any elected official in the executive branch of state

11 government. This section shall apply to such official while he or she is

12 in office and for two years after he or she leaves office; and

13 (b) Any member of the Legislature.

14 (3) For purposes of this section, immediate family member means a

15 spouse, child, sibling, or parent and includes the spouse of any child,

16 sibling, or parent.

Senator M. Cavanaugh moved for a call of the house. The motion prevailed with 27 ayes, 7 nays, and 15 not voting.

The M. Cavanaugh amendment was adopted with 44 ayes, 0 nays, and 5 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

The Chair declared the call raised.

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE RESOLUTION 263CA. Placed on Select File.

LEGISLATIVE BILL 852. Placed on Select File with amendment.

[ER157](#)

1 1. Strike the original sections and all amendments thereto and
 2 insert the following new sections:
 3 Section 1. (1) On or before August 1, 2023, each school district
 4 shall designate one or more behavioral health points of contact for each
 5 school building or other division as determined by the school district. A
 6 behavioral health point of contact may be an administrator, a school
 7 nurse, a school psychologist, or another designated person affiliated
 8 with such school building or other division. Each behavioral health point
 9 of contact shall have knowledge of community behavioral health service
 10 providers and other resources available for students and families.
 11 (2) On or before August 1, 2023, and on or before each August 1
 12 thereafter, the State Department of Education, in consultation with the
 13 Division of Behavioral Health of the Department of Health and Human
 14 Services, shall provide each school district with a registry of state and
 15 local behavioral health resources available to work with students and
 16 families by geographic area. The registry shall be updated at least
 17 annually and include resources for both school-based services and
 18 services accessible by students' families outside of school.
 19 (3) Each behavioral health point of contact shall coordinate access
 20 to community behavioral health services for students and families and
 21 facilitate access to services during the school day at the school the
 22 student attends. Except as provided in section 43-2101, such facilitation
 23 shall be approved by the student's parent or guardian.
 24 (4) Before the beginning of school year 2023-24, and before the
 25 beginning of each school year thereafter, each school district shall
 26 report the designated behavioral health points of contact to the State
 27 Department of Education.
 1 Sec. 2. (1) The State Department of Education shall establish a
 2 mental health first aid training program for teachers and other personnel
 3 employed by a school district or an educational service unit
 4 participating in a grant under subsection (2) of section 79-1054.
 5 (2) The mental health first aid training is to be delivered by
 6 trainers who are properly certified by a national organization for
 7 behavioral health to provide training meeting the requirements of this
 8 section. The program shall also provide an opportunity for teachers and
 9 other designated personnel to complete the training necessary to become
 10 certified by a national organization for behavioral health to provide
 11 mental health first aid training to other teachers and designated
 12 personnel.
 13 (3) Mental health first aid training shall include training on:
 14 (a) The skills, resources, and knowledge necessary to assist
 15 students in crisis to connect with appropriate local mental health care
 16 services;
 17 (b) Mental health resources, including the location of local
 18 community mental health centers; and
 19 (c) Action plans and protocols for referral to such resources.
 20 (4) A recipient of mental health first aid training shall also
 21 receive instruction in preparation to:

22 (a) Safely de-escalate crisis situations;
 23 (b) Recognize the signs and symptoms of mental illness, including
 24 such psychiatric conditions as major clinical depression and anxiety
 25 disorders; and
 26 (c) Timely refer a student to mental health services in the early
 27 stages of the development of a mental disorder to avoid subsequent
 28 behavioral health care and to enhance the effectiveness of mental health
 29 services. Except as provided in section 43-2101, any such referral shall
 30 be approved by the student's parent or guardian.
 31 (5) It is the intent of the Legislature that the mental health first
 1 aid training program under this section shall be funded using lottery
 2 funds under section 9-812.
 3 Sec. 3. Section 79-1054, Revised Statutes Cumulative Supplement,
 4 2020, is amended to read:
 5 79-1054 (1)(a) This subsection applies until July 1, 2024.
 6 (b) (4) The State Board of Education shall establish a competitive
 7 innovation grant program with funding from the Nebraska Education
 8 Improvement Fund pursuant to section 9-812. Grantees shall be a school
 9 district, an educational service unit, or a combination of entities that
 10 includes at least one school district or educational service unit. For
 11 grantees that consist of a combination of entities, a participating
 12 school district or educational service unit shall be designated to act as
 13 the fiscal agent and administer the program funded by the grant. The
 14 state board shall only award grants pursuant to applications that the
 15 state board deems to be sufficiently innovative and to have a high chance
 16 of success.
 17 (c) (2) An application for a grant pursuant to this subsection (4)
 18 of this section shall describe:
 19 (i) (a) Specific measurable objectives for improving education
 20 outcomes for early childhood students, elementary students, middle school
 21 students, or high school students or for improving the transitions
 22 between any successive stages of education or between education and the
 23 workforce;
 24 (ii) (b) The method for annually evaluating progress toward a
 25 measurable objective, with a summative evaluation of progress submitted
 26 to the state board and electronically to the Education Committee of the
 27 Legislature on or before July 1, 2019;
 28 (iii) (c) The potential for the project to be both scalable and
 29 replicable; and
 30 (iv) (d) Any cost savings that could be achieved by reductions in
 31 other programs if the funded program is successful.
 1 (d) (3) Based on evaluations received on or before July 1, 2019, for
 2 each grant, the State Board of Education shall recommend the grant
 3 project as:
 4 (i) (a) Representing a best practice;
 5 (ii) (b) A model for a state-supported program; or
 6 (iii) (c) A local issue for further study.
 7 (e) (4) On or before December 1, 2017, and on or before December 1
 8 of each year thereafter, the state board shall electronically submit a
 9 report to the Clerk of the Legislature on all such grants, including, but
 10 not limited to, the results of the evaluations for each grant. The state
 11 board may adopt and promulgate rules and regulations to carry out this
 12 subsection section, including, but not limited to, application
 13 procedures, selection procedures, and annual evaluation reporting
 14 procedures.
 15 (2)(a) This subsection applies beginning July 1, 2024.
 16 (b) The State Board of Education shall establish innovation grant
 17 programs in areas, including, but not limited to, (i) mental health first
 18 aid, (ii) early literacy, (iii) quality instructional materials, (iv)
 19 personalized learning through digital education, or (v) other innovation
 20 areas identified by the board. It is the intent of the Legislature that
 21 such grant programs shall be funded using lottery funds under section
 22 9-812. Grantees shall be a school district, an educational service unit,
 23 or a combination of entities that includes at least one school district

24 or educational service unit.

25 (c) An application for participating in an innovation grant pursuant
26 to this subsection shall describe:

27 (i) Specific measurable objectives for improving education outcomes
28 for early childhood students, elementary students, middle school
29 students, or high school students or for improving the transitions
30 between any successive stages of education or between education and the
31 workforce;

1 (ii) Participation in a method for annually evaluating progress
2 toward a measurable objective, with a summative evaluation of progress
3 submitted to the state board and electronically to the Education
4 Committee of the Legislature on or before July 1 of each year;

5 (iii) The potential for the grant program to be both scalable and
6 replicable; and

7 (iv) Any cost savings that could be achieved by reductions in other
8 programs if the grant program is successful.

9 (d) Based on evaluations received on or before July 1 of each year
10 for each grant program, the State Board of Education shall recommend the
11 grant program as:

12 (i) Representing a best practice;

13 (ii) A model for a state-supported program; or

14 (iii) A local issue for further study.

15 (e) On or before December 1 of each year, the state board shall
16 electronically submit a report to the Clerk of the Legislature on all
17 such grant programs, including, but not limited to, the results of the
18 evaluations for each grant program. The state board may adopt and
19 promulgate rules and regulations to carry out this subsection, including,
20 but not limited to, application procedures, selection procedures, and
21 annual evaluation reporting procedures.

22 (3) (5) The Department of Education Innovative Grant Fund is
23 created. The fund shall be administered by the State Department of
24 Education and shall consist of transfers pursuant to section 9-812,
25 repayments of grant funds, and interest payments received in the course
26 of administering this section. The fund shall be used to carry out this
27 section. Any money in the fund available for investment shall be invested
28 by the state investment officer pursuant to the Nebraska Capital
29 Expansion Act and the Nebraska State Funds Investment Act.

30 Sec. 4. Section 2 of this act becomes operative on July 1, 2024. The
31 other sections of this act become operative on their effective date.

1 Sec. 5. Original section 79-1054, Revised Statutes Cumulative
2 Supplement, 2020, is repealed.
3 2. On page 1, strike beginning with "schools" in line 1 through line
4 4 and insert "education; to amend section 79-1054, Revised Statutes
5 Cumulative Supplement, 2020; to provide for behavioral health points of
6 contact; to provide duties for the State Department of Education, the
7 Division of Behavioral Health of the Department of Health and Human
8 Services, and school districts; to provide for mental health first aid
9 training; to change provisions relating to education innovation grants;
10 to harmonize provisions; to provide operative dates; and to repeal the
11 original section."

LEGISLATIVE BILL 1016. Placed on Select File with amendment.

[ER156](#)

1 1. On page 1, strike lines 2 through 4 and insert "sections 39-2801
2 and 39-2812, Reissue Revised Statutes of Nebraska, and sections 39-2802,
3 39-2808, 39-2809, 39-2811, 39-2813, 39-2814, 39-2816, 39-2821, and
4 39-2822, Revised Statutes Cumulative Supplement, 2020; to define and
5 redefine terms; to provide for public-private partnerships and
6 progressive design-build; to harmonize".

LEGISLATIVE BILL 902. Placed on Select File with amendment.

[ER160](#)

1 1. In the Standing Committee amendments, AM2194, on page 11, line
2 15, after "become" insert "operative".
3 2. On page 1, line 2, strike "and to provide an operative date" and
4 insert "to state legislative intent relating to appropriations; and to
5 provide operative dates".

LEGISLATIVE BILL 902A. Placed on Select File.

LEGISLATIVE BILL 1069. Placed on Select File with amendment.
[ER158](#) is available in the Bill Room.

LEGISLATIVE BILL 853. Placed on Select File with amendment.
[ER159](#)

1 1. On page 1, strike beginning with "section" in line 1 through line
2 4 and insert "sections 77-3513 and 77-3522, Reissue Revised Statutes of
3 Nebraska, section 77-3506, Revised Statutes Cumulative Supplement, 2020,
4 and section 77-3512, Revised Statutes Supplement, 2021; to provide a
5 homestead exemption for certain disabled veterans as prescribed and
6 change provisions relating to homestead exemptions; to harmonize
7 provisions; to provide an operative date; and to repeal the original
8 sections."

LEGISLATIVE BILL 741A. Placed on Select File.

LEGISLATIVE BILL 752A. Placed on Select File.

LEGISLATIVE BILL 1024A. Placed on Select File.

(Signed) Terrell McKinney, Chairperson

GENERAL FILE

LEGISLATIVE BILL 876. Title read. Considered.

Committee [AM2188](#), found on page 785, was offered.

Senator Briese withdrew his amendment, [AM2191](#), found on page 788.

The committee amendment was adopted with 30 ayes, 0 nays, 12 present and not voting, and 7 excused and not voting.

Senator Briese withdrew his amendment, [AM2189](#), found on page 788.

Advanced to Enrollment and Review Initial with 34 ayes, 0 nays, 8 present and not voting, and 7 excused and not voting.

SPEAKER HILGERS PRESIDING

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LB1013e.

SENATOR ARCH PRESIDING**GENERAL FILE**

LEGISLATIVE BILL 686. Title read. Considered.

Senator M. Cavanaugh offered the following motion:

[MO193](#)

Bracket until March 30, 2022.

Pending.

MESSAGE(S) FROM THE GOVERNOR

March 29, 2022

Mr. President, Mr. Speaker, and
Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President and Members of the Legislature:

I am returning LB 1073 without my signature and with my objections.

LB 1073 purports to force me, in my official capacity, to apply for \$120,000,000 of federal funds from a second round of optional federal funding for the Emergency Rental Assistance Program (“ERAP”). The bill also requires me to disburse all funds received. I am fundamentally opposed to seeking additional federal ERAP funds.

As Nebraskans, we value resourcefulness and self-reliance. We also care for our neighbors. We recognize that extraordinary times such as a natural disaster or a global pandemic warrant extra assistance. During the height of the coronavirus pandemic, Nebraskans stepped up to help those in need. At the federal and state level, we did the same. The State has received and is distributing an unprecedented amount of federal funding – over \$24 billion dollars -- to help Nebraskans weather the storm over these past two years.

At a certain point, however, we must acknowledge that the storm has passed and we need to get back to the Nebraska Way. The ERAP is no longer about addressing the impacts of coronavirus. Instead, taking three more years of

federal funding to make rental payments will create a government subsidy that will make people reliant on the government for years to come.

We must guard against big government socialism where people are incentivized not to work but are instead encouraged to rely on government handouts well after an emergency is over. We cannot justify asking for federal relief when Nebraska has the lowest unemployment rate in the nation and we are no longer in a state of emergency.

The State still has nearly \$30 million of unused ERAP funds. This means that after more than a year, we have only expended about 40 percent of the program's dollars. The remainder is more than enough to meet the legitimate needs for assistance through the end of the year.

It has been alleged that dollars remain in the current program because the application process is somehow arduous. That is flatly untrue. The ERAP application is no more burdensome to complete than applications which individuals file for food stamps or Medicaid benefits nor applications that small business owners, farmers, ranchers, and child care center owners were required to complete to receive federal assistance from multiple federal CARES Act grant programs which the State has administered in the past two years. Like the ERAP program, these programs all required an applicant to demonstrate their identity, their location, and that they experienced a financial loss due to COVID-19. These steps are prudent to prevent fraud and to protect the integrity of taxpayer funds.

Finally, some believe we should take the money simply because it's available. However, there's no such thing as "free money." The second round of ERAP dollars is a perfect example of the kind of blind spending from the federal government that has ushered in record inflation. And if we continue to pile onto our national debt, our kids and grandkids will be the ones footing the bill. In Nebraska, that's not who we are.

For these reasons, I respectfully urge you to sustain my veto of LB 1073.

Sincerely,
(Signed) Pete Ricketts
Governor

AMENDMENT(S) - Print in Journal

Senator Lathrop filed the following amendment to [LB1241A](#):
[AM2639](#)

1 1. Strike the original sections and insert the following new
2 sections:
3 Section 1. There is hereby appropriated (1) \$5,080,000 from the
4 General Fund for FY2022-23 and (2) \$5,000,000 from the General Fund for
5 FY2023-24 to the Nebraska Commission on Law Enforcement and Criminal
6 Justice, for Program 199, to aid in carrying out the provisions of
7 Legislative Bill 1241, One Hundred Seventh Legislature, Second Session,

8 [2022](#).

9 Total expenditures for permanent and temporary salaries and per
10 diems from funds appropriated in this section shall not exceed \$42,263
11 for FY2022-23 or \$42,263 for FY2023-24.

12 Sec. 2. Since an emergency exists, this act takes effect when passed
13 and approved according to law.

Senator Pansing Brooks filed the following amendment to [LB984](#):
[AM2642](#) is available in the Bill Room.

GENERAL FILE

LEGISLATIVE BILL 686. Senator M. Cavanaugh renewed her motion,
[MO193](#), found in this day's Journal, to bracket until March 30, 2022.

SENATOR WILLIAMS PRESIDING

Pending.

PRESENTED TO THE GOVERNOR

Presented to the Governor on March 29, 2022, at 6:20 p.m. was the
following: LB1013e.

(Signed) Dallas Mehling
Clerk of the Legislature's Office

MOTION(S) - Print in Journal

Senator Wayne filed the following motion to [LB1073](#):
[MO195](#)
Becomes law notwithstanding the objections of the Governor.

GENERAL FILE

LEGISLATIVE BILL 750A. Title read. Considered.

Senator M. Cavanaugh offered the following motion:
[MO194](#)
Bracket until March 30, 2022.

Pending.

AMENDMENT(S) - Print in Journal

Senator McKinney filed the following amendment to [LB927](#):
[AM2632](#)

(Amendments to Standing Committee amendments, AM2023)

1 1. Insert the following new section:
2 Sec. 3. Section 13-2605, Revised Statutes Cumulative Supplement,
3 2020, is amended to read:
4 13-2605 (1) All applications for state assistance under the

5 Convention Center Facility Financing Assistance Act shall be in writing
6 and shall include a certified copy of the approving action of the
7 governing body of the applicant describing the proposed eligible facility
8 and the anticipated financing.

9 (2) The application shall contain:

10 (a) A description of the proposed financing of the eligible
11 facility, including the estimated principal and interest requirements for
12 the bonds proposed to be issued in connection with the eligible facility
13 or the amounts necessary to repay the original investment by the
14 applicant in the eligible facility;

15 (b) Documentation of local financial commitment to support the
16 project, including all public and private resources pledged or committed
17 to the project; and

18 (c) Any other project information deemed appropriate by the board.

19 (3) Upon receiving an application for state assistance, the board
20 shall review the application and notify the applicant of any additional
21 information needed for a proper evaluation of the application.

22 (4) Any state assistance received pursuant to the act shall be used
23 only for public purposes.

24 (5) Each political subdivision that had an application for state
25 assistance approved prior to the effective date of this act ~~October 1,~~
26 ~~2016~~, shall submit a map to the Department of Revenue showing the area
1 that lies within ~~one thousand two six~~ hundred yards of the eligible
2 facility as such area is described in subdivision (1) of section 13-2603.

3 The department shall approve such area if it satisfies the requirements
4 of subdivision (1) of section 13-2603.

5 2. On page 1, line 9, strike "six", show as stricken, and insert
6 "~~one thousand two~~".

7 3. On page 4, strike beginning with "to" in line 22 through line 26,
8 show as stricken, and insert "Fifty-five percent of such funds shall be
9 used to showcase important historical aspects of such areas or areas
10 within close geographic proximity of the area with a high concentration
11 of poverty and to assist with the reduction of street and gang violence
12 in such areas. Forty-five percent of such funds shall be used to assist
13 with small business and entrepreneurship growth in such areas.".

14 4. On page 5, line 24, after the period insert "Applications may be
15 submitted to either of the committee members described in subdivisions
16 (3)(c)(i) and (ii) of this section.".

17 5. On page 6, after line 13 insert the following new subdivisions:

18 "(e) For any committee formed under subdivision (3)(b) of this
19 section:

20 (i) The two committee members described in subdivisions (3)(c)(i)
21 and (ii) of this section shall share joint responsibility of all
22 committee operations and meetings. Applications for funding may be
23 submitted to either of such members; and

24 (ii) All applications, reports, and other records of the committee
25 shall be accessible to any member of the committee.

26 (f) Each recipient of funding from a committee formed under
27 subdivision (3)(b) of this section shall submit an itemized report to
28 such committee on the use of such funds. A recipient shall not be
29 eligible to receive funding for more than three consecutive years unless
30 such recipient is able to justify continued funding based on the
31 following criteria:

1 (i) The number of people served by the project;

2 (ii) The relevance and scale of the project;

3 (iii) The desirability of the social or environmental outcomes of
4 the project and how such outcomes will be achievable and measurable;

5 (iv) The economic impact on the area with a high concentration of
6 poverty; and

7 (v) The recipient's sustainability plan."; in line 14 strike "(e)",

8 show as stricken, and insert "(g)"; and in line 23 strike "(f)", show as
9 stricken, and insert "(h)".
10 6. Renumber the remaining sections and correct the repealer
11 accordingly.

GENERAL FILE

LEGISLATIVE BILL 750A. Senator M. Cavanaugh renewed her motion, [MO194](#), found in this day's Journal, to bracket until March 30, 2022.

Senator M. Cavanaugh withdrew her motion to bracket.

Senator M. Cavanaugh offered the following motion:

[MO196](#)

Bracket until April 20, 2022.

Senator M. Cavanaugh withdrew her motion to bracket.

Advanced to Enrollment and Review Initial with 34 ayes, 0 nays, 3 present and not voting, and 12 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 698A. Senator M. Cavanaugh offered the following motion:

[MO197](#)

Bracket until March 30, 2022.

Pending.

COMMITTEE REPORT(S)

Revenue

LEGISLATIVE BILL 873. Placed on General File with amendment. [AM2649](#) is available in the Bill Room.

(Signed) Lou Ann Linehan, Chairperson

VISITOR(S)

Visitors to the Chamber were fourth-grade students from Prairie Queen Elementary, Papillion; fourth-grade students from Crete Intermediate School, Crete; fourth-grade students from La Vista West Elementary, La Vista; and members of RISE.

The Doctor of the Day was Dr. Dan Rosenquist of Columbus.

ADJOURNMENT

At 8:10 p.m., on a motion by Senator McDonnell, the Legislature adjourned until 9:00 a.m., Wednesday, March 30, 2022.

Patrick J. O'Donnell
Clerk of the Legislature

FIFTY-FIRST DAY - MARCH 30, 2022**LEGISLATIVE JOURNAL****ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION****FIFTY-FIRST DAY**

Legislative Chamber, Lincoln, Nebraska
Wednesday, March 30, 2022

PRAYER

The prayer was offered by Dr. Tom Barnes, Minden Evangelical Free Church, Minden.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Lathrop.

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 Senator Pahls who was excused; and Senators Blood, Bostar, Day, Geist, B. Hansen, Hilkemann, Kolterman, McCollister, Morfeld, Pansing Brooks, Slama, Vargas, Wayne, and Wishart who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the fiftieth day was approved.

GENERAL FILE

LEGISLATIVE BILL 873. Title read. Considered.

Committee [AM2649](#), found on page 1084, was offered.

Senator M. Cavanaugh offered the following motion:

[MO199](#)

Bracket until April 5, 2022.

SENATOR ARCH PRESIDING

SENATOR WILLIAMS PRESIDING

Senator M. Cavanaugh withdrew her motion to bracket.

Senator J. Cavanaugh requested a division of the question on the committee amendment.

The Chair sustained the division of the question.

The first committee amendment is as follows:

[AM2658](#) is available in the Bill Room.

The second committee amendment is as follows:

[AM2661](#)

1 1. Strike the original sections and insert the following new
2 sections:
3 Sec. 3. Section 77-2734.02, Revised Statutes Supplement, 2021, is
4 amended to read:
5 77-2734.02 (1) Except as provided in subsection (2) of this section,
6 a tax is hereby imposed on the taxable income of every corporate taxpayer
7 that is doing business in this state:
8 (a) For taxable years beginning or deemed to begin before January 1,
9 2013, at a rate equal to one hundred fifty and eight-tenths percent of
10 the primary rate imposed on individuals under section 77-2701.01 on the
11 first one hundred thousand dollars of taxable income and at the rate of
12 two hundred eleven percent of such rate on all taxable income in excess
13 of one hundred thousand dollars. The resultant rates shall be rounded to
14 the nearest one hundredth of one percent;
15 (b) For taxable years beginning or deemed to begin on or after
16 January 1, 2013, and before January 1, 2022, at a rate equal to 5.58
17 percent on the first one hundred thousand dollars of taxable income and
18 at the rate of 7.81 percent on all taxable income in excess of one
19 hundred thousand dollars;
20 (c) For taxable years beginning or deemed to begin on or after
21 January 1, 2022, and before January 1, 2023, at a rate equal to 5.58
22 percent on the first one hundred thousand dollars of taxable income and
23 at the rate of 7.50 percent on all taxable income in excess of one
24 hundred thousand dollars; ~~and~~
25 (d) For taxable years beginning or deemed to begin on or after
26 January 1, 2023, ~~and before January 1, 2024,~~ at a rate equal to 5.58
27 percent on the first one hundred thousand dollars of taxable income and
1 at the rate of 7.25 percent on all taxable income in excess of one
2 hundred thousand dollars; -
3 (e) For taxable years beginning or deemed to begin on or after
4 January 1, 2024, and before January 1, 2025, at a rate equal to 5.58
5 percent on the first one hundred thousand dollars of taxable income and
6 at the rate of 6.50 percent on all taxable income in excess of one
7 hundred thousand dollars;
8 (f) For taxable years beginning or deemed to begin on or after
9 January 1, 2025, and before January 1, 2026, at a rate equal to 5.58
10 percent on the first one hundred thousand dollars of taxable income and
11 at the rate of 6.24 percent on all taxable income in excess of one
12 hundred thousand dollars;
13 (g) For taxable years beginning or deemed to begin on or after
14 January 1, 2026, and before January 1, 2027, at a rate equal to 5.58
15 percent on the first one hundred thousand dollars of taxable income and
16 at the rate of 6.00 percent on all taxable income in excess of one

17 ~~hundred thousand dollars; and~~

18 ~~(h) For taxable years beginning or deemed to begin on or after~~

19 ~~January 1, 2027, at a rate equal to 5.58 percent on the first one hundred~~

20 ~~thousand dollars of taxable income and at the rate of 5.84 percent on all~~

21 ~~taxable income in excess of one hundred thousand dollars.~~

22 ~~It is the intent of the Legislature to enact legislation after~~

23 ~~August 28, 2021, to lower the tax rate applicable to income in excess of~~

24 ~~one hundred thousand dollars to 7.00 percent for taxable years beginning~~

25 ~~or deemed to begin on or after January 1, 2024, and before January 1,~~

26 ~~2025, and to 6.84 percent for taxable years beginning or deemed to begin~~

27 ~~on or after January 1, 2025.~~

28 For corporate taxpayers with a fiscal year that does not coincide

29 with the calendar year, the individual rate used for this subsection

30 shall be the rate in effect on the first day, or the day deemed to be the

31 first day, of the taxable year.

1 (2) An insurance company shall be subject to taxation at the lesser

2 of the rate described in subsection (1) of this section or the rate of

3 tax imposed by the state or country in which the insurance company is

4 domiciled if the insurance company can establish to the satisfaction of

5 the Tax Commissioner that it is domiciled in a state or country other

6 than Nebraska that imposes on Nebraska domiciled insurance companies a

7 retaliatory tax against the tax described in subsection (1) of this

8 section.

9 (3) For a corporate taxpayer that is subject to tax in another

10 state, its taxable income shall be the portion of the taxpayer's federal

11 taxable income, as adjusted, that is determined to be connected with the

12 taxpayer's operations in this state pursuant to sections 77-2734.05 to

13 77-2734.15.

14 (4) Each corporate taxpayer shall file only one income tax return

15 for each taxable year.

16 Sec. 8. Original section 77-2715.03, Reissue Revised Statutes of

17 Nebraska, sections 77-6701 and 77-6702, Revised Statutes Cumulative

18 Supplement, 2020, and sections 77-2716, 77-2734.02, and 77-6703, Revised

19 Statutes Supplement, 2021, are repealed.

The third committee amendment is as follows:

[AM2662](#)

1 1. Strike the original sections and insert the following new

2 sections:

3 Sec. 4. Section 77-6701, Revised Statutes Cumulative Supplement,

4 2020, is amended to read:

5 77-6701 Sections 77-6701 to 77-6705 and section 7 of this act shall

6 be known and may be cited as the Nebraska Property Tax Incentive Act.

7 Sec. 5. Section 77-6702, Revised Statutes Cumulative Supplement,

8 2020, is amended to read:

9 77-6702 For purposes of the Nebraska Property Tax Incentive Act:

10 (1) Allowable growth percentage means the percentage increase, if

11 any, in the total assessed value of all real property in the state from

12 the prior year to the current year, as determined by the department,

13 except that in no case shall the allowable growth percentage exceed five

14 percent in any one year;

15 (2) Community college taxes means property taxes levied on real

16 property in this state by a community college area, excluding any

17 property taxes levied for bonded indebtedness and any property taxes

18 levied as a result of an override of limits on property tax levies

19 approved by voters pursuant to section 77-3444;

20 (3) (2) Department means the Department of Revenue;

21 (4) (3) Eligible taxpayer means any individual, corporation,

22 partnership, limited liability company, trust, estate, or other entity

23 that pays school district taxes or community college taxes during a

24 taxable year; and

25 (5) (4) School district taxes means property taxes levied on real
 26 property in this state by a school district or multiple-district school
 27 system, excluding any property taxes levied for bonded indebtedness and
 1 any property taxes levied as a result of an override of limits on
 2 property tax levies approved by voters pursuant to section 77-3444.

3 Sec. 7. (1) For taxable years beginning or deemed to begin on or
 4 after January 1, 2022, under the Internal Revenue Code of 1986, as
 5 amended, there shall be allowed to each eligible taxpayer a refundable
 6 credit against the income tax imposed by the Nebraska Revenue Act of 1967
 7 or against the franchise tax imposed by sections 77-3801 to 77-3807. The
 8 credit shall be equal to the credit percentage for the taxable year, as
 9 set by the department under subsection (2) of this section, multiplied by
 10 the amount of community college taxes paid by the eligible taxpayer
 11 during such taxable year.

12 (2)(a) For taxable years beginning or deemed to begin during
 13 calendar year 2022, the department shall set the credit percentage so
 14 that the total amount of credits for such taxable years shall be fifty
 15 million dollars;

16 (b) For taxable years beginning or deemed to begin during calendar
 17 year 2023, the department shall set the credit percentage so that the
 18 total amount of credits for such taxable years shall be one hundred
 19 million dollars;

20 (c) For taxable years beginning or deemed to begin during calendar
 21 year 2024, the department shall set the credit percentage so that the
 22 total amount of credits for such taxable years shall be one hundred
 23 twenty-five million dollars;

24 (d) For taxable years beginning or deemed to begin during calendar
 25 year 2025, the department shall set the credit percentage so that the
 26 total amount of credits for such taxable years shall be one hundred fifty
 27 million dollars;

28 (e) For taxable years beginning or deemed to begin during calendar
 29 year 2026, the department shall set the credit percentage so that the
 30 total amount of credits for such taxable years shall be one hundred
 31 ninety-five million dollars; and

1 (f) For taxable years beginning or deemed to begin during calendar
 2 year 2027 and each calendar year thereafter, the department shall set the
 3 credit percentage so that the total amount of credits for such taxable
 4 years shall be the maximum amount of credits allowed in the prior year
 5 increased by the allowable growth percentage.

6 (3) If the community college taxes are paid by a corporation having
 7 an election in effect under subchapter S of the Internal Revenue Code, a
 8 partnership, a limited liability company, a trust, or an estate, the
 9 refundable credit shall be claimed by such corporation, partnership,
 10 limited liability company, trust, or estate.

11 (4) For any fiscal year or short year taxpayer, the credit may be
 12 claimed in the first taxable year that begins following the calendar year
 13 for which the credit percentage was determined. The credit shall be taken
 14 for the community college taxes paid by the taxpayer during the
 15 immediately preceding calendar year.

16 Sec. 8. Original section 77-2715.03, Reissue Revised Statutes of
 17 Nebraska, sections 77-6701 and 77-6702, Revised Statutes Cumulative
 18 Supplement, 2020, and sections 77-2716, 77-2734.02, and 77-6703, Revised
 19 Statutes Supplement, 2021, are repealed.

The fourth committee amendment is as follows:

AM2663

1 Strike the original sections and insert the following new
 2 sections:

3 Sec. 6. Section 77-6703, Revised Statutes Supplement, 2021, is

4 amended to read:

5 77-6703 (1) For taxable years beginning or deemed to begin on or
6 after January 1, 2020, under the Internal Revenue Code of 1986, as
7 amended, there shall be allowed to each eligible taxpayer a refundable
8 credit against the income tax imposed by the Nebraska Revenue Act of 1967
9 or against the franchise tax imposed by sections 77-3801 to 77-3807. The
10 credit shall be equal to the credit percentage for the taxable year, as
11 set by the department under subsection (2) of this section, multiplied by
12 the amount of school district taxes paid by the eligible taxpayer during
13 such taxable year.

14 (2)(a) For taxable years beginning or deemed to begin during
15 calendar year 2020, the department shall set the credit percentage so
16 that the total amount of credits for such taxable years shall be one
17 hundred twenty-five million dollars;

18 (b) For taxable years beginning or deemed to begin during calendar
19 year 2021, the department shall set the credit percentage so that the
20 total amount of credits for such taxable years shall be one hundred
21 twenty-five million dollars plus either (i) the amount calculated for
22 such calendar year under subdivision (3)(b)(ii)(B) of section 77-4602 or
23 (ii) the amount calculated for such calendar year under subdivision (3)
24 (c)(ii)(B) of section 77-4602, whichever is applicable;

25 (c) For taxable years beginning or deemed to begin during calendar
26 year 2022, the department shall set the credit percentage so that the
27 total amount of credits for such taxable years shall be five hundred
1 ~~forty-eight million dollars the maximum amount of credits allowed under~~
2 ~~subdivision (2)(b) of this section plus either (i) the amount calculated~~
3 ~~for such calendar year under subdivision (3)(b)(ii)(B) of section 77-4602~~
4 ~~or (ii) the amount calculated for such calendar year under subdivision~~
5 ~~(3)(c)(ii)(B) of section 77-4602, whichever is applicable;~~

6 (d) For taxable years beginning or deemed to begin during calendar
7 year 2023, the department shall set the credit percentage so that the
8 total amount of credits for such taxable years shall be five hundred
9 ~~sixty million seven hundred thousand dollars the maximum amount of~~
10 ~~credits allowed under subdivision (2)(c) of this section plus either (i)~~
11 ~~the amount calculated for such calendar year under subdivision (3)(b)(ii)~~
12 ~~(B) of section 77-4602 or (ii) the amount calculated for such calendar~~
13 ~~year under subdivision (3)(c)(ii)(B) of section 77-4602, whichever is~~
14 ~~applicable; and~~

15 (e) For taxable years beginning or deemed to begin during calendar
16 year ~~2024~~, the department shall set the credit percentage so that the
17 total amount of credits for such taxable years shall be three hundred
18 ~~seventy-five million dollars; and~~

19 (e) (f) For taxable years beginning or deemed to begin during
20 calendar year ~~2024~~ 2025 and each calendar year thereafter, the department
21 shall set the credit percentage so that the total amount of credits for
22 such taxable years shall be the maximum amount of credits allowed in the
23 prior year increased by the allowable growth percentage.

24 (3) If the school district taxes are paid by a corporation having an
25 election in effect under subchapter S of the Internal Revenue Code, a
26 partnership, a limited liability company, a trust, or an estate, the
27 amount of school district taxes paid during the taxable year may be
28 allocated to the shareholders, partners, members, or beneficiaries in the
29 same proportion that income is distributed for taxable years beginning or
30 deemed to begin before January 1, 2021, under the Internal Revenue Code
31 of 1986, as amended. The department shall provide forms and schedules
1 necessary for verifying eligibility for the credit provided in this
2 section and for allocating the school district taxes paid. For taxable
3 years beginning or deemed to begin on or after January 1, 2021, under the
4 Internal Revenue Code of 1986, as amended, the refundable credit shall be
5 claimed by the corporation having an election in effect under subchapter

6 S of the Internal Revenue Code, the partnership, the limited liability
 7 company, the trust, or the estate that paid the school district taxes.
 8 (4) For any fiscal year or short year taxpayer, the credit may be
 9 claimed in the first taxable year that begins following the calendar year
 10 for which the credit percentage was determined. The credit shall be taken
 11 for the school district taxes paid by the taxpayer during the immediately
 12 preceding calendar year.
 13 (5) For the first taxable year beginning or deemed to begin on or
 14 after January 1, 2021, and before January 1, 2022, under the Internal
 15 Revenue Code of 1986, as amended, for a corporation having an election in
 16 effect under subchapter S of the Internal Revenue Code, a partnership, a
 17 limited liability company, a trust, or an estate that paid school
 18 district taxes in calendar year 2020 but did not claim the credit
 19 directly or allocate such school district taxes to the shareholders,
 20 partners, members, or beneficiaries as permitted under subsection (3) of
 21 this section, there shall be allowed an additional refundable credit.
 22 This credit shall be equal to six percent, multiplied by the amount of
 23 school district taxes paid during 2020 by the eligible taxpayer.
 24 Sec. 8. Original section 77-2715.03, Reissue Revised Statutes of
 25 Nebraska, sections 77-6701 and 77-6702, Revised Statutes Cumulative
 26 Supplement, 2020, and sections 77-2716, 77-2734.02, and 77-6703, Revised
 27 Statutes Supplement, 2021, are repealed.

The fifth committee amendment is as follows:

[AM2660](#) is available in the Bill Room.

The first committee amendment, [AM2658](#), found in this day's Journal, was offered.

Pending.

AMENDMENT(S) - Print in Journal

Senator M. Hansen filed the following amendment to [LB873](#):
[AM2656](#) is available in the Bill Room.

RECESS

At 12:00 p.m., on a motion by Senator Bostelman, the Legislature recessed until 1:00 p.m.

AFTER RECESS

The Legislature reconvened at 1:00 p.m., Senator Hughes presiding.

ROLL CALL

The roll was called and all members were present except Senator Pahls who was excused; and Senators Arch, Bostar, J. Cavanaugh, Flood, Geist, B. Hansen, M. Hansen, Hilkemann, Hunt, Morfeld, Murman, Pansing Brooks, Stinner, Vargus, and Wayne who were excused until they arrive.

GENERAL FILE

LEGISLATIVE BILL 873. The first committee amendment, [AM2658](#), found and considered in this day's Journal, was renewed.

SENATOR ARCH PRESIDING

Senator Jacobson moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 29 ayes, 0 nays, and 20 not voting.

Senator Linehan moved for a call of the house. The motion prevailed with 34 ayes, 3 nays, and 12 not voting.

Senator Linehan requested a roll call vote on the first committee amendment.

Voting in the affirmative, 43:

Aguilar	Clements	Hansen, B.	Linehan	Slama
Albrecht	Day	Hilgers	Lowe	Stinner
Arch	DeBoer	Hilkemann	McCollister	Vargas
Blood	Dorn	Hughes	McDonnell	Walz
Bostar	Erdman	Hunt	McKinney	Wayne
Bostelman	Flood	Jacobson	Moser	Williams
Brandt	Friesen	Kolterman	Murman	Wishart
Brewer	Gragert	Lathrop	Pansing Brooks	
Briese	Halloran	Lindstrom	Sanders	

Voting in the negative, 0.

Present and not voting, 2:

Cavanaugh, J. Cavanaugh, M.

Excused and not voting, 4:

Geist Hansen, M. Morfeld Pahls

The first committee amendment was adopted with 43 ayes, 0 nays, 2 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

The second committee amendment, [AM2661](#), found in this day's Journal, was offered.

SENATOR WILLIAMS PRESIDING

SENATOR HUGHES PRESIDING

Senator Linehan moved for a call of the house. The motion prevailed with 28 ayes, 5 nays, and 16 not voting.

Senator Linehan requested a roll call vote on the second committee amendment.

Voting in the affirmative, 32:

Aguilar	Clements	Hansen, B.	Linehan	Slama
Albrecht	Dorn	Hilgers	Low	Stinner
Arch	Erdman	Hilkemann	McCollister	Wayne
Bostelman	Flood	Hughes	McDonnell	Williams
Brandt	Friesen	Jacobson	Moser	
Brewer	Gragert	Kolterman	Murman	
Briese	Halloran	Lindstrom	Sanders	

Voting in the negative, 12:

Bostar	Day	Hunt	Vargas
Cavanaugh, J.	DeBoer	Lathrop	Walz
Cavanaugh, M.	Hansen, M.	McKinney	Wishart

Present and not voting, 1:

Blood

Excused and not voting, 4:

Geist	Morfeld	Pahls	Pansing Brooks
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The second committee amendment was adopted with 32 ayes, 12 nays, 1 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

Pending.

BILL ON FIRST READING

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

LEGISLATIVE BILL 730A. Introduced by Lindstrom, 18.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 730, One Hundred Seventh Legislature, Second Session, 2022.

MOTION(S) - Print in Journal

Senator M. Cavanaugh filed the following motion to [LB1014](#):

[MO200](#)

Bracket until April 20, 2022.

COMMITTEE REPORT(S)

Nebraska Retirement Systems

The Nebraska Retirement Systems 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.

Richard A. DeFusco - Nebraska Investment Council

Aye: 6. Clements, Kolterman, Lindstrom, McDonnell, Slama, Stinner. Nay:

0. Absent: 0. Present and not voting: 0.

The Nebraska Retirement Systems 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.

James Schulz - Public Employees Retirement Board

Aye: 6. Clements, Kolterman, Lindstrom, McDonnell, Slama, Stinner. Nay:

0. Absent: 0. Present and not voting: 0.

(Signed) Mark Kolterman, Chairperson

GENERAL FILE

LEGISLATIVE BILL 873. The third committee amendment, [AM2662](#), found in this day's Journal, was offered.

SENATOR ARCH PRESIDING

Senator Slama moved for a call of the house. The motion prevailed with 29 ayes, 1 nay, and 19 not voting.

Senator Slama requested a roll call vote on the third committee amendment.

Voting in the affirmative, 44:

Aguilar	Cavanaugh, J.	Halloran	Lathrop	Sanders
Albrecht	Clements	Hansen, B.	Lindstrom	Slama
Arch	Day	Hansen, M.	Linehan	Stinner
Blood	DeBoer	Hilgers	Lowe	Vargas
Bostar	Dorn	Hilkemann	McCollister	Walz
Bostelman	Erdman	Hughes	McDonnell	Wayne
Brandt	Flood	Hunt	McKinney	Williams
Brewer	Friesen	Jacobson	Moser	Wishart
Briese	Gragert	Kolterman	Murman	

Voting in the negative, 0.

Present and not voting, 1:

Cavanaugh, M.

Excused and not voting, 4:

Geist Morfeld Pahls Pansing Brooks

The third committee amendment was adopted with 44 ayes, 0 nays, 1 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

Pending.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 1144. Placed on Select File with amendment.
[ER161](#) is available in the Bill Room.

LEGISLATIVE BILL 707. Placed on Final Reading.
[ST57](#) is available in the Bill Room.

LEGISLATIVE BILL 750. Placed on Final Reading.

LEGISLATIVE BILL 752. Placed on Final Reading.
[ST58](#)

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

1. In the E & R amendments, ER131:
 - a. On page 88, line 9, "27 to 33" has been struck and "30 to 36" inserted;
 - b. On page 92, line 26, "31 and 32" has been struck and "34 and 35" inserted;
 - c. On page 93, lines 3 and 10, "38-2101," has been inserted after "38-318,"; in lines 6 and 13 "38-131," has been inserted after "29-2261,"; and in line 18 "to provide requirements for criminal background checks;" has been inserted after the first semicolon.

LEGISLATIVE BILL 805. Placed on Final Reading.
LEGISLATIVE BILL 805A. Placed on Final Reading.
LEGISLATIVE BILL 809. Placed on Final Reading.
LEGISLATIVE BILL 809A. Placed on Final Reading.
LEGISLATIVE BILL 863. Placed on Final Reading.
LEGISLATIVE BILL 1015. Placed on Final Reading.
LEGISLATIVE BILL 1023. Placed on Final Reading.
LEGISLATIVE BILL 1083. Placed on Final Reading.
LEGISLATIVE BILL 1084. Placed on Final Reading.
LEGISLATIVE BILL 1112. Placed on Final Reading.
LEGISLATIVE BILL 1112A. Placed on Final Reading.

LEGISLATIVE BILL 1273. Placed on Final Reading.

[ST59](#)

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

1. On page 1, line 1, "income taxes" has been struck and "law enforcement officers" inserted.

LEGISLATIVE BILL 1273A. Placed on Final Reading.

(Signed) Terrell McKinney, Chairperson

AMENDMENT(S) - Print in Journal

Senator Wayne filed the following amendment to LB1014:

AM2652

(Amendments to Final Reading copy)

- 1 1. Strike sections 42 and 47 and insert the following new section:
- 2 Sec. 10. All grants utilizing Federal Funds allocated to the State
- 3 of Nebraska from the federal Coronavirus State Fiscal Recovery Fund shall
- 4 meet the eligible uses under the federal American Rescue Plan Act of 2021
- 5 and any relevant guidance on the use of such funds by the United States
- 6 Department of the Treasury.
- 7 Each agency, board, or commission shall complete guidance documents
- 8 related to the distribution of the Federal Funds appropriated pursuant to
- 9 this act within sixty days after the effective date of this act.
- 10 Each such agency, board, or commission shall provide a report to the
- 11 Executive Board of the Legislative Council within ninety days after the
- 12 effective date of this act that outlines whether the projects or
- 13 appropriations assigned to the agency, board, or commission by the
- 14 Legislature comply with the federal act or regulations.
- 15 2. On page 27, lines 30 and 31, strike "41,500,000 38,000,000" and
- 16 insert "21,500,000 18,000,000".
- 17 3. On page 28, line 2, strike "\$41,500,000" and insert
- 18 "\$21,500,000"; in line 4 strike "\$38,000,000" and insert "\$18,000,000";
- 19 and strike lines 6 through 31.
- 20 4. On page 29, line 1, strike "(3)(a)" and insert "(2)(a)"; and in
- 21 line 27 strike "(4)" and insert "(3)".
- 22 5. On page 30, line 7, strike "(5)(a)" and insert "(4)(a)"; and in
- 23 line 31 strike "(6)" and insert "(5)".
- 24 6. On page 31, line 4, strike "(7)" and insert "(6)".
- 25 7. Renumber the remaining sections and correct internal references
- 26 accordingly.

GENERAL FILE

LEGISLATIVE BILL 873. The fourth committee amendment, AM2663, found in this day's Journal, was offered.

Senator Briese moved for a call of the house. The motion prevailed with 29 ayes, 2 nays, and 18 not voting.

Senator Briese requested a roll call vote on the fourth committee amendment.

Voting in the affirmative, 47:

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

Voting in the negative, 0.

Excused and not voting, 2:

Morfeld Pahls

The fourth committee amendment was adopted with 47 ayes, 0 nays, and 2 excused and not voting.

The Chair declared the call raised.

The fifth committee amendment, [AM2660](#), found in this day's Journal, was offered.

SENATOR WILLIAMS PRESIDING

Senator Friesen offered the following motion:

[MO201](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Friesen moved for a call of the house. The motion prevailed with 39 ayes, 4 nays, and 6 not voting.

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

Voting in the affirmative, 43:

Aguilar	Clements	Halloran	Linehan	Slama
Albrecht	Day	Hansen, B.	Lowe	Stinner
Arch	DeBoer	Hilgers	McCollister	Vargas
Blood	Dorn	Hilkemann	McDonnell	Walz
Bostar	Erdman	Hughes	McKinney	Wayne
Bostelman	Flood	Hunt	Moser	Williams
Brandt	Friesen	Jacobson	Murman	Wishart
Brewer	Geist	Kolterman	Pansing Brooks	
Briese	Gragert	Lindstrom	Sanders	

Voting in the negative, 0.

Present and not voting, 4:

Cavanaugh, J. Cavanaugh, M. Hansen, M. Lathrop

Excused and not voting, 2:

Morfeld Pahls

The Friesen motion to invoke cloture prevailed with 43 ayes, 0 nays, 4 present and not voting, and 2 excused and not voting.

The fifth committee amendment, [AM2660](#), found in this day's Journal, was not further considered.

The original undivided committee amendment, [AM2649](#), found on page 1084 and considered in this day's Journal, was adopted with 44 ayes, 0 nays, 3 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 44 ayes, 0 nays, 3 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 1068A. Introduced by Stinner, 48.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1068, One Hundred Seventh Legislature, Second Session, 2022; and to declare an emergency.

LEGISLATIVE BILL 1150A. Introduced by Geist, 25.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to

aid in carrying out the provisions of Legislative Bill 1150, One Hundred Seventh Legislature, Second Session, 2022.

AMENDMENT(S) - Print in Journal

Senator DeBoer filed the following amendment to LB741A:
[AM2650](#)

(Amendments to the DeBoer amendments, AM2628)

1 1. On page 1, line 13, strike "345" and insert "354".

Senator Flood filed the following amendment to LB927:
[AM2677](#)

(Amendments to Standing Committee amendments, AM2023)

1 1. On page 17, after line 29 insert the following new subsection:

2 "(4) Applications seeking state assistance for a sports complex

3 shall not be accepted after December 31, 2023."

4 2. On page 18, after line 20 insert the following new subsection:

5 "(3) For any application for state assistance involving a sports

6 complex:

7 (a) If the political subdivision submitting the application is a

8 city or village, the application shall include a resolution consenting to

9 the proposed project for which state assistance is requested adopted by

10 the governing body of the county in which the proposed project is

11 located; or

12 (b) If the political subdivision submitting the application is a

13 county, the application shall include a resolution consenting to the

14 proposed project for which state assistance is requested adopted by the

15 governing body of any city or village in which the proposed project is

16 located."; in line 21 strike "(3)", show as stricken, and insert "(4)";

17 and in line 24 strike "(4)", show as stricken, and insert "(5)".

GENERAL FILE

LEGISLATIVE BILL 920. Title read. Considered.

Committee [AM2286](#), found on page 880, was offered.

Senator Geist offered her amendment, [AM2337](#), found on page 871, to the committee amendment.

SENATOR HUGHES PRESIDING

SENATOR ARCH PRESIDING

SENATOR HUGHES PRESIDING

SENATOR ARCH PRESIDING

SENATOR WILLIAMS PRESIDING

Pending.

VISITOR(S)

Visitors to the Chamber were high school students from Holdrege High, Holdrege; fourth-grade students from Mockingbird Elementary, Omaha; students and their teachers from Ollie Webb Center, Omaha; Senator Hilkemann's wife, Julie, from Omaha, his daughter, Elizabeth and his grandchildren Emma, Kayla, and Ethan from Chicago; fourth-grade students from Arbor Park Middle School, Blair; and fourth-grade students and their teachers from Ashland Greenwood Elementary, Ashland.

ADJOURNMENT

At 10:01 p.m., on a motion by Senator Kolterman, the Legislature adjourned until 9:00 a.m., Thursday, March 31, 2022.

Patrick J. O'Donnell
Clerk of the Legislature

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, Hilkeemann, 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

FIFTY-THIRD DAY - APRIL 5, 2022**LEGISLATIVE JOURNAL****ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION****FIFTY-THIRD DAY**

Legislative Chamber, Lincoln, Nebraska
Tuesday, April 5, 2022

PRAYER

The prayer was offered by Pastor Johnny Walker, McCook West First Chapel, McCook.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator McDonnell.

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 Senator Pahls who was excused; and Senators Albrecht, Bostar, Day, Morfeld, Pansing Brooks, Vargas, Walz, and Wishart who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the fifty-second day was approved.

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE BILL 29. Placed on Final Reading.
[ST61](#)

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

1. On page 1, line 3, "and" has been struck; and in line 4 "; and to declare an emergency" has been inserted after "sections".

LEGISLATIVE BILL 59. Placed on Final Reading

LEGISLATIVE BILL 75. Placed on Final Reading.

LEGISLATIVE BILL 91. Placed on Final Reading.

LEGISLATIVE BILL 691. Placed on Final Reading.

[ST64](#)

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

1. On page 3, subdivision (3) has been renumbered as subdivision (4) and subdivision (4) has been renumbered as subdivision (3).

LEGISLATIVE BILL 697. Placed on Final Reading.
LEGISLATIVE BILL 697A. Placed on Final Reading.
LEGISLATIVE BILL 698A. Placed on Final Reading.
LEGISLATIVE BILL 705. Placed on Final Reading.
LEGISLATIVE BILL 741A. Placed on Final Reading.
LEGISLATIVE BILL 742. Placed on Final Reading.
LEGISLATIVE BILL 750A. Placed on Final Reading.
LEGISLATIVE BILL 752A. Placed on Final Reading.
LEGISLATIVE BILL 779. Placed on Final Reading.
LEGISLATIVE BILL 795. Placed on Final Reading.
LEGISLATIVE BILL 804A. Placed on Final Reading.
LEGISLATIVE BILL 807. Placed on Final Reading.
LEGISLATIVE BILL 808. Placed on Final Reading.
LEGISLATIVE BILL 824. Placed on Final Reading.
LEGISLATIVE BILL 829. Placed on Final Reading.
LEGISLATIVE BILL 848A. Placed on Final Reading.

LEGISLATIVE BILL 851. Placed on Final Reading.

[ST68](#)

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

1. On page 1, line 3, "a term" has been struck and "terms" inserted.

LEGISLATIVE BILL 855. Placed on Final Reading.

LEGISLATIVE BILL 856. Placed on Final Reading.

[ST67](#)

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

1. On page 1, line 3, "to provide for partnering organizations as prescribed;" has been inserted after the second semicolon.

LEGISLATIVE BILL 905. Placed on Final Reading.
LEGISLATIVE BILL 908. Placed on Final Reading.
LEGISLATIVE BILL 971. Placed on Final Reading.
LEGISLATIVE BILL 983. Placed on Final Reading.

LEGISLATIVE BILL 1007. Placed on Final Reading.

[ST63](#)

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

1. On page 1, the matter beginning with "provide" in line 3 through "match" in line 4 has been struck and "require the use of federal funds for repaying qualified educational debts as prescribed" inserted.

LEGISLATIVE BILL 1014. Placed on Final Reading Second.

[ST62](#)

(Final Reading copy)

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

1. In the Final Reading copy:

- a. On page 3, line 12; page 7, line 20; page 8, lines 9 and 29; page 9, line 17; page 10, line 15; page 11, line 28; page 12, line 17; page 13, line 18; page 14, line 15; page 16, line 31; page 19, line 14; page 20, line 12; page 21, lines 1 and 23; page 22, line 18; page 23, line 25; page 25, line 1; page 27, line 25; page 31, line 9; page 33, lines 3 and 22; page 34, line 15; page 35, line 23; page 37, line 9; and page 38, line 6, "33" has been struck and "34" inserted; and
- b. On page 30, line 27, "(5)" has been struck and "(4)" inserted.

LEGISLATIVE BILL 1024. Placed on Final Reading.

[ST60](#)

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

1. In the Wayne amendment, AM2687, on page 10, line 7, "subsection" has been struck, shown as stricken, and "subdivision" inserted.
2. On page 1, the matter beginning with "municipalities" in line 1 through line 3 and all amendments thereto have been struck and "economic development; to amend section 81-1201.07, Reissue Revised Statutes of Nebraska, sections 81-1237, 81-1238, 81-1239, and 81-1240, Revised Statutes Cumulative Supplement, 2020, and section 84-612, Revised Statutes Supplement, 2021; to adopt the Economic Recovery Act; to create divisions within the Department of Economic Development; to define and redefine terms; to change provisions of the Middle Income Workforce Housing Investment Act; to provide for grants as prescribed; to state legislative intent for appropriations; to transfer funds from the Cash Reserve Fund; to harmonize provisions; to repeal the original sections; and to declare an emergency." inserted.

LEGISLATIVE BILL 1037A. Placed on Final Reading.

LEGISLATIVE BILL 1057. Placed on Final Reading.

LEGISLATIVE BILL 1082. Placed on Final Reading.

[ST65](#)

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

1. On page 1, line 9, "section" has been struck and "sections" inserted.
2. On page 4, line 6, "is" has been struck and "and section 37-201, Revised Statutes Supplement, 2021, are" inserted.

LEGISLATIVE BILL 1092. Placed on Final Reading.

LEGISLATIVE BILL 1124. Placed on Final Reading.

LEGISLATIVE BILL 1137. Placed on Final Reading.

LEGISLATIVE BILL 1147. Placed on Final Reading.

LEGISLATIVE BILL 1148. Placed on Final Reading.

LEGISLATIVE BILL 1165. Placed on Final Reading.

LEGISLATIVE BILL 1178. Placed on Final Reading.

LEGISLATIVE BILL 1184. Placed on Final Reading.

[ST66](#)

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

1. On page 1, lines 4 and 5, "assisting the Nebraska State Patrol" has been struck.

LEGISLATIVE BILL 1204. Placed on Final Reading.

LEGISLATIVE BILL 1241A. Placed on Final Reading.

LEGISLATIVE BILL 873. Placed on Select File with amendment.

[ER167](#)

- 1 On page 1, strike beginning with "sections" in line 1 through
- 2 line 6 and insert "section 77-2715.03, Reissue Revised Statutes of
- 3 Nebraska, sections 77-6701 and 77-6702, Revised Statutes Cumulative
- 4 Supplement, 2020, and sections 77-2716, 77-2734.02, and 77-6703, Revised
- 5 Statutes Supplement, 2021; to change individual and corporate income tax

6 rates; to change provisions relating to the taxation of benefits received
7 under the federal Social Security Act and the calculation of tax credits
8 under the Nebraska Property Tax Incentive Act; to authorize additional
9 tax credits under the Nebraska Property Tax Incentive Act; to define and
10 redefine terms; to harmonize provisions; and to repeal the original
11 sections."

LEGISLATIVE BILL 1068. Placed on Select File with amendment.

[ER163](#)

1 1. On page 1, strike beginning with "the" in line 1 through line 7
2 and insert "public health; to amend sections 71-829 and 71-830, Reissue
3 Revised Statutes of Nebraska; to change provisions of the Behavioral
4 Health Workforce Act relating to legislative intent and the Behavioral
5 Health Education Center; to require the University of Nebraska to conduct
6 an assessment; to harmonize provisions; to repeal the original sections;
7 and to declare an emergency."

LEGISLATIVE BILL 1068A. Placed on Select File.

LEGISLATIVE BILL 977. Placed on Select File with amendment.

[ER165](#)

1 1. On page 1, strike beginning with "appropriations" in line 1
2 through line 3 and insert "infrastructure; to amend sections 81-12,147
3 and 84-612, Revised Statutes Supplement, 2021; to provide for grants from
4 the Site and Building Development Fund; to provide for a transfer from
5 the Cash Reserve Fund; to repeal the original sections; and to declare an
6 emergency."

LEGISLATIVE BILL 977A. Placed on Select File.

LEGISLATIVE BILL 792. Placed on Select File with amendment.

[ER164](#)

1 1. On page 1, strike line 2 and insert "University of Nebraska."

LEGISLATIVE BILL 927. Placed on Select File with amendment.

[ER166](#) is available in the Bill Room.

(Signed) Terrell McKinney, Chairperson

MESSAGE(S) FROM THE GOVERNOR

April 4, 2022

Mr. President, Mr. Speaker, and
Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President and Members of the Legislature:

With this letter, I am returning LB 1011e, LB 1012e, and LB 1013e with my signature but with line-item reductions.

True to our collective character, Nebraskans have remained resilient throughout the COVID19 pandemic. In its wake, hardworking citizens and businesses have leveraged this momentum to accelerate our growth and remind the world why Nebraska is the best place to live, work, and raise a family.

As a result, Nebraska is financially strong.

In February 2022, the Nebraska Economic Forecasting Advisory Board (NEFAB) increased General Fund net tax receipts. Compared to the forecast at the end of the 2021 Legislative Session, Nebraska's tax receipts are expected to exceed forecasts for this current biennium by \$1.07 billion.

By FY 2022-23, tax receipts are anticipated to grow to nearly \$6 billion. There's no clearer sign that we are overtaxing the hardworking people of this great State. In the remaining days of this Legislative session, we have the opportunity to return money to our seniors in the face of rising inflation; our property owners, who are demanding relief year after year; and our hardworking middle-class families and small businesses. We can do this by fully exempting social security from state income taxes, substantially increasing property tax relief, and cutting our high individual and business tax rates.

The biennial budget is already enacted, and the mid-biennium period is intended for minor adjustments.

The budget items contained in these bills raise General Fund appropriations for FY 2022-23 by 5.9 percent. It's important that we strike the appropriate balance between calibrating government spending and returning excess revenue back to the people. That is how we responsibly steward taxpayer money. With that in mind, I've chosen to line-item veto certain spending items that will allow tax relief to succeed.

I have vetoed \$14.8 million of increased future Capitol HVAC project funds. This change still allows for a \$10.5 million increase related to supply chain disruptions and inflation. However, managing the scope and costs of this project will ensure timely completion and restore normal operations within our Capitol building.

My line-item vetoes of General Funds in LB 1011e total approximately \$51.8 million in FY 2022-23. The changes apply to provider rates in four programs within the Department of Health and Human Services (HHS): Behavioral Health Aid, Child Welfare Aid, Developmental Disability Aid, and Medicaid. Also included are line-item vetoes within two programs under the Supreme Court: Juvenile Justice and Probation Community Corrections.

Without alteration to these line-items, these bills usher in \$55 million in new General Fund appropriations related to a 15 percent provider rate increase within HHS and the Supreme Court. These increases are also reliant on \$39.6 million in existing funds within these agencies. These rate increases will cost \$96.2 million in General Funds annually beginning in FY 2023-24.

The ARPA budget bill already proposes significant funding for the Developmental Disability Aid Program (DD) and for the Nursing Home Facilities Program. LB 1014e provides \$95 million, or \$47.5 million to each program, over the next three years. This funding equates to an overall 11.8 percent increase in provider rates in the DD Program and nine percent within the Nursing Home Program in FY 2022-23.

These provider rates increase costs \$190 million out of General Fund appropriation and an additional \$55 million in ARPA appropriations in the next biennium alone.

The Behavioral Health Program portion of this veto includes an earmark reduction of \$6.1 million in General Fund appropriation in FY 2022-23. Also included is a reduction of \$8.9 million in General Fund appropriation and \$15.3 million federal fund appropriation related to the Medicaid Program behavioral health rates. This provides for a five percent increase in addition to the two percent rate increase financed in the biennium budget, allowing for a seven percent total increase, in contrast to the 17 percent provided in the budget.

The reduction to Child Welfare Aid reduces General Fund appropriation by \$8.8 million and \$390,230 in federal fund appropriation. These reductions still allow for a five percent increase, in addition to the planned two percent growth already enacted in the biennium budget for these programs for next year, allowing for a total seven percent increase, in contrast to the 17 percent provided for in this budget.

I have vetoed the \$26 million in General Fund appropriation and \$34.5 million federal fund appropriation in FY 2022-23 in the Medicaid program for nursing facility rates. This would provide for an additional five percent on the existing 3.5 percent increase. Between this budget package and the ARPA bill, nursing homes would be provided \$229 million in total funding from FY 2022-23 to FY 2024-25. An additional \$47.5 million is currently provided for nursing homes in the ARPA bill, which will enable an over five percent rate increase within this program. Between all financing sources, the legislature is financing a rate of 25.7 percent.

I have also vetoed \$6.9 million in General Fund appropriation in FY 2022-23 in the Developmental Disability Aid program and the corresponding federal fund appropriation in the Medicaid Program, which was intended to provide a 15 percent increase in the rate. This is in addition to the 3.6 percent rate increase financed in the biennium budget allowing for 8.6 percent rate increase compared to the 18.6 percent financed in the

budget. An additional \$47.5 million is currently provided in the ARPA bill, which will enable an over five percent rate increase within this program.

My veto within LB 1012e eliminates the transfer of \$14 million from the Governor's Emergency Cash Fund to the Cash Reserve Fund. This balance is necessary for current and past obligations related to decompression units that relieved pressure on hospitals throughout the pandemic. Adequate funding is also necessary to ensure that CARES Act administrative grants can be closed out in compliance with federal guidance.

I am also eliminating the \$15 million transfer from the Prison Overcrowding Contingency Fund to the Vocational and Life Skills Programming Fund within LB 1012e. Additionally, I am eliminating the coinciding \$4.8 million cash fund appropriation and the associated earmarks contained in LB 1011e related to community apprenticeship and restorative justice programs.

While I agree with the premise and goals of vocational and life skills programs, it is completely inappropriate to draw from funding that should be used to replace the deteriorating Nebraska State Penitentiary. This funding has been earmarked for that purpose and is critical to protecting public safety and enhancing the programming within our facilities.

I have also line-item reduced the transfer from the Cash Reserve Fund to the Trail Development and Maintenance Fund, contained in LB 1013e, from \$8.3 million to \$4.15 million in FY 2022-23. These funds are intended to complete the Missouri-Pacific trail between Omaha and Lincoln. The corresponding appropriation contained in LB 1011e is also reduced to match the transfer amount of \$4.15 million cash funds. The business case for this project showed significant economic development tied to the completion of this trail, but private funding must be a part of the solution to balance the substantial pledge of taxpayer dollars.

Additionally, I have line-item vetoed the \$20 million transfer contained in LB 1013e from the Cash Reserve Fund to the Middle Income Workforce Investment Fund in FY 2022-23 and also line-item vetoed the corresponding cash fund appropriation in LB 1011e. Currently, \$40 million of ARPA funds is intended for middle income workforce housing, which is still substantially higher than my recommended \$25 million.

Before General Fund appropriations for FY 2022-23 are increased by 5.9 percent, we must follow through on providing much needed tax relief to the people of Nebraska. I was elected to govern this state under the assurance that I would prioritize limiting government expenditures to ensure money can go back to the hardworking men and women of Nebraska. Many of you were elected to do the same. All of Nebraska stands to benefit if we deliver on this promise.

My vetoes will ensure that Nebraska is poised to provide top-notch government services while keeping tax relief a possibility. In total, these

reductions cut the General Fund appropriation growth by \$51.8 million and limit the growth of state expenditures to 4.8 percent in FY 2022-23. This allows for a two-year average expenditure growth of 3.1 percent.

I urge you to sustain these vetoes.

Sincerely,

Sincerely,
(Signed) Pete Ricketts
Governor

ATTORNEY GENERAL'S OPINION

Opinion 22-004

SUBJECT: Whether LR264CA Violates the Separate-Vote Requirement in Neb. Const. art. XVI, § 1.

REQUESTED BY: Senator Steve Erdman
Nebraska State Legislature

WRITTEN BY: Douglas J. Peterson, Attorney General
L. Jay Bartel, Assistant Attorney General

INTRODUCTION

LR264CA proposes to amend the Nebraska Constitution to provide that, after January 1, 2024, "no taxes other than retail consumption taxes and excise taxes shall be imposed upon the people of Nebraska." You ask us to address whether LR264CA violates the provision in Neb. Const. art. III, § 2, requiring that "[i]nitiative measures shall contain only one subject." Article III, § 2, reserves power to the people to adopt laws and constitutional amendments by initiative petition "independently of the Legislature." Neb. Const. art. III, § 2. As this constitutional provision applies only to exercise of the initiative power by the people, it has no application to a resolution of the Legislature proposing to amend the Constitution. Thus, the "single subject" requirement in art. III, § 2, has no application to LR264CA.

Amendments to the Nebraska Constitution proposed by the Legislature are governed by Neb. Const. art. XVI, § 1. This provision requires that, "[w]hen two or more amendments are submitted at the same election, they shall so be submitted as to enable the electors to vote on each amendment separately." Neb. Const. art XVI, § 1. The Nebraska Supreme Court has held that this "separate-vote" provision "imposes the same requirements as the single subject provision under article III, § 2." *State ex rel. Loontjer v. Gale*, 288 Neb. 973, 993, 853 N.W.2d 494, 509 (2014) ["*Loontjer*"]. Thus, the proper question presented is whether LR264CA

violates the "separate-vote" requirement in Neb. Const. art. XVI, § 1.

ANALYSIS

In *Loontjer*, the Court concluded "that the single subject rule for voter initiatives and the separate-vote provision for the Legislature's proposed amendments should be construed as imposing the same ballot requirements: A voter initiative or a legislatively proposed constitutional amendment may not contain two or more distinct subjects for voter approval in a single vote." 288 Neb. at 998-99, 853 N.W.2d at 512. "Like single subject rules [for constitutional amendments], a separate-vote provision is often said to be aimed at the practice of logrolling. . .," which "is the practice of combining dissimilar propositions into one proposed amendment so that voters must vote for or against the whole package even though they would have voted differently had the propositions been submitted separately." *Id.* at 995, 853 N.W.2d at 510. The test applied to determine if a voter-initiated proposal or a legislatively proposed constitutional amendment contains a single subject is the "natural and necessary connection test." *Id.* at 1001, 853 N.W.2d at 513-14. Under that test, "[w]here the limits of a proposed law, having natural and necessary connection with each other, and, together, are part of one general subject, the proposal is a single and not a dual proposition." *Id.* at 999, 853 N.W.2d at 513 (quoting *Munch v. Tusa*, 140 Neb. 457, 463, 300 N.W. 385, 389 (1941)). "[T]he controlling consideration in determining the singleness of an amendment is its singleness of purpose and the relationship of the details to the general subject." *Id.* (quoting *Munch*, 140 Neb. at 463, 300 N.W. at 389)). "[T]he general subject of a proposed measure is defined by its primary purpose[.]" *Id.* at 1002, 853 N.W.2d at 514.

In Op. Att'y Gen. No. 21-008 (May 4, 2021), we addressed whether a previous proposal to amend the Constitution on related topics violated the separate-vote requirement in art. XVI, § 1. That proposal (LR11CA) prohibited the State and its political subdivisions from imposing taxes on income, property, inheritances, estates, and the retail sale of goods, and required the Legislature to enact a consumption tax on purchases of services and new goods (except fuel). It sought to accomplish the goal by amending several constitutional provisions relating to revenue in Article VIII. It also created a new section providing that: (1) those sections were superseded; (2) the imposition of specific taxes were prohibited; and (3) the Legislature was required to impose a consumption tax. We found that, "[a]t the broadest level, the general subject of LR11CA [was] to prohibit the imposition of income, property, inheritance, estates, and sales taxes and require the Legislature to enact a consumption tax. . .," and that "[t]he primary purpose of the amendment [was] to replace the prohibited forms of taxation with the consumption tax." *Id.* at 5. We concluded that "[t]he superseded provisions of Article VIII, which relate to some of the forms of taxation to be prohibited by the amendment, appear[ed] for the most part to have a natural and necessary connection to the resolution's primary purpose of replacing those taxes with the consumption tax." *Id.* We expressed concern that amendments to two constitutional provisions included in the resolution were "not naturally and necessarily connected to the amendment's primary

purpose. . .," as they did "not seem dependent or contingent on the primary purpose of eliminating certain forms of taxation and replacing them with a consumption tax." *Id.* Finally, we noted a potential logrolling concern because, while the amendment proposed prohibiting several specific types of taxes and replacing them with a consumption tax, "the amendment [did] not provide voters a choice as to whether to eliminate only some of the taxes to be replaced." *Id.* Thus, we pointed out that the prohibition of these specific taxes "could be viewed as distinct subjects which should be separately presented to voters, and the inability of voters to select which taxes would be replaced by the consumption tax [could] be held to constitute impermissible logrolling which violates art. XVI, § 1." *Id.* at 6.

The ballot language for LR264CA states: "A constitutional amendment to provide that, beginning January 1, 2024, no taxes other than retail consumption and excise taxes shall be imposed upon the people of Nebraska." The general subject of LR264CA is the prohibition of all taxes other than retail consumption and excise taxes beginning January 1, 2024. The primary purpose of the amendment is to eliminate all forms of taxation other than retail consumption and excise taxes. The resolution contains a single subject as there is a natural and necessary connection between the authorization of consumption and excise taxes and elimination of all other taxes. Moreover, because "the parts have a natural and necessary connection, there is no logrolling." *State ex rel. McNally v. Evnen*, 307 Neb. 103, 124, 948 N.W.2d 463, 480 (2020). Accordingly, the resolution does not violate the separate-vote requirement in art. XVI, § 1.

We point out, however, that the proposed amendment provides "no taxes other than retail consumption taxes and excise taxes shall be imposed upon the people of Nebraska." (emphasis added). "An excise tax is a tax imposed on the manufacture, sale, or use of goods or on an occupation or activity, and is measured by the extent to which a privilege is exercised." *Banks v. Heineman*, 286 Neb. 390, 396, 837 N.W.2d 70, 76 (2013). In other words, "[a]n excise tax is imposed upon the performance of an act." *Id.* Technically, a retail consumption tax (which we assume refers to a tax on the retail purchase of goods or services) would, like the sales tax, be a form of excise tax. *Woodmen of the World Life Ins. Soc. v. Nebraska Dept. of Revenue*, 299 Neb. 43, 57, 907 N.W.2d 1, 11 (2018) (Sales tax is an excise tax that "is not imposed on the article sold, but, rather, upon the transaction called the sale."). Thus, retail consumption taxes and other excise taxes are not technically "imposed" on people, but on activities. Also, by referring solely to such taxes "imposed upon the people of Nebraska," the amendment might be read to suggest other taxes may be imposed on non-Nebraskans. We suggest striking this language or clarifying its intent. As one option, this could be done through language stating that no governmental entity in the State of Nebraska may impose taxes other than retail consumption taxes or excise taxes.

CONCLUSION

The general subject of LR264CA is the prohibition of all taxes other than retail consumption and excise taxes beginning January 1, 2024.

The primary purpose of the amendment is to eliminate all forms of taxation other than retail consumption and excise taxes. The resolution contains a single subject as there is a natural and necessary connection between the authorization of consumption and excise taxes and elimination of all other taxes. Accordingly, we conclude the resolution does not violate the separate-vote requirement in art. XVI, § 1.

Very truly yours,

(Signed) DOUGLAS J. PETERSON
Attorney General
(Signed) L. Jay Bartel
Assistant Attorney General

pc Patrick J. O'Donnell
Clerk of the Nebraska Legislature

07-1441-30

BILL ON FIRST READING

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

LEGISLATIVE BILL 1010A. Introduced by Geist, 25.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1010, One Hundred Seventh Legislature, Second Session, 2022.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 428. Introduced by Kolterman, 24.

WHEREAS, there are over two hundred seventy-two public libraries in Nebraska and hundreds of libraries in Nebraska schools and institutions of higher education that collectively serve thousands of Nebraskans of all ages; and

WHEREAS, libraries offer tens of thousands of educational science, technology, engineering, and mathematics, cultural, arts, entertainment, family, and business programs a year for children, teens, parents, seniors, and entrepreneurs; and

WHEREAS, libraries support student success by fostering strong early literacy skills, homework assistance, test preparation, coding instruction, creative labs, and twenty-first-century technology literacy that promote critical thinking, problem-solving, and collaboration; and

WHEREAS, libraries support a prosperous, competitive, and healthy economy by offering workforce skills development, career planning programs, job search assistance, and resources for research, supporting

small business creation, and helping people of all ages to develop and grow their knowledge and skills; and

WHEREAS, libraries help families overcome intergenerational poverty by serving as community centers for lifelong learning, by bridging the digital divide with access to public computers, Wi-Fi, and mobile hotspots, and by providing free resources and expert assistance to Nebraskans across the state who want to learn, grow, and develop their skills and creativity; and

WHEREAS, libraries, as one of the most trusted civic institutions, are the hub of numerous partnerships and community investments in all areas of society and amplify the reach, efficiency, and effectiveness of community organizations and government service providers; and

WHEREAS, libraries serve as a key and trusted partner to hundreds of agencies and nonprofits and provide a vital service to Nebraskans in need by helping connect them with resources, health information, and financial assistance which helps Nebraskans lead long, productive, and fulfilling lives; and

WHEREAS, the Nebraska Library Association, established in 1895, has continuously worked on behalf of Nebraskans for one hundred twenty-seven years to carry out a mission of developing and improving library and information services for all residents in the state; and

WHEREAS, the first week of April 2022 has been designated National Library Week, during which federal, state, and local agencies are encouraged to acknowledge and celebrate the important contributions libraries make to communities.

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

1. That the Legislature recognizes April 3 through April 9, 2022, as Library Week in the State of Nebraska.

2. That the Legislature encourages all Nebraskans to learn about the resources, programs, and services available to them through Nebraska libraries and express gratitude to library workers for helping make Nebraska a thriving, educated, interesting, and prosperous state.

Laid over.

SELECT FILE

LEGISLATIVE BILL 873. [ER167](#), found in this day's Journal, was adopted.

Senator M. Hansen withdrew his amendment, [FA168](#), found on page 1006.

Senator M. Hansen withdrew his amendment, [FA169](#), found on page 1007.

Senator DeBoer offered her amendment, [AM2685](#), found on page 1109.

Senator Hunt moved for a call of the house. The motion prevailed with 14 ayes, 3 nays, and 32 not voting.

Senator DeBoer requested a roll call vote on her amendment.

Voting in the affirmative, 18:

Blood	Day	Hunt	Morfeld	Wayne
Bostar	DeBoer	Lathrop	Pansing Brooks	Wishart
Cavanaugh, J.	Flood	McCollister	Vargas	
Cavanaugh, M.	Hansen, M.	McKinney	Walz	

Voting in the negative, 26:

Aguilar	Briese	Gragert	Kolterman	Stinner
Albrecht	Clements	Halloran	Linehan	Williams
Arch	Dorn	Hansen, B.	Lowe	
Bostelman	Erdman	Hilkemann	Murman	
Brandt	Friesen	Hughes	Sanders	
Brewer	Geist	Jacobson	Slama	

Present and not voting, 4:

Hilgers	Lindstrom	McDonnell	Moser
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Excused and not voting, 1:

Pahls

The DeBoer amendment lost with 18 ayes, 26 nays, 4 present and not voting, and 1 excused and not voting.

The Chair declared the call raised.

Senator M. Hansen withdrew and refiled his amendment, [AM2656](#), found on page 1092.

Senator J. Cavanaugh offered the following amendment:

[AM2705](#)

(Amendments to Standing Committee amendments, AM2649)

- 1 1. On page 2, line 17, after the semicolon insert "and"; and strike
- 2 lines 18 through 21 and insert the following new subdivision:
- 3 "(e) 5.99% for taxable years beginning or deemed to begin on or
- 4 after January 1, 2026.".
- 5 2. On page 15, line 13, after the semicolon insert "and"; and strike
- 6 lines 14 through 22 and insert the following new subdivision:
- 7 "(g) For taxable years beginning or deemed to begin on or after
- 8 January 1, 2026, at a rate equal to 5.58 percent on the first one hundred
- 9 thousand dollars of taxable income and at the rate of 5.99 percent on all
- 10 taxable income in excess of one hundred thousand dollars.".

SENATOR WILLIAMS PRESIDING

Pending.

AMENDMENT(S) - Print in Journal

Senator Lowe filed the following amendment to LB792:

AM2700

(Amendments to Standing Committee amendments, AM2430)

1 1. Strike amendment 1 and insert the following new amendment:
 2 1. Strike the original section and insert the following new section:
 3 Section 1. There is hereby appropriated (1) \$3,000,000 from the
 4 General Fund for FY2022-23, (2) \$9,000,000 from the General Fund for
 5 FY2023-24, and (3) \$15,000,000 from the General Fund for FY2024-25 to the
 6 Board of Regents of the University of Nebraska, Program 781, for the
 7 academic programs and operating budget of the University of Nebraska
 8 Medical Center Rural Health Complex on the campus of the University of
 9 Nebraska at Kearney.

Senator Geist filed the following amendment to LB876:

AM2665

(Amendments to E & R amendments, ER162)

1 1. Insert the following new section:
 2 Sec. 22. Section 9-1204, Revised Statutes Supplement, 2021, is
 3 amended to read:
 4 9-1204 (1) Of the tax imposed by section 9-1203, seventy-five
 5 percent shall be remitted to the State Treasurer for credit as follows:
 6 Two and one-half percent to the Compulsive Gamblers Assistance Fund, two
 7 and one-half percent to the General Fund, and seventy percent to the
 8 Property Tax Credit Cash Fund. The remaining twenty-five percent of the
 9 tax shall be remitted to the county treasurer of the county in which the
 10 licensed racetrack enclosure is located to be distributed as provided in
 11 subsection (2) of this section.
 12 (2)(a) The county treasurer shall distribute ten percent of the
 13 amount remitted to such county treasurer pursuant to subsection (1) of
 14 this section to the county agricultural society in the county in which
 15 the licensed racetrack enclosure is located if such county agricultural
 16 society has been formed in the county under the County Agricultural
 17 Society Act, except that funds distributed to the county agricultural
 18 society under this subsection shall not exceed an amount equal to ten
 19 dollars per capita for the county based on the population established by
 20 the later of the most recent federal decennial census or the most recent
 21 American Community Survey 5-Year Estimate by the United States Bureau of
 22 the Census, with the per-capita dollar amount adjusted annually by the
 23 county treasurer using the Producer Price Index by Commodity: Final
 24 Demand: Finished Goods, published by the United States Department of
 25 Labor, Bureau of Labor Statistics, at the beginning of each county
 26 agricultural society fiscal year.
 1 (b) Following any distribution to a county agricultural society
 2 pursuant to subdivision (2)(a) of this section, the county treasurer
 3 shall distribute the remaining funds as follows: (i) (+) If the licensed
 4 racetrack enclosure is located completely within an unincorporated area
 5 of a county, the remaining amount of the twenty-five percent shall be
 6 distributed to the county in which such licensed racetrack enclosure is
 7 located; or (ii) (2) if the licensed racetrack enclosure is located at
 8 least partially within the limits of a city or village in such county,
 9 one-half of the remaining amount of the twenty-five percent shall be
 10 distributed to such county and one-half of the remaining amount of the
 11 twenty-five percent to the city or village in which such licensed
 12 racetrack enclosure is at least partially located.
 13 (3) Any funds distributed pursuant to subdivision (2)(a) of this
 14 section shall be used for the purpose of (a) capital construction on and
 15 renovation, repair, improvement, and maintenance of improvements and real

16 property comprising the county fairgrounds or (b) the purchase of
 17 equipment.
 18 (4) Any county agricultural society which receives a distribution
 19 under this section shall publish a summary of expenditures made with such
 20 distribution each fiscal year on the county agricultural society's
 21 website or in a newspaper of general circulation within such county. The
 22 summary shall be published within six months after the end of the county
 23 agricultural society's fiscal year.
 24 2. Renumber the remaining sections and correct the repealer
 25 accordingly.

BILL ON FIRST READING

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

LEGISLATIVE BILL 1218A. Introduced by Walz, 15.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1218, One Hundred Seventh Legislature, Second Session, 2022.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 429. Introduced by Wayne, 13.

WHEREAS, the 4th grade girls basketball team of St. Cecilia Cathedral School in Omaha consists of members Margo, Olivia, Tinley, Emmi, Bryn, Ella, and Mya; and

WHEREAS, the team had an exceptional basketball season which culminated in winning the 2022 4th grade girls basketball regular season championship; and

WHEREAS, the team won the championship due to the considerable effort and extraordinary teamwork of its members; 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 St. Cecilia Cathedral School 4th grade girls basketball team on having a fantastic season and winning the 2022 4th grade girls basketball regular season championship.

2. That a copy of this resolution be sent to St. Cecilia Cathedral School.

Laid over.

LEGISLATIVE RESOLUTION 430. Introduced by Wayne, 13.

WHEREAS, the 2022 Nebraska School Activities Association Class B Boys State Basketball Championship was held on March 11 at Pinnacle Bank Arena in Lincoln; and

WHEREAS, the Roncalli Catholic High School boys basketball team defeated Skutt Catholic by a score of 52 to 37 and won the 2022 Class B Boys State Basketball Championship; and

WHEREAS, this is the first state title victory for Roncalli Catholic High School since 1996; and

WHEREAS, the leadership of Coach J.J. Stoffel and the efforts of his team contributed to this victory; 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. The Legislature congratulates Roncalli Catholic High School boys basketball team on winning the 2022 Class B Boys State Basketball Championship.

2. That copies of this resolution be sent to Roncalli Catholic High School and Coach Stoffel.

Laid over.

LEGISLATIVE RESOLUTION 431. Introduced by Blood, 3; Cavanaugh, J., 9; Cavanaugh, M., 6; Day, 49; DeBoer, 10; Hansen, M., 26; Hilgers, 21; Hunt, 8; McKinney, 11; Walz, 15.

WHEREAS, Kathy Hoell became the first Executive Director of the Nebraska Statewide Independent Living Council in 2003 and retained that position until her retirement in December 2021.

WHEREAS, Kathy expanded the activities, outreach, and collaboration of the council and focused on promoting independence for people with disabilities. Kathy was a consistent figure at the Legislature and educated senators about disability rights, independent living, and accessibility.

WHEREAS, Kathy gave impetus to legislation improving employment opportunities for persons with disabilities and worked with capitol officials to address accessibility issues at the Legislature. Over her career, Kathy worked with numerous state officials and policymakers to provide a disability perspective in policy making and on a variety of state initiatives.

WHEREAS, Kathy provided numerous trainings and presentations to educate countless Nebraskans with disabilities about advocacy, empowerment, and self-determination.

WHEREAS, Kathy is recognized nationally for her advocacy and leadership. She held a prominent position in the voting rights subcommittee of the National Council on Independent Living and received the 2005 Earl Walden Award for Outstanding Rural Advocacy from the Association of Programs for Rural Independent Living.

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

1. That the Legislature thanks Kathy Hoell for her decades of service to the disability community and to Nebraska.

2. That a copy of this resolution be sent to Kathy Hoell.

Laid over.

LEGISLATIVE RESOLUTION 432. Introduced by Pansing Brooks, 28; DeBoer, 10; Morfeld, 46; Vargas, 7.

WHEREAS, the Lancaster County Adult Drug Court has served over one thousand individuals and has positively impacted the lives of countless family members and friends of each participant as well as the community at large; and

WHEREAS, individuals receive a highly structured, intensively supervised program individualized to address their specific behavioral health needs; and

WHEREAS, all charges are dismissed for individuals who graduate from the program which eases the strain on correctional services and the courts; and

WHEREAS, the Lancaster County Adult Drug Court has been named to the exclusive list of national mentor courts by the National Association of Drug Court Professionals and the United States Department of Justice; and

WHEREAS, the Lancaster County Adult Drug Court will receive an award during a meeting of the Lancaster County Board of Commissioners to celebrate the national distinction of becoming a mentor court; and

WHEREAS, national mentor courts are exemplary treatment courts selected to act as model programs to assist new or growing courts for a three-year term. Such courts follow evidence-based best practices and play a significant role in national training, technical assistance, and research efforts for the nearly four thousand treatment courts that are currently operating nationwide; and

WHEREAS, as part of mentor court network for 2022 through 2024, the Lancaster County Adult Drug Court will help develop, identify, and test national best practices and provide technical assistance to jurisdictions interested in implementing a treatment court, including hosting site visits by team members from other jurisdictions around the country.

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

1. That the Legislature congratulates the Lancaster County Adult Drug Court and all the dedicated individuals involved with the Lancaster County Adult Drug Court on receiving national recognition as a mentor court.

2. That a copy of this resolution be sent to the Lancaster County Adult Drug Court.

Laid over.

LEGISLATIVE RESOLUTION 433. Introduced by Pansing Brooks, 28; DeBoer, 10; Morfeld, 46; Vargas, 7.

WHEREAS, the Lancaster County Veterans Treatment Court honors the service of justice-involved veterans through a rehabilitative program that combines intensive judicial supervision and treatment services to address the service-connected experiences of veterans and enhances public safety by returning law-abiding and productive citizens to the community; and

WHEREAS, the Lancaster County Veterans Treatment Court provides veterans support and rehabilitation through comprehensive substance use and mental health treatment, education, employment, vocational programs, and community resource referrals for housing, childcare, and transportation; and

WHEREAS, all charges are dismissed for veterans who graduate from the program which eases the strain on correctional services and the courts; and

WHEREAS, the Lancaster County Veterans Treatment Court has been named to the exclusive list of national mentor courts by the National Association of Drug Court Professionals and the United States Department of Justice; and

WHEREAS, the Lancaster County Veterans Treatment Court has been named one of just five national veterans mentor courts by Justice for Vets, a division of the National Association of Drug Court Professionals; and

WHEREAS, the Lancaster County Veterans Treatment Court will receive an award during a meeting of the Lancaster County Board of Commissioners to celebrate the national distinction of becoming a mentor court; and

WHEREAS, national mentor courts are exemplary treatment courts selected to act as model programs to assist new or growing courts for a three-year term. Such courts follow evidence-based best practices and play a significant role in national training, technical assistance, and research efforts for the nearly four thousand treatment courts that are currently operating nationwide; and

WHEREAS, as part of the mentor court network for 2022 through 2024, the Lancaster County Veterans Treatment Court will help develop, identify, and test national best practices and provide technical assistance to jurisdictions interested in implementing a treatment court, including hosting site visits by team members from other jurisdictions around the country.

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

1. That the Legislature congratulates the Lancaster County Veterans Treatment Court and all the dedicated individuals involved with the Lancaster County Veterans Treatment Court on receiving national recognition as a mentor court.

2. That a copy of this resolution be sent to the Lancaster County Veterans Treatment Court.

Laid over.

RECESS

At 12:02 p.m., on a motion by Senator Jacobson, the Legislature recessed until 1:00 p.m.

AFTER RECESS

The Legislature reconvened at 1:00 p.m., President Foley presiding.

ROLL CALL

The roll was called and all members were present except Senator Pahls who was excused; and Senators Bostar, Bostelman, Flood, Geist, Hunt, Lindstrom, Morfeld, Pansing Brooks, Slama, Vargas, Wayne, and Wishart who were excused until they arrive.

REFERENCE COMMITTEE REPORT

2022 Resolutions calling for an Interim Study

Bill Number	One Liner	Suggested Committee
LR266	Interim study to examine Nebraska's processes relating to investigation of reports of child abuse or neglect in licensed child care facilities	Health and Human Services
LR276	Interim study to examine circumstances in which conditional use permits can be approved or revoked	Urban Affairs
LR277	Interim study to determine what is needed to develop a plan to protect managed and native Nebraskan pollinators from current harmful practices	Agriculture
LR279	Interim study to examine ways to further support the mission of the office of Public Counsel	Executive Board
LR294	Interim study to examine the public employees' retirement systems administered by the Public Employees Retirement Board	Nebraska Retirement Systems
LR295	Interim study to monitor underfunded defined benefit plans administered by the political subdivisions as required by section 13-2402	Nebraska Retirement Systems
LR305	Interim study to examine issues relating to	Executive Board

	the personnel policies of the Legislature	
LR311	Interim study to examine issues relating to workplace policies of the Legislature	Executive Board
LR327	Interim study to examine issues relating to severe maternal morbidity	Health and Human Services
LR328	Interim study to determine whether rules and regulations guiding the inspection and permitting of mobile food units are being applied consistently between jurisdictions	Agriculture
LR330	Interim study to determine what percentage should be used to forecast revenue when preparing fiscal notes and determine if state agencies or political subdivisions should use the same percentage	Appropriations
LR333	Interim study to examine modernization of Nebraska's tax system with the goal of facilitating economic growth	Revenue
LR337	Interim study to examine laws relating to brand registration of alcoholic beverages of all types and varieties	General Affairs
LR338	Interim study to examine all licenses issued by the State Racing and Gaming Commission	General Affairs
LR339	Interim study to examine matters relating to cemeteries in Nebraska	General Affairs
LR340	Interim study to examine issues within the jurisdiction of the General Affairs Committee	General Affairs
LR347	Interim study to examine the statutes governing metropolitan utilities districts	Urban Affairs
LR348	Interim study to review the occupational regulations for master plumbers	Urban Affairs
LR349	Interim study to examine issues within the jurisdiction of the Urban Affairs Committee	Urban Affairs
LR351	Interim study to evaluate the feasibility of the construction, operation, and maintenance of public river port facilities on Nebraska waterways	Transportation and Telecommunications
LR354	Interim study to examine the educational	Education

	experiences and outcomes of youth in foster care	
LR355	Interim study to examine and review Chapter 70 of the Nebraska Statutes relating to power districts and corporations	Natural Resources
LR359	Interim study to examine whether section 79-458, which authorizes certain property holders to attach their property to a different school district through a freeholder petition, should be updated or eliminated	Education
LR360	Interim study to examine eligibility, enrollment, application, renewal, and redetermination practices for the medical assistance program and the Children's Health Insurance Program under the Department of Health and Human Services	Health and Human Services
LR361	Interim study to examine insurance coverage for lung cancer screenings and make recommendations	Banking, Commerce and Insurance
LR362	Interim study to determine the water quality and quantity benefits and costs of permeable surfacing	Natural Resources
LR363	Interim study to examine the reprocessing and recycling of spent nuclear fuel	Natural Resources
LR364	Interim study to explore the establishment of an insurtech regulatory sandbox	Banking, Commerce and Insurance
LR365	Interim study to review the operations of the Department of Motor Vehicles	Transportation and Telecommunications
LR366	Interim study to examine at least three of the current certified community behavioral health clinics established through the federal Substance Abuse and Mental Health Services Administration's demonstration program	Health and Human Services
LR367	Interim study to examine home visitation for families in Nebraska	Health and Human Services
LR368	Interim study to identify deficiencies and inefficiencies in Nebraska public policy surrounding disability-related service	Health and Human Services

	provision	
LR370	Interim study to examine the coordination and administration of boundary layers in Nebraska	Executive Board
LR371	Interim study to review the requirements regarding occupational regulation as administered by the Department of Banking and Finance	Banking, Commerce and Insurance
LR372	Interim study to examine whether the Real Property Appraiser Act should be updated	Banking, Commerce and Insurance
LR373	Interim study to examine the feasibility of developing a policy and implementing a statewide process for awarding college credit in specific programs of study across all public educational institutions for military education and training	Education
LR374	Interim study to create a select interim committee of the Legislature known as the State and Local School Aid Committee	Executive Board
LR375	Interim study to examine issues within the jurisdiction of the Judiciary Committee	Judiciary
LR376	Interim study to determine whether reports of the resistance of public agencies to fulfill public record requests are representative of a broad statewide issue or represent isolated incidents	Government, Military and Veterans Affairs
LR377	Interim study to examine statutes relating to the incorporation of new municipalities	Urban Affairs
LR378	Interim study to examine the process for determining the rate of reimbursement for the child care subsidy program	Health and Human Services
LR379	Interim study to examine fentanyl distribution in Nebraska	Judiciary
LR380	Interim study to examine a potential limit on taxation of public and private pension income	Revenue
LR383	Interim study to explore best practices for the implementation of a consumption tax in Nebraska	Revenue
LR384	Interim study to investigate laws and	Judiciary

	procedures pertaining to the use of emergency protective custody	
LR386	Interim study to examine the Nebraska Juvenile Code	Judiciary
LR387	Interim study to review the statutes relating to homestead exemptions	Revenue
LR388	Interim study to examine the rating and combined rating system that the Department of Veterans' Affairs uses to determine compensation payments and access to other benefits	Government, Military and Veterans Affairs
LR389	Interim study to examine how information on all Parkinson's disease cases can best be collected and reported to the Parkinson's Disease Registry	Health and Human Services
LR390	Interim study to review the current medicaid reimbursement model and processes for Nebraska's critical access hospitals	Health and Human Services
LR392	Interim study to examine issues within the jurisdiction of the Transportation and Telecommunications Committee	Transportation and Telecommunications
LR393	Interim study to examine the committee hearing procedures of the Legislature	Executive Board
LR394	Interim study to examine potential changes to Nebraska's net metering policy	Natural Resources
LR395	Interim study to examine the judicial inefficiency and increased costs to the state arising from Nebraska's four separate statutory based mechanisms for postconviction relief	Judiciary
LR396	Interim study to examine the funding needs of the Commission on Public Advocacy and to find a long-term funding solution	Appropriations
LR397	Interim study to examine the needs, workforce, and funding streams for mental health care across Nebraska	Health and Human Services
LR398	Interim study to examine issues related to the funding of emergency communications in Nebraska	Transportation and Telecommunications

LR399	Interim study to review and identify what judicial resources are necessary to expand problem-solving courts across the state	Judiciary
LR400	Interim study to examine current farm economic conditions in Nebraska and how best to aid and support beginning farmers and livestock and dairy producers in the state	Agriculture
LR401	Interim study to review the administration of the Nebraska Broadband Bridge Act	Transportation and Telecommunications
LR402	Interim study to assess the ranking criteria and practices of the Nebraska Environmental Trust	Natural Resources
LR403	Interim study to examine the use of no-knock warrants	Judiciary
LR404	Interim study to examine the racial and ethnic disproportionality within Nebraska's child welfare system	Health and Human Services
LR405	Interim study to examine the operation of the statewide financial systems by the Accounting Administrator of the accounting division of the Dept. of Administrative Services and ensure that internal controls are properly implemented	Appropriations
LR406	Interim study to examine the implementation of the office of Chief Information Officer's information technology consolidation initiative to ensure efficient use of Nebraska taxpayer resources	Appropriations
LR407	Interim study to examine how Nebraska is utilizing Temporary Assistance for Needy Families funds	Health and Human Services
LR408	Interim study to examine ways to grow and diversify Nebraska's health care workforce	Health and Human Services
LR409	Interim study to examine the Department of Health and Human Services' capacity and resources to treat individuals who have been committed to the department for treatment to restore competency to stand trial	Health and Human Services

LR410	Interim study to examine the long-term fiscal sustainability of the Nebraska Health Care Cash Fund	Appropriations
LR411	Interim study to examine issues within the jurisdiction of the Health and Human Services Committee	Health and Human Services
LR412	Interim study to examine if statutory rights and protections relating to victims and survivors are adequate	Judiciary
LR413	Interim study to evaluate the potential transition to a statewide professional license for heating, ventilation, and air conditioning technicians	Urban Affairs
LR414	Interim study to examine programming, opportunities, and interventions for students attending an alternative school, class, or educational program in Nebraska	Education
LR415	Interim study to examine the lack of access to quality and affordable health insurance for Nebraska's early childhood workforce and potential solutions	Health and Human Services
LR416	Interim study to examine the risks and potential adverse economic consequences to the State of Nebraska and its residents from the transfer of business interests from one generation to the next	Revenue
LR417	Interim study to review the current medicaid reimbursement rates and processes for difficult to place patients in Nebraska's acute care hospitals	Health and Human Services
LR418	Interim study to examine the sales tax system in Nebraska with respect to exemptions provided to various industries	Revenue
LR419	Interim study to examine the existing federal rule process for nuclear generation license renewal applications	Natural Resources
LR420	Interim study to examine the education process and procedures for serving students with special needs	Education
LR421	Interim study to examine property rights	Judiciary

	issues	
LR422	Interim study to examine issues related to the Middle Income Workforce Housing Investment Act	Urban Affairs
LR423	Interim study to determine whether the current arrangement of court appointment of attorneys is appropriate	Judiciary
LR424	Interim study to research the topic of home equity theft	Judiciary
LR425	Interim study to examine the operational and statutory needs of law enforcement departments of the University of Nebraska	Judiciary

(Signed) Dan Hughes, Chairperson
Executive Board

SELECT FILE

LEGISLATIVE BILL 873. Senator J. Cavanaugh renewed his amendment, [AM2705](#), found in this day's Journal.

Senator J. Cavanaugh moved for a call of the house. The motion prevailed with 16 ayes, 7 nays, and 26 not voting.

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

Voting in the affirmative, 14:

Blood	Cavanaugh, M.	Hansen, M.	McCollister	Vargas
Bostar	Day	Hunt	McKinney	Walz
Cavanaugh, J.	DeBoer	Lathrop	Morfeld	

Voting in the negative, 28:

Aguilar	Briese	Gragert	Jacobson	Murman
Albrecht	Clements	Halloran	Kolterman	Sanders
Arch	Dorn	Hansen, B.	Lindstrom	Slama
Bostelman	Erdman	Hilgers	Linehan	Williams
Brandt	Flood	Hilkemann	Lowe	
Brewer	Friesen	Hughes	Moser	

Present and not voting, 2:

McDonnell Stinner

Excused and not voting, 5:

Geist Pahls Pansing Brooks Wayne Wishart

The J. Cavanaugh amendment lost with 14 ayes, 28 nays, 2 present and not voting, and 5 excused and not voting.

The Chair declared the call raised.

Senator M. Hansen reoffered his amendment, [AM2656](#), found on page 1135.

Senator M. Hansen withdrew his amendment.

Senator Wishart offered the following amendment:

[AM2701](#)

(Amendments to Standing Committee amendments, AM2649)

1 1. On page 2, strike lines 9 through 21 and insert "For taxable
 2 years beginning or deemed to begin on or after January 1, 2014, and
 3 before January 1, 2025, the top rate shall be 6.84%. For taxable years
 4 beginning or deemed to begin on or after January 1, 2025, the top rate
 5 shall be determined on an annual basis as follows:
 6 (a) On or before July 15, 2024, and on or before July 15 of each
 7 year thereafter, the Tax Commissioner shall determine (i) whether actual
 8 General Fund net receipts for the most recently completed fiscal year
 9 increased or decreased when compared to actual General Fund net receipts
 10 for the prior fiscal year and (ii) the percentage of such increase or
 11 decrease;
 12 (b) If the determination under subdivision (2)(a) of this section
 13 shows that actual General Fund net receipts increased by any amount,
 14 stayed the same, or decreased by less than three percent, the Tax
 15 Commissioner shall reduce the top rate in effect on the date of such
 16 determination in accordance with the schedule provided in subdivision (2)
 17 (c) of this section. Such reduced rate shall apply to taxable years
 18 beginning or deemed to begin on or after the immediately following
 19 January 1. If the determination under subdivision (2)(a) of this section
 20 shows that actual General Fund net receipts decreased by three percent or
 21 more, the reductions to the top rate described in this subdivision shall
 22 be suspended until a subsequent determination under subdivision (2)(a) of
 23 this section shows that actual General Fund net receipts increased, at
 24 which point such reductions shall resume as described in this
 25 subdivision. In no case shall the top rate be reduced to less than 5.84%;
 26 and
 1 (c) The reductions to the top rate described in subdivision (2)(b)
 2 of this section shall occur according to the following schedule:
 3 (i) For the first time that the reduction occurs, the top rate shall
 4 be reduced from 6.84% to 6.64%;
 5 (ii) For the second time that the reduction occurs, the top rate
 6 shall be reduced from 6.64% to 6.44%;
 7 (iii) For the third time that the reduction occurs, the top rate
 8 shall be reduced from 6.44% to 6.24%;
 9 (iv) For the fourth time that the reduction occurs, the top rate
 10 shall be reduced from 6.24% to 6.00%; and
 11 (v) For the fifth time that the reduction occurs, the top rate shall
 12 be reduced from 6.00% to 5.84%."

Senator Wishart withdrew her amendment.

Senator J. Cavanaugh offered the following amendment:

[AM2706](#)

(Amendments to Standing Committee amendments, AM2649)

- 1 1. On page 2, line 11, after the semicolon insert "and"; and strike
 2 lines 12 through 21 and insert the following new subdivision:
 3 "(b) 6.64% for taxable years beginning or deemed to begin on or
 4 after January 1, 2023."
 5 2. On page 15, line 3, after the semicolon insert "and"; and strike
 6 lines 4 through 22 and insert the following new subdivision:
 7 "(e) For taxable years beginning or deemed to begin on or after
 8 January 1, 2024, at a rate equal to 5.58 percent on the first one hundred
 9 thousand dollars of taxable income and at the rate of 6.50 percent on all
 10 taxable income in excess of one hundred thousand dollars."
 11 3. On page 20, strike lines 8 through 31 and insert the following
 12 new subsection:
 13 "(2) For taxable years beginning or deemed to begin during calendar
 14 year 2022 and each calendar year thereafter, the department shall set the
 15 credit percentage so that the total amount of credits for such taxable
 16 years shall be fifty million dollars."
 17 4. On page 21, strike line 1.

Senator Friesen offered the following motion:

[MO203](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Friesen moved for a call of the house. The motion prevailed with 23 ayes, 4 nays, and 22 not voting.

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

Voting in the affirmative, 43:

Aguilar	Clements	Halloran	Lowe	Slama
Albrecht	Day	Hansen, B.	McCollister	Stinner
Arch	DeBoer	Hilgers	McDonnell	Vargas
Blood	Dorn	Hilkemann	McKinney	Walz
Bostar	Erdman	Hughes	Morfeld	Wayne
Bostelman	Flood	Jacobson	Moser	Williams
Brandt	Friesen	Kolterman	Murman	Wishart
Brewer	Geist	Lindstrom	Pansing Brooks	
Briese	Gragert	Linehan	Sanders	

Voting in the negative, 0.

Present and not voting, 4:

Cavanaugh, J. Cavanaugh, M. Hansen, M. Hunt

Excused and not voting, 2:

Lathrop Pahls

The Friesen motion to invoke cloture prevailed with 43 ayes, 0 nays, 4 present and not voting, and 2 excused and not voting.

The J. Cavanaugh amendment lost with 14 ayes, 29 nays, 4 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

The Chair declared the call raised.

AMENDMENT(S) - Print in Journal

Senator Blood filed the following amendment to [LB876](#):
[AM2666](#)

(Amendments to E & R amendments, ER162)

1 1. On page 7, strike beginning with "which" in line 19 through the
2 fourth comma in line 20.

MOTION(S) - Override Veto on LB1073

Senator Wayne offered his motion, [MO195](#), found on page 1082, that LB1073 becomes law notwithstanding the objections of the Governor.

SENATOR HUGHES PRESIDING

Senator Wayne moved for a call of the house. The motion prevailed with 33 ayes, 6 nays, and 10 not voting.

Senator Wayne requested a roll call vote, in reverse order, on the motion to override the Governor's veto.

Whereupon the President stated: "The question shall be, 'Shall the bill pass notwithstanding the objections of the Governor?'"

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	Erdman	Lathrop	Pansing Brooks	Wishart
Cavanaugh, J.	Gragert	Lindstrom	Stinner	

Voting in the negative, 16:

Albrecht	Geist	Hughes	Moser
Bostelman	Halloran	Jacobson	Murman
Clements	Hansen, B.	Linehan	Sanders
Flood	Hilgers	Lowe	Slama

Present and not voting, 3:

Arch Brewer Friesen

Excused and not voting, 1:

Pahls

Having failed to receive a constitutional three-fifths majority voting in the affirmative, the bill failed to pass notwithstanding the objections of the Governor.

MOTION(S) - Print in Journal

Senator M. Cavanaugh filed the following motion to LB1068:
[MO204](#)
Bracket until April 20, 2022.

Senator M. Cavanaugh filed the following motion to LB344:
[MO206](#)
Bracket until April 20, 2022.

Senator M. Cavanaugh filed the following motion to LB1023:
[MO207](#)
Bracket until April 20, 2022.

Senator M. Cavanaugh filed the following motion to LB1015:
[MO208](#)
Bracket until April 20, 2022.

Senator M. Cavanaugh filed the following motion to LB848:
[MO209](#)
Bracket until April 20, 2022.

Senator M. Cavanaugh filed the following motion to LB809:
[MO210](#)
Bracket until April 20, 2022.

Senator M. Cavanaugh filed the following motion to LB805:
[MO211](#)
Bracket until April 20, 2022.

Senator M. Cavanaugh filed the following motion to LB698:
[MO212](#)
Bracket until April 20, 2022.

Senator M. Cavanaugh filed the following motion to LB1261:
[MO213](#)
Bracket until April 20, 2022.

Senator M. Cavanaugh filed the following motion to [LB1010](#):
[MO214](#)
Bracket until April 20, 2022.

Senator M. Cavanaugh filed the following motion to [LB598](#):
[MO215](#)
Bracket until April 20, 2022.

Senator M. Cavanaugh filed the following motion to [LB1158](#):
[MO216](#)
Bracket until April 20, 2022.

**APPROPRIATIONS COMMITTEE REPORT(S)
ON LB 1011, LB 1012, and LB 1013**

Pursuant to Rule 6, Section 14, the Appropriations Committee has examined the Governor's line item vetoes contained in LB1011, LB1012, and LB1013.

By a unanimous vote, the Appropriations Committee recommends that LB 1011 become law notwithstanding the objections of the Governor.

By a unanimous vote, the Appropriations Committee recommends override of the veto in Section 28 of LB 1012, transfer of funds from the Prison Overcrowding Contingency Fund to the Vocational and Life Skills Programming Fund.

By a majority vote (8-1), the Appropriations Committee recommends that LB 1013 become law notwithstanding the objections of the Governor.

(Signed) John Stinner, Chairperson

MOTION(S) - Print in Journal

Senator Stinner filed the following motion to [LB1011](#):
[MO217](#)
That the bill becomes law notwithstanding the objections of the Governor.

Senator Stinner filed the following motion to [LB1012](#):
[MO218](#)
To override the Governor's line-item veto contained in the following section of the bill: Section 28, transfer of funds from the Prison Overcrowding Contingency Fund to the Vocational and Life Skills Programming Fund.

Senator Stinner filed the following motion to [LB1013](#):
[MO219](#)
That the bill becomes law notwithstanding the objections of the Governor.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 434. Introduced by Cavanaugh, J., 9; Blood, 3; Cavanaugh, M., 6; Day, 49; DeBoer, 10; Hunt, 8; Lathrop, 12; Linehan, 39; McDonnell, 5; McKinney, 11; Vargas, 7; Wayne, 13.

WHEREAS, the 2022 Creighton University Bluejays women's basketball team reached the Elite Eight in the National Collegiate Athletic Association Division I Women's Basketball Tournament for the first time in program history and became only the fourth double-digit seed to advance to the Elite Eight in the history of the tournament; and

WHEREAS, the tenth seed Bluejays defeated the seventh seed Colorado, the second seed Iowa, and the third seed Iowa State before falling to the first seed South Carolina in the Greensboro Regional final; and

WHEREAS, Creighton sophomore Lauren Jensen, who hit a game winning three-point shot against Iowa, was named to the All-Tournament Team for the Greensboro Regional; and

WHEREAS, Creighton sophomore Emma Ronsiek earned first-team All-Big East honors and Creighton sophomore Morgan Maly received the Big East Sixth-Woman Award; and

WHEREAS, Creighton seniors Tatum Rembao, Chloe Dworak, and Payton Brotzki completed their successful basketball careers at Creighton; and

WHEREAS, Head Coach Jim Flanery completed his twentieth season as head coach of the Bluejays and led the team to a 23-10 record and a third-place finish in the Big East Conference.

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

1. That the Legislature congratulates the Creighton University Bluejays women's basketball team on their historic season and reaching the Elite Eight.
2. That copies of this resolution be sent to Head Coach Jim Flanery and the Creighton University Bluejays women's basketball team.

Laid over.

GENERAL FILE

LEGISLATIVE RESOLUTION 264CA. Read. Considered.

SENATOR ARCH PRESIDING

Senator M. Hansen withdrew his amendment, [FA181](#), found on page 1007.

SENATOR HUGHES PRESIDING**SENATOR WILLIAMS PRESIDING**

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

Senator Erdman requested a roll call vote on the advancement of the resolution.

Voting in the affirmative, 19:

Albrecht	Cavanaugh, M.	Halloran	Hunt	Moser
Bostelman	Clements	Hansen, B.	Lathrop	Murman
Brewer	Geist	Hilgers	Lowe	Wayne
Briese	Gragert	Hilkemann	McDonnell	

Voting in the negative, 14:

Aguilar	DeBoer	Friesen	McCollister	Vargas
Blood	Dorn	Kolterman	Pansing Brooks	Williams
Bostar	Flood	Linehan	Slama	

Present and not voting, 13:

Arch	Erdman	Jacobson	Sanders	Wishart
Brandt	Hansen, M.	McKinney	Stinner	
Cavanaugh, J.	Hughes	Morfeld	Walz	

Excused and not voting, 3:

Day	Lindstrom	Pahls
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Failed to advance to Enrollment and Review Initial with 19 ayes, 14 nays, 13 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

EXPLANATION(S) OF VOTE(S)

Had I been present, I would have voted "aye" on final passage of LBs 1012e, 1011e, and 1013e.

(Signed) Suzanne Geist

BILLS ON FIRST READING

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

LEGISLATIVE BILL 922A. 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 922, One Hundred Seventh Legislature, Second Session, 2022.

LEGISLATIVE BILL 920A. 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 920, One Hundred Seventh Legislature, Second Session, 2022.

LEGISLATIVE BILL 1130A. Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1130, One Hundred Seventh Legislature, Second Session, 2022.

LEGISLATIVE BILL 921A. 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 921, One Hundred Seventh Legislature, Second Session, 2022.

LEGISLATIVE BILL 1144A. Introduced by Friesen, 34.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1144, One Hundred Seventh Legislature, Second Session, 2022; and to declare an emergency.

AMENDMENT(S) - Print in Journal

Senator Stinner filed the following amendment to LB1068:
[AM2695](#)

(Amendments to AM2564)

1 1. On page 3, line 28, strike "public".

Senator Stinner filed the following amendment to LB1068A:
[AM2708](#)

1 1. Insert the following new section:

2 Sec. 2. There is hereby appropriated (1) \$-0- from Federal Funds
3 for FY2021-22 and (2) \$1,000,000 from Federal Funds for FY2022-23 to the
4 Board of Regents of the University of Nebraska, for Program 781, to aid
5 in carrying out the provisions of Legislative Bill 1068, One Hundred
6 Seventh Legislature, Second Session, 2022. The Federal Funds appropriated
7 in this section are from the funds allocated to the State of Nebraska
8 from the federal Coronavirus State Fiscal Recovery Fund pursuant to the
9 federal American Rescue Plan Act of 2021, 42 U.S.C. 802, as amended.
10 2. Renumber the remaining section accordingly.

Senator Wayne filed the following amendment to LB917:
[AM2587](#)

(Amendments to Final Reading copy)

1 1. On page 2, line 12, strike "twenty-five" and insert "ten".

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE BILL 873. Placed on Final Reading.

(Signed) Terrell McKinney, Chairperson

GENERAL FILE

LEGISLATIVE BILL 920. Considered.

Committee [AM2286](#), found on page 880 and considered on page 1100, was renewed.

Senator Geist renewed her amendment, [AM2337](#), found on page 871 and considered on page 1100, to the committee amendment.

SENATOR ARCH PRESIDING

SENATOR HUGHES PRESIDING

Senator Slama offered the following motion:

[MO220](#)

Bracket until April 20, 2022.

SENATOR WILLIAMS PRESIDING

Pending.

MOTION(S) - Print in Journal

Senator M. Cavanaugh filed the following motion to LB902:

[MO205](#)

Bracket until April 20, 2022.

AMENDMENT(S) - Print in Journal

Senator M. Cavanaugh filed the following amendment to LB1023:

[AM2691](#)

(Amendments to Final Reading copy)

1 1. On page 7, line 1, after "be" insert "(1) acquired by the state
2 or a political subdivision of the state through the exercise of the power
3 of eminent domain or (2)".

VISITOR(S)

Visitors to the Chamber were Tamika Eastman from Sioux County High School, Harrison; fourth-grade students and their teachers from Lincoln Christian, Lincoln; fourth- and fifth-grade students and their teachers from

St. Cecilia Cathedral Elementary, Omaha; fourth-grade students and their teachers from St. John's Elementary, Lincoln; fourth-grade students from St. John Lutheran, Battle Creek; students from Aurora Middle School, Aurora; and fourth-grade students from St. Paul's Lutheran, Beatrice.

ADJOURNMENT

At 9:59 p.m., on a motion by Senator Linehan, the Legislature adjourned until 9:00 a.m., Wednesday, April 6, 2022.

Patrick J. O'Donnell
Clerk of the Legislature

FIFTY-FOURTH DAY - APRIL 6, 2022**LEGISLATIVE JOURNAL****ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION****FIFTY-FOURTH DAY**

Legislative Chamber, Lincoln, Nebraska
Wednesday, April 6, 2022

PRAYER

The prayer was offered by Pastor William Miller, Faith Lutheran Church, Lincoln.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator McDonnell.

ROLL CALL

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

The roll was called and all members were present except Senator Pahls who was excused; and Senators Bostar, Briese, Day, B. Hansen, Lindstrom, McCollister, Morfeld, Pansing Brooks, Vargas, and Wayne who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the fifty-third day was approved.

GENERAL FILE

LEGISLATIVE BILL 920. Considered.

Committee [AM2286](#), found on page 880 and considered on pages 1100 and 1157, was renewed.

Senator Geist renewed her amendment, [AM2337](#), found on page 871 and considered on pages 1100 and 1157, to the committee amendment.

Senator Slama withdrew her motion, [MO220](#), found and considered on page 1157, to bracket.

Senator Slama offered the following motion:

[MO221](#)

Bracket until April 20, 2022.

SENATOR WILLIAMS PRESIDING

Senator Lathrop offered the following motion:

[MO222](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Lathrop moved for a call of the house. The motion prevailed with 30 ayes, 6 nays, and 13 not voting.

Senator Lathrop requested a roll call vote on the motion to invoke cloture.

Voting in the affirmative, 26:

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

Voting in the negative, 18:

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

Present and not voting, 2:

Briese Friesen

Excused and not voting, 3:

Bostar Lindstrom Pahls

The Lathrop motion to invoke cloture failed with 26 ayes, 18 nays, 2 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

AMENDMENT(S) - Print in Journal

Senator Hunt filed the following amendments to [LB933](#):

[FA200](#)

Strike the Enacting Clause.

[FA201](#)

Strike page 3 lines 24-26.

[FA202](#)

Strike Section 9 and renumber accordingly.

GENERAL FILE

LEGISLATIVE BILL 933. Title read. Considered.

Senator Hunt requested a point of order that her motion to indefinitely postpone LB933 should be considered prior to the bill title being read.

Since Senator Hunt's motion did not reference Rule 6, Sec. 3(f), the point of order was not in order.

Senator Hunt offered her motion, [MO116](#), found on page 267, to indefinitely postpone.

SENATOR HUGHES PRESIDING

Pending.

RECESS

At 12:00 p.m., on a motion by Senator Aguilar, the Legislature recessed until 1:00 p.m.

AFTER RECESS

The Legislature reconvened at 1:00 p.m., Senator Arch presiding.

ROLL CALL

The roll was called and all members were present except Senator Pahls who was excused; and Senators Bostelman, Briese, J. Cavanaugh, Dorn, B. Hansen, Hilkemann, Kolterman, Lathrop, Lindstrom, McCollister, Moser, Murman, Pansing Brooks, Slama, Stinner, and Wayne who were excused until they arrive.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 435. Introduced by Wishart, 27.

WHEREAS, the 2022 Nebraska State Debate Championships were held March 18 through March 19 in Lincoln; and

WHEREAS, the Lincoln Southwest High School debate team competed in the 2022 Nebraska State Debate Championships and won the Team Sweepstakes State Championship; and

WHEREAS, this was the first Team Sweepstakes State Championship for the Lincoln Southwest High School debate team; and

WHEREAS, Loc Nguyen and Anton Angeletti won the State Debate Championship in Public Forum; and

WHEREAS, the leadership of Coach Toni Heimes contributed to the success of the team; 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 Lincoln Southwest High School debate Team on winning the 2022 Nebraska State Debate Team Sweepstakes Championship and Loc Nguyen and Anton Angeletti on winning the 2022 Nebraska State Debate Public Forum Championship.

2. That copies of this resolution be sent to the Lincoln Southwest High School, Coach Toni Heimes, Loc Nguyen, and Anton Angeletti.

Laid over.

GENERAL FILE

LEGISLATIVE BILL 933. Senator Hunt renewed her motion, [MO116](#), found on page 267 and considered in this day's Journal, to indefinitely postpone.

SENATOR WILLIAMS PRESIDING

PRESIDENT FOLEY PRESIDING

SENATOR ARCH PRESIDING

PRESIDENT FOLEY PRESIDING

Senator Sanders moved the previous question. The question is, "Shall the debate now close?"

Senator Flood moved for a call of the house. The motion prevailed with 18 ayes, 3 nays, and 28 not voting.

Senator Sanders requested a roll call vote on the motion to cease debate.

Voting in the affirmative, 29:

Aguilar	Clements	Halloran	Kolterman	Sanders
Albrecht	Erdman	Hansen, B.	Linehan	Slama
Arch	Flood	Hilgers	Lowe	Stinner
Bostelman	Friesen	Hilkemann	McDonnell	Walz
Brewer	Geist	Hughes	Moser	Williams
Briese	Gragert	Jacobson	Murman	

Voting in the negative, 14:

Blood	Cavanaugh, M.	Hansen, M.	McKinney	Vargas
Bostar	Day	Hunt	Morfeld	Wishart
Cavanaugh, J.	DeBoer	McCollister	Pansing Brooks	

Absent and not voting, 1:

Brandt

Excused and not voting, 5:

Dorn	Lathrop	Lindstrom	Pahls	Wayne
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The motion to cease debate prevailed with 29 ayes, 14 nays, 1 absent and not voting, and 5 excused and not voting.

Senator Hunt requested a roll call vote on the motion to indefinitely postpone.

Voting in the affirmative, 13:

Blood	Cavanaugh, M.	Hansen, M.	Morfeld	Wishart
Bostar	Day	McCollister	Pansing Brooks	
Cavanaugh, J.	DeBoer	McKinney	Vargas	

Voting in the negative, 28:

Aguilar	Clements	Halloran	Kolterman	Sanders
Albrecht	Erdman	Hansen, B.	Linehan	Slama
Arch	Flood	Hilgers	Lowe	Stinner
Bostelman	Friesen	Hilkemann	McDonnell	Williams
Brewer	Geist	Hughes	Moser	
Briese	Gragert	Jacobson	Murman	

Present and not voting, 2:

Hunt	Walz
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Absent and not voting, 1:

Brandt

Excused and not voting, 5:

Dorn	Lathrop	Lindstrom	Pahls	Wayne
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The Hunt motion to indefinitely postpone failed with 13 ayes, 28 nays, 2 present and not voting, 1 absent and not voting, and 5 excused and not voting.

The Chair declared the call raised.

Pending.

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LRs 369, 381, 382, 385, and 391 were adopted.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LRs 369, 381, 382, 385, and 391.

AMENDMENT(S) - Print in Journal

Senator Friesen filed the following amendment to LB344:
[AM2717](#)

(Amendments to AM1880)

- 1 1. Insert the following new section:
- 2 Sec. 3. This act becomes operative on July 1, 2023.
- 3 2. On page 3, strike line 31.
- 4 3. On page 4, strike lines 1 through 8; in line 9 strike "(4)" and
- 5 insert "(3) In addition to or in lieu of assessing a civil penalty as
- 6 provided in subsection (2) of this section, the State Fire Marshal may
- 7 order that a violator take and complete continuing education regarding
- 8 compliance with the One-Call Notification System Act. Such continuing
- 9 education shall be approved by the State Fire Marshal. When imposing a

10 civil penalty, the State Fire Marshal"; reinstate the stricken matter
 11 beginning with the second stricken "shall" in line 12 through the
 12 stricken period in line 18; and in line 21 strike "(5)" and insert "(4)".
 13 4. Renumber the remaining sections accordingly.

Senator Wayne filed the following amendment to LB1024:
[AM2731](#)

(Amendments to Final Reading copy)

- 1 1. On page 7, line 22, after "studies" insert "received by the
 2 special legislative committee".
- 3 2. On page 8, line 13, after the period insert "The department may
 4 use not more than ten million dollars of such federal funds for the
 5 administration of the Economic Recovery Act."; in line 15 strike "the
 6 Department of Economic Development shall not expend"; and in line 16
 7 after "funds" insert "shall not be expended by the Department of Economic
 8 Development".
- 9 3. On page 9, line 9, after "2024-25" insert "to provide grants
 10 under the Economic Recovery Act"; and after line 9 insert the following
 11 new subsection:
 12 "(7) The Department of Economic Development shall not use money from
 13 the General Fund to implement or administer the grants provided under the
 14 Economic Recovery Act.".
- 15 4. On page 15, line 12, strike "for eligible projects"; in line 14
 16 strike "forty" and insert "thirty-five"; in line 17 strike "and"; in line
 17 20 strike the period and insert "; and"; and after line 20 insert the
 18 following new subdivision:
 19 "(c) No more than five million dollars of such federal funds for the
 20 administration by the department of funds received from the federal
 21 Coronavirus Capital Projects Fund under the federal American Rescue Plan
 22 Act of 2021.".
- 23 5. On page 16, after line 1 insert the following new subsection:
 24 "(4) Priority for grants under subdivision (1)(a) of this section
 25 shall be given to a city of the metropolitan class in partnership with a
 26 nonprofit organization for eligible projects for the rehabilitation or
 1 expansion of existing multipurpose community facilities.".

Senator M. Cavanaugh filed the following amendment to LB1015:
[AM2725](#)

(Amendments to Final Reading copy)

- 1 1. On page 2, strike beginning with "economic" in line 4 through the
 2 first occurrence of "the" in line 5; and in line 6 strike the comma.

Senator M. Cavanaugh filed the following amendment to LB698:
[AM2748](#)

(Amendments to Final Reading copy)

- 1 1. On page 4, line 10, insert "monitoring" before "device".

Senator M. Cavanaugh filed the following amendment to LB809:
[AM2749](#)

(Amendments to Final Reading copy)

- 1 1. On page 4, lines 16, 23, and 28, strike "eight" and insert "six";
 2 and in line 28 strike "six" and insert "four".

Senator M. Cavanaugh filed the following amendment to LB1015:
[AM2726](#)

(Amendments to Final Reading copy)

- 1 1. On page 2, strike beginning with "to" in line 3 through the comma
 2 in line 6.

GENERAL FILE

LEGISLATIVE BILL 933. Senator Hunt offered the following motion:

[MO223](#)

Reconsider vote to Indefinitely Postpone.

Senator Albrecht offered the following motion:

[MO225](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Albrecht moved for a call of the house. The motion prevailed with 26 ayes, 1 nays, and 22 not voting.

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

Voting in the affirmative, 31:

Aguilar	Clements	Halloran	Lindstrom	Slama
Albrecht	Dorn	Hansen, B.	Linehan	Stinner
Arch	Erdman	Hilgers	Lowe	Williams
Bostelman	Flood	Hilkemann	McDonnell	
Brandt	Friesen	Hughes	Moser	
Brewer	Geist	Jacobson	Murman	
Briese	Gragert	Kolterman	Sanders	

Voting in the negative, 15:

Blood	Cavanaugh, M.	Hansen, M.	McKinney	Vargas
Bostar	Day	Hunt	Morfeld	Walz
Cavanaugh, J.	DeBoer	McCollister	Pansing Brooks	Wishart

Excused and not voting, 3:

Lathrop	Pahls	Wayne
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The Albrecht motion to invoke cloture failed with 31 ayes, 15 nays, and 3 excused and not voting.

The Chair declared the call raised.

AMENDMENT(S) - Print in Journal

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

[FA196](#)

Amend AM1577: On page 1, line 6 insert "by law enforcement" after "investigated" and before the comma

Senator Hunt filed the following amendment to LB933:

FA197

Amend AM1568: On page 1, line 2 insert "or drink" after "beverage" and before the next comma

Senator Hunt filed the following amendment to LB933:

FA198

Amend AM2208: Strike "Human Life Protection" and insert "Roe V. Wade Repeal"

Senator Hunt filed the following amendment to LB933:

FA199

Amend AM2207: Strike "Human Life Protection" and insert "Roe V. Wade Repeal"

Senator Blood filed the following amendment to LB933:

AM2716

1 1. Insert the following new sections:

2 Sec. 11. (1) Notwithstanding section 44-3,131, any individual or
3 group sickness and accident insurance policy, certificate, or subscriber
4 contract delivered, issued for delivery, or renewed in this state, any
5 hospital, medical, or surgical expense-incurred policy, except for
6 policies that provide coverage for a specified disease or other limited-
7 benefit coverage, and any self-funded employee benefit plan to the extent
8 not preempted under federal law that includes coverage for a self-
9 administered hormonal contraceptive that is approved by the federal Food
10 and Drug Administration shall reimburse an in-network health care
11 provider or dispensing entity on a per-unit basis for dispensing a supply
12 of such contraceptives to a covered individual as follows:
13 (a) For the first prescription of such contraceptive, at least up to
14 a three-month supply, if so prescribed; and

15 (b) For subsequent refills of the same contraceptive, regardless of
16 whether the covered individual was enrolled in the policy, contract, or
17 plan at the time of the first prescription for such contraceptive, up to
18 a six-month supply, if so prescribed.

19 (2) Nothing in this section shall be construed to:

20 (a) Require a health care provider to prescribe a six-month supply
21 of a self-administered hormonal contraceptive; or
22 (b) Permit a policy, contract, or plan to impose cost-sharing for an
23 alternative method of contraception if a covered individual changes
24 contraceptive methods before exhausting a previously dispensed supply of
25 a self-administered hormonal contraceptive.

26 (3) A policy, contract, or plan shall be exempt from this section
27 for a policy, contract, or plan year if, using a calculation method
1 approved by the Department of Insurance, the cost of coverage would
2 likely exceed one percent of all premiums collected under such policy,
3 contract, or plan for such policy, contract, or plan year.

4 Sec. 12. Section 68-901, Revised Statutes Supplement, 2021, is
5 amended to read:

6 68-901 Sections 68-901 to 68-9,101 and section 13 of this act shall
7 be known and may be cited as the Medical Assistance Act.

8 Sec. 13. (1) In providing family planning services and supplies
9 under the medical assistance program, the department shall ensure that a
10 prescription for the dispensation of a covered self-administered hormonal
11 contraceptive is provided as follows:

12 (a) For the first prescription of such contraceptive, at least up to
13 a three-month supply, if so prescribed; and

14 (b) For subsequent refills of the same contraceptive, regardless of
15 whether the covered individual was enrolled in the medical assistance
16 program at the time of the first prescription for such contraceptive, up

17 to a six-month supply, if so prescribed.
 18 (2) Nothing in this section shall be construed to limit a medical
 19 assistance recipient's freedom to choose or change the method of family
 20 planning to use, regardless of whether the recipient has exhausted a
 21 previously dispensed supply of contraceptives.
 22 2. Renumber the remaining section and correct the repealer
 23 accordingly.

GENERAL FILE

LEGISLATIVE BILL 843. Senator Hunt offered the following motion:

[MO226](#)

Indefinitely postpone pursuant to Rule 6, Section 3(f).

Senator Hunt withdrew her motion to indefinitely postpone.

Title read. Considered.

Committee [AM2075](#), found on page 696, was offered.

Senator Brewer offered his amendment, [AM2689](#), found on page 1120, to the committee amendment.

Senator M. Cavanaugh moved for a call of the house. The motion prevailed with 18 ayes, 6 nays, and 25 not voting.

Senator M. Cavanaugh requested a roll call vote on the amendment.

Voting in the affirmative, 45:

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

Voting in the negative, 0.

Excused and not voting, 4:

Lathrop	Pahls	Slama	Wayne
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The Brewer amendment was adopted with 45 ayes, 0 nays, and 4 excused and not voting.

The Chair declared the call raised.

Senator J. Cavanaugh offered the following amendment to the committee amendment:

[AM2139](#)

(Amendments to Standing Committee amendments, AM2075)

- 1 1. Insert the following new section:
- 2 Sec. 52. (1) For purposes of this section, foreign national means:
- 3 (a) An individual who is not a citizen of the United States or a
- 4 national of the United States and who is not lawfully admitted for
- 5 permanent residence;
- 6 (b) A person, other than an individual, organized under the laws of
- 7 or having its principal place of business in a foreign country;
- 8 (c) A government of a foreign country; or
- 9 (d) A political party or political committee established in a
- 10 foreign country.
- 11 (2) It shall be unlawful for a foreign national, directly or
- 12 indirectly, to make a contribution to a ballot question committee or for
- 13 a ballot question committee to solicit, accept, or receive such a
- 14 contribution.
- 15 (3) A person, other than an individual, organized under the laws of
- 16 the United States which is a domestic subsidiary of a foreign national
- 17 may make a contribution or an expenditure to support or oppose the
- 18 qualification, passage, or defeat of a ballot question ballot if:
- 19 (a) The person is a discrete entity organized under the laws of any
- 20 state within the United States and its principal place of business is
- 21 within the United States;
- 22 (b) The foreign national parent does not finance election-related
- 23 contributions or expenditures either directly or through such person,
- 24 including through subsidizing the person's business operations, unless
- 25 the person can demonstrate by a reasonable accounting method that it has
- 26 sufficient funds from its own domestic operations to make any
- 1 contributions or expenditures; and
- 2 (c) All decisions concerning the administration of the person's
- 3 contributions or expenditures are made by citizens or permanent residents
- 4 of the United States.
- 5 2. On page 51, line 28, strike "section 51" and insert "sections 51
- 6 and 52".
- 7 3. Renumber the remaining sections accordingly.

The J. Cavanaugh amendment was adopted with 39 ayes, 1 nay, 5 present and not voting, and 4 excused and not voting.

The committee amendment, as amended, was adopted with 39 ayes, 0 nays, 6 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 41 ayes, 0 nays, 4 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 686. Considered.

Senator M. Cavanaugh withdrew her motion, [MO202](#), found and considered on page 1114, to bracket.

Senator M. Cavanaugh offered the following amendment:

[AM1681](#)

- 1 1. Strike the original sections and insert the following new

2 sections:

3 Section 1. Section 50-401.01, Reissue Revised Statutes of Nebraska,
4 is amended to read:

5 50-401.01 (1) The Legislative Council shall have an executive board,
6 to be known as the Executive Board of the Legislative Council, which
7 shall consist of a chairperson, a vice-chairperson, and six members of
8 the Legislature, to be chosen by the Legislature at the commencement of
9 each regular session of the Legislature when the speaker is chosen, and
10 the Speaker of the Legislature. The Legislature at large shall elect two
11 of its members from legislative districts Nos. 1, ~~16~~, 17, 30, 32 to ~~35~~,
12 ~~37~~, 38, 40 to 44, 47, and 48, two from legislative districts Nos. 2, 3,
13 ~~14~~, 15, ~~46~~, 19, 21 to 29, 45, and 46, and two from legislative districts
14 Nos. 4 to ~~13~~ 44, 18, 20, 31, ~~36~~, 39, and 49. The Chairperson of the
15 Committee on Appropriations shall serve as a nonvoting ex officio member
16 of the executive board whenever the board is considering fiscal
17 administration.

18 (2) The executive board shall:

19 (a) Supervise all services and service personnel of the Legislature
20 and may employ and fix compensation and other terms of employment for
21 such personnel as may be needed to carry out the intent and activities of
22 the Legislature or of the board, unless otherwise directed by the
23 Legislature, including the adoption of policies by the executive board
24 which permit (i) the purchasing of an annuity for an employee who retires
25 or (ii) the crediting of amounts to an employee's deferred compensation
26 account under section 84-1504. The payments to or on behalf of an
27 employee may be staggered to comply with other law; and

1 (b) Appoint persons to fill the positions of Legislative Fiscal
2 Analyst, Director of Research, Revisor of Statutes, and Legislative
3 Auditor. The persons appointed to these positions shall have training and
4 experience as determined by the executive board and shall serve at the
5 pleasure of the executive board. The Legislative Performance Audit
6 Committee shall recommend the person to be appointed Legislative Auditor.
7 Their respective salaries shall be set by the executive board.

8 (3) Notwithstanding any other provision of law, the executive board
9 may contract to obtain legal, auditing, accounting, actuarial, or other
10 professional services or advice for or on behalf of the executive board,
11 the Legislative Council, the Legislature, or any member of the
12 Legislature. The providers of such services or advice shall meet or
13 exceed the minimum professional standards or requirements established or
14 specified by their respective professional organizations or licensing
15 entities or by federal law. Such contracts, the deliberations of the
16 executive board with respect to such contracts, and the work product
17 resulting from such contracts shall not be subject to review or approval
18 by any other entity of state government.

19 Sec. 2. Original section 50-401.01, Reissue Revised Statutes of
20 Nebraska, is repealed.

The M. Cavanaugh amendment lost with 10 ayes, 25 nays, 9 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review Initial with 35 ayes, 3 nays, 6 present and not voting, and 5 excused and not voting.

LEGISLATIVE BILL 1130. Title read. Considered.

Committee [AM2206](#), found on page 859, was adopted with 33 ayes, 1 nay, 9 present and not voting, and 6 excused and not voting.

Advanced to Enrollment and Review Initial with 33 ayes, 1 nay, 9 present and not voting, and 6 excused and not voting.

LEGISLATIVE BILL 1130A. Title read. Considered.

Advanced to Enrollment and Review Initial with 33 ayes, 2 nays, 8 present and not voting, and 6 excused and not voting.

LEGISLATIVE BILL 1150. Title read. Considered.

SENATOR HUGHES PRESIDING

Committee [AM2009](#), found on page 623, was offered.

Senator McCollister offered his amendment, [AM2236](#), found on page 795, to the committee amendment.

The McCollister amendment was adopted with 33 ayes, 0 nays, 8 present and not voting, and 8 excused and not voting.

Senator M. Hansen withdrew his amendment, [FA188](#), found on page 1008.

The committee amendment, as amended, was adopted with 34 ayes, 0 nays, 7 present and not voting, and 8 excused and not voting.

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

LEGISLATIVE BILL 1150A. Title read. Considered.

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

AMENDMENT(S) - Print in Journal

Senator Flood filed the following amendment to [LB843](#):
[AM2713](#)

(Amendments to Standing Committee amendments, AM2075)

- 1 1. Insert the following new section:
- 2 Sec. 7. Section 32-119.01, Reissue Revised Statutes of Nebraska, is
- 3 amended to read:
- 4 32-119.01 Voting system means the process of creating, casting, and
- 5 counting ballots and includes any software or service used in such
- 6 process.
- 7 2. Renumber the remaining sections and correct the repealer and
- 8 internal references accordingly.

Senator M. Hansen filed the following amendment to [LB686](#):
[AM2296](#)

- 1 1. Strike the original sections and insert the following new
- 2 sections:

3 Section 1. Section 50-401.01, Reissue Revised Statutes of Nebraska,
4 is amended to read:
5 50-401.01 (1) The Legislative Council shall have an executive board,
6 to be known as the Executive Board of the Legislative Council, which
7 shall consist of a chairperson, a vice-chairperson, and six members of
8 the Legislature, to be chosen by the Legislature at the commencement of
9 each regular session of the Legislature when the speaker is chosen, and
10 the Speaker of the Legislature. The Legislature at large shall elect two
11 of its members from legislative districts Nos. 1, ~~16, 17, 24, 33, 30, 32~~
12 to ~~35, 37, 38, 40 to 44, 47, and 48~~, two from legislative districts Nos.
13 ~~2, 3, 14, 15, 46, 19, 21, 22, 25 to 30, 32 to 29, 45, and 46~~, and two
14 from legislative districts Nos. ~~4 to 13~~ 4, 18, 20, ~~23, 31, 36, 39~~, and
15 49. The Chairperson of the Committee on Appropriations shall serve as a
16 nonvoting ex officio member of the executive board whenever the board is
17 considering fiscal administration.
18 (2) The executive board shall:
19 (a) Supervise all services and service personnel of the Legislature
20 and may employ and fix compensation and other terms of employment for
21 such personnel as may be needed to carry out the intent and activities of
22 the Legislature or of the board, unless otherwise directed by the
23 Legislature, including the adoption of policies by the executive board
24 which permit (i) the purchasing of an annuity for an employee who retires
25 or (ii) the crediting of amounts to an employee's deferred compensation
26 account under section 84-1504. The payments to or on behalf of an
27 employee may be staggered to comply with other law; and
28 (b) Appoint persons to fill the positions of Legislative Fiscal
29 Analyst, Director of Research, Revisor of Statutes, and Legislative
30 Auditor. The persons appointed to these positions shall have training and
31 experience as determined by the executive board and shall serve at the
32 pleasure of the executive board. The Legislative Performance Audit
33 Committee shall recommend the person to be appointed Legislative Auditor.
34 Their respective salaries shall be set by the executive board.
35 (3) Notwithstanding any other provision of law, the executive board
36 may contract to obtain legal, auditing, accounting, actuarial, or other
37 professional services or advice for or on behalf of the executive board,
38 the Legislative Council, the Legislature, or any member of the
39 Legislature. The providers of such services or advice shall meet or
40 exceed the minimum professional standards or requirements established or
41 specified by their respective professional organizations or licensing
42 entities or by federal law. Such contracts, the deliberations of the
43 executive board with respect to such contracts, and the work product
44 resulting from such contracts shall not be subject to review or approval
45 by any other entity of state government.
46 Sec. 2. Original section 50-401.01, Reissue Revised Statutes of
47 Nebraska, is repealed.

VISITOR(S)

Visitors to the Chamber were fourth-grade students from Gretna Elementary, Gretna; Jess Edwards, State Representative from New Hampshire; fifth- and sixth-grade students from Christ the King Catholic School, Omaha; seventh-grade students from St. Michael's School, Albion; and Anne Grimes, Director, Office of International Visitors, U.S. Department of State.

The Doctor of the Day was Dr. Tina Kearney of Lincoln.

ADJOURNMENT

At 9:44 p.m., on a motion by Senator DeBoer, the Legislature adjourned until 9:00 a.m., Thursday, April 7, 2022.

Patrick J. O'Donnell
Clerk of the Legislature

FIFTY-FIFTH DAY - APRIL 7, 2022**LEGISLATIVE JOURNAL****ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION****FIFTY-FIFTH DAY**

Legislative Chamber, Lincoln, Nebraska
Thursday, April 7, 2022

PRAYER

The prayer was offered by Father Christopher Stoley, Sacred Heart Catholic Church, Crete.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Moser.

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 Senator Pahls who was excused; and Senators J. Cavanaugh, M. Cavanaugh, Day, Flood, B. Hansen, Hunt, Morfeld, Pansing Brooks, Slama, and Wayne who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the fifty-fourth day was approved.

WITHDRAW - Amendment to LB873

Senator M. Hansen withdrew his amendment, [FA170](#), found on page 1007, to LB873.

BILL ON FINAL READING**Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB873 with 35 ayes, 5 nays, 1 present and not voting, and 8 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 873.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2715.03, Reissue Revised Statutes of Nebraska, sections 77-6701 and 77-6702, Revised Statutes Cumulative Supplement, 2020, and sections 77-2716, 77-2734.02, and 77-6703, Revised Statutes Supplement, 2021; to change individual and corporate income tax rates; to change provisions relating to the taxation of benefits received under the federal Social Security Act and the calculation of tax credits under the Nebraska Property Tax Incentive Act; to authorize additional tax credits under the Nebraska Property Tax Incentive Act; to define and redefine terms; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 43:

Aguilar	Clements	Hansen, B.	Linehan	Sanders
Albrecht	DeBoer	Hansen, M.	Lowe	Stinner
Arch	Dorn	Hilgers	McCollister	Vargas
Blood	Erdman	Hilkemann	McDonnell	Walz
Bostar	Flood	Hughes	McKinney	Wayne
Bostelman	Friesen	Jacobson	Morfeld	Williams
Brandt	Geist	Kolterman	Moser	Wishart
Brewer	Gragert	Lathrop	Murman	
Briese	Halloran	Lindstrom	Pansing Brooks	

Voting in the negative, 0.

Excused and not voting, 6:

Cavanaugh, J.	Day	Pahls
Cavanaugh, M.	Hunt	Slama

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

MOTION(S) - Override Veto on LB1011

Senator Stinner offered his motion, [MO217](#) found on page 1153, that LB1011 becomes law notwithstanding the objections of the Governor.

Pending.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LB873.

MOTION(S) - Override Veto on LB1011

Senator Stinner renewed his motion, [MO217](#), found on page 1153 and considered in this day's Journal, that LB1011 becomes law notwithstanding the objections of the Governor.

Whereupon the President stated: "The question shall be, 'Shall the bill pass notwithstanding the objections of the Governor?' "

Voting in the affirmative, 42:

Aguilar	Clements	Hilgers	McCollister	Stinner
Arch	DeBoer	Hilkemann	McDonnell	Vargas
Blood	Dorn	Hughes	McKinney	Walz
Bostelman	Erdman	Hunt	Morfeld	Wayne
Brandt	Friesen	Jacobson	Moser	Williams
Brewer	Geist	Kolterman	Murman	Wishart
Briese	Gragert	Lathrop	Pansing Brooks	
Cavanaugh, J.	Hansen, B.	Lindstrom	Sanders	
Cavanaugh, M.	Hansen, M.	Linehan	Slama	

Voting in the negative, 3:

Albrecht	Halloran	Lowe
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Present and not voting, 2:

Bostar	Flood
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Excused and not voting, 2:

Day	Pahls
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Having received a constitutional three-fifths majority voting in the affirmative, the bill passed notwithstanding the objections of the Governor.

MOTION(S) - Override Line-Item Veto on LB1012

Senator Stinner offered his motion, [MO218](#) found on page 1153, to override the Governor's line-item veto of LB1012, Section 28, transfer of funds from the Prison Overcrowding Contingency Fund to the Vocational and Life Skills Programming Fund.

Whereupon the President stated: "The question shall be, 'Shall that portion of the bill pass notwithstanding the line-item objections of the Governor?' "

Voting in the affirmative, 42:

Aguilar	Cavanaugh, M.	Hilgers	McCollister	Stinner
Arch	Clements	Hilkemann	McDonnell	Vargas
Blood	DeBoer	Hughes	McKinney	Walz
Bostar	Dorn	Hunt	Morfeld	Wayne
Bostelman	Erdman	Jacobson	Moser	Williams
Brandt	Flood	Kolterman	Murman	Wishart
Brewer	Geist	Lathrop	Pansing Brooks	
Briese	Gragert	Lindstrom	Sanders	
Cavanaugh, J.	Hansen, B.	Linehan	Slama	

Voting in the negative, 3:

Albrecht Friesen Lowe

Present and not voting, 1:

Halloran

Excused and not voting, 3:

Day Hansen, M. Pahls

Having received a constitutional three-fifths majority voting in the affirmative, that portion of the bill passed notwithstanding the line-item objections of the Governor.

MOTION(S) - Override Veto on LB1013

Senator Stinner offered his motion, [MO219](#), found on page 1153, that LB1013 becomes law notwithstanding the objections of the Governor.

Whereupon the President stated: "The question shall be, 'Shall the bill pass notwithstanding the objections of the Governor?' "

Voting in the affirmative, 41:

Aguilar	Cavanaugh, M.	Hilkemann	McDonnell	Vargas
Arch	Clements	Hughes	McKinney	Walz
Blood	DeBoer	Hunt	Morfeld	Wayne
Bostar	Dorn	Jacobson	Moser	Williams
Bostelman	Flood	Kolterman	Murman	Wishart
Brandt	Geist	Lathrop	Pansing Brooks	
Brewer	Gragert	Lindstrom	Sanders	
Briese	Hansen, B.	Linehan	Slama	
Cavanaugh, J.	Hilgers	McCollister	Stinner	

Voting in the negative, 5:

Albrecht Erdman Friesen Halloran Lowe

Excused and not voting, 3:

Day Hansen, M. Pahls

Having received a constitutional three-fifths majority voting in the affirmative, the bill passed notwithstanding the objections of the Governor.

WITHDRAW - Motion to LB1014

Senator M. Cavanaugh withdrew her motion, [MO200](#), found on page 1095, to bracket until April 20, 2022.

WITHDRAW - Amendments to LB1014

Senator Linehan withdrew her amendment, [FA192](#), found on page 1044.

Senator Morfeld withdrew his amendment, [AM2373](#), found on page 861.

WITHDRAW - Motion to LB1014

Senator Wayne withdrew his motion, [MO153](#), found on page 805, to indefinitely postpone LB1014 pursuant to Rule 6, Section 3(f).

WITHDRAW - Amendments to LB1014

Senator Linehan withdrew her amendment, [FA125](#), found on page 838.

Senator Linehan withdrew her amendment, [FA124](#), found on page 838.

Senator Linehan withdrew her amendment, [FA123](#), found on page 838.

Senator Linehan withdrew her amendment, [FA122](#), found on page 838.

Senator Linehan withdrew her amendment, [FA121](#), found on page 838.

Senator Linehan withdrew her amendment, [FA120](#), found on page 838.

Senator Linehan withdrew her amendment, [FA119](#), found on page 838.

Senator Linehan withdrew her amendment, [FA118](#), found on page 837.

Senator Linehan withdrew her amendment, [FA117](#), found on page 837.

Senator Linehan withdrew her amendment, [FA116](#), found on page 837.

Senator Wayne withdrew his amendment, [AM2516](#), found on page 921.

Senator Geist withdrew her amendment, [AM2498](#), found on page 916.

Senator J. Cavanaugh withdrew his amendment, [AM2488](#), found on page 906.

Senator Wayne withdrew his amendment, [AM2517](#), found on page 921.

Senator Wayne withdrew his amendment, [AM2518](#), found on page 921.

Senator Briese withdrew his amendment, [AM2506](#), found on page 917.

MOTION(S) - Return LB1014 to Select File

Senator Friesen moved to return LB1014 to Select File for his specific amendment, [AM2550](#), found on page 961.

Senator Friesen withdrew his motion to return.

The Friesen amendment, AM2550, was not considered.

WITHDRAW - Amendments to LB1014

Senator Friesen withdrew his amendment, [AM2630](#), found on page 1035.

Senator Linehan withdrew her amendment, [FA191](#), found on page 1035.

Senator Linehan withdrew her amendment, [AM2609](#), found on page 1034.

Senator Friesen withdrew his amendment, [AM2537](#), found on page 962.

Senator Friesen withdrew his amendment, [AM2534](#), found on page 962.

Senator Friesen withdrew his amendment, [AM2536](#), found on page 962.

BILL ON FINAL READING

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB1014e with 33 ayes, 6 nays, 9 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 1014. With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to state intent; to define

terms; to appropriate funds allocated to the State of Nebraska from the federal Coronavirus State Fiscal Recovery Fund pursuant to the federal American Rescue Plan Act of 2021, 42 U.S.C. 802, as amended; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 40:

Aguilar	Cavanaugh, J.	Hansen, B.	Lowe	Sanders
Arch	Cavanaugh, M.	Hilgers	McCollister	Slama
Blood	Day	Hilkemann	McDonnell	Stinner
Bostar	DeBoer	Hunt	McKinney	Vargas
Bostelman	Dorn	Jacobson	Morfeld	Walz
Brandt	Flood	Kolterman	Moser	Wayne
Brewer	Gragert	Lathrop	Murman	Williams
Briese	Halloran	Lindstrom	Pansing Brooks	Wishart

Voting in the negative, 4:

Albrecht	Clements	Erdman	Friesen
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Present and not voting, 4:

Geist	Hansen, M.	Hughes	Linehan
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Excused and not voting, 1:

Pahls

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

COMMUNICATION(S)

April 7, 2022

The Honorable Robert Evnen
Secretary of State
2300 State Capitol
Lincoln, NE 68509

Dear Mr. Secretary:

Inasmuch as the Legislature did not override the veto by Governor Ricketts of LB1073, and consistent with our rules, I am delivering the bill for filing in the form prescribed by the Governor.

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

PJO:jl

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 1084.

A BILL FOR AN ACT relating to claims against the state; to disapprove certain claims.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 47:

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

Voting in the negative, 0.

Present and not voting, 1:

Geist

Excused and not voting, 1:

Pahls

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 1083. With Emergency Clause.

A BILL FOR AN ACT relating to claims against the state; to appropriate funds for the payment of certain claims; to provide for payment of the claims; to authorize agencies to write off certain claims as prescribed; and to

declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 46:

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

Voting in the negative, 0.

Present and not voting, 2:

Geist Hunt

Excused and not voting, 1:

Pahls

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

WITHDRAW - Amendment to LB917

Senator M. Hansen withdrew his amendment, [FA171](#), found on page 1007, to LB917.

MOTION(S) - Return LB917 to Select File

Senator Wayne moved to return LB917 to Select File for his specific amendment, [AM2587](#), found on page 1156.

The Wayne motion to return prevailed with 46 ayes, 0 nays, 2 present and not voting, and 1 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 917. The Wayne specific amendment, [AM2587](#), found on page 1156, was adopted with 46 ayes, 0 nays, 1 present and not

voting, and 2 excused and not voting.

Advanced to Enrollment and Review for Reengrossment.

WITHDRAW - Amendment to LB1024

Senator Wayne withdrew his amendment, [AM2731](#), found on page 1164, to LB1024.

MOTION(S) - Return LB1024 to Select File

Senator Wayne moved to return LB1024 to Select File for the following specific amendment:

[AM2759](#)

(Amendments to Final Reading copy)

- 1 1. On page 7, line 22, after "studies" insert "received by the
- 2 special legislative committee".
- 3 2. On page 8, line 13, after the period insert "The department may
- 4 use not more than ten million dollars of such federal funds for the
- 5 administration of the Economic Recovery Act."; in line 15 strike "the
- 6 Department of Economic Development shall not expend"; and in line 16
- 7 after "funds" insert "shall not be expended by the Department of Economic
- 8 Development".
- 9 3. On page 9, line 9, after "2024-25" insert "to provide grants
- 10 under the Economic Recovery Act"; and after line 9 insert the following
- 11 new subsection:
- 12 "(7) The Department of Economic Development shall not use money from
- 13 the General Fund to implement or administer the grants provided under the
- 14 Economic Recovery Act.".
- 15 4. On page 15, line 12, strike "for eligible projects"; in line 14
- 16 strike "forty" and insert "thirty-five"; in line 17 strike "and"; and
- 17 strike lines 18 through 20 and insert the following new subdivisions:
- 18 "(b) No less than forty million dollars to eligible projects that
- 19 are located within a congressional district which contains a city of the
- 20 primary class;
- 21 (c) No less than forty million dollars to eligible projects that are
- 22 located within a congressional district which does not contain a city of
- 23 the metropolitan class or a city of the primary class. Grants under this
- 24 subdivision shall be awarded to eligible projects in cities of the second
- 25 class and villages; and
- 26 (d) No more than five million dollars of such federal funds for the
- 1 administration by the department of funds received from the federal
- 2 Coronavirus Capital Projects Fund under the federal American Rescue Plan
- 3 Act of 2021.".
- 4 5. On page 16, after line 1 insert the following new subsection:
- 5 "(4) Grants under subdivision (1)(a) of this section shall be
- 6 restricted to eligible projects in qualified census tracts. Priority for
- 7 grants under subdivision (1)(a) of this section shall be given to a city
- 8 of the metropolitan class in partnership with a nonprofit organization
- 9 for eligible projects for the rehabilitation or expansion of existing
- 10 multipurpose community facilities.".

The Wayne motion to return prevailed with 45 ayes, 0 nays, 2 present and not voting, and 2 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 1024. The Wayne specific amendment, [AM2759](#), found in this day's Journal, was adopted with 45 ayes, 0 nays, 2 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review for Reengrossment.

MOTION(S) - Return LB1173 to Select File

Senator Hunt moved to return LB1173 to Select File for her specific amendment, [AM2597](#), found on page 1030.

The Hunt motion to return prevailed with 44 ayes, 0 nays, 3 present and not voting, and 2 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 1173. The Hunt specific amendment, [AM2597](#), found on page 1030, was adopted with 46 ayes, 0 nays, 1 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review for Reengrossment.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LBs 1014e, 1084, 1083e.

COMMUNICATION

April 7, 2022

The Honorable Robert Evnen
Secretary of State
2300 State Capitol
Lincoln, NE 68509

Dear Mr. Secretary:

Pursuant to the provisions of 84-503, R.R.S., we are forwarding LB1011 with a certificate attached thereto signed by the President of the Legislature certifying the passage of all the line-item vetoes, notwithstanding the objections of the Governor.

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

PJO;jl
Enc.

CERTIFICATE

Legislative Bill 1011, having been returned by the Governor with his signature, but with line-item vetoes, the Legislature by the constitutional majority has overridden the line-item vetoes and has become law this 7th day of April 2022.

(Signed) Mike Foley
President of the Legislature

COMMUNICATION

April 7, 2022

The Honorable Robert Evnen
Secretary of State
2300 State Capitol
Lincoln, NE 68509

Dear Mr. Secretary:

Pursuant to the provisions of 84-503, R.R.S., we are forwarding LB1012 with a certificate attached thereto signed by the President of the Legislature certifying the passage of certain line-item vetoes as set forth on the attached certificate, notwithstanding the objections of the Governor.

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

PJO:jl
Enc.

CERTIFICATE

Legislative Bill 1012, having been returned by the Governor with his signature, but with certain items therein line-item vetoed, the Legislature by the constitutional majority has overridden said line-item veto as follows, and having passed the Legislature by the constitutional majority the bill has become law this 7th day of April 2022.

Section 28, transfer of funds from the Prison Overcrowding Contingency Fund to the Vocational and Life Skills Programming Fund.

(Signed) Mike Foley
President of the Legislature

COMMUNICATION

April 7, 2022

The Honorable Robert Evnen
Secretary of State
2300 State Capitol
Lincoln, NE 68509

Dear Mr. Secretary:

Pursuant to the provisions of 84-503, R.R.S., we are forwarding LB1013 with a certificate attached thereto signed by the President of the Legislature certifying the passage of the line-item vetoes, notwithstanding the objections of the Governor.

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

PJO:jl
Enc.

CERTIFICATE

Legislative Bill 1013, having been returned by the Governor with his signature, but with line-item vetoes, the Legislature by the constitutional majority has overridden the line-item vetoes and the bill has become law this 7th day of April 2022.

(Signed) Mike Foley
President of the Legislature

AMENDMENT(S) - Print in Journal

Senator Wayne filed the following amendment to LB1024A:

[AM2752](#)

- 1 1. Strike the original sections and insert the following new
- 2 sections:
- 3 Section 1. There is hereby appropriated \$2,000,000 from the General
- 4 Fund for FY2021-22 to the Legislative Council, for Program 122, to aid in
- 5 carrying out the provisions of Legislative Bill 1024, One Hundred Seventh
- 6 Legislature, Second Session, 2022.
- 7 No expenditures for permanent and temporary salaries and per diems
- 8 for state employees shall be made from funds appropriated in this
- 9 section.
- 10 The unexpended balance of General Funds appropriated to this program
- 11 in this section for FY2021-22 is hereby reappropriated for FY2022-23.
- 12 Sec. 2. There is hereby appropriated \$10,000,000 from the General
- 13 Fund for FY2022-23 to the Department of Economic Development, for Program
- 14 611, to aid in carrying out the provisions of Legislative Bill 1024, One
- 15 Hundred Seventh Legislature, Second Session, 2022.
- 16 No expenditures for permanent and temporary salaries and per diems

17 for state employees shall be made from funds appropriated in this
18 section.
19 It is the intent of the Legislature that the unexpended balance of
20 General Funds appropriated to this program in this section for FY2022-23
21 be reappropriated for FY2023-24 and for FY2024-25.
22 Sec. 3. There is hereby appropriated (1) \$1,000,000 Federal Funds
23 for FY2021-22 and (2) \$249,000,000 Federal Funds for FY2022-23 to the
24 Department of Economic Development, for Program 611, to aid in carrying
25 out the provisions of Legislative Bill 1024, One Hundred Seventh
26 Legislature, Second Session, 2022. The Federal Funds appropriated in this
27 section are from the funds allocated to the State of Nebraska from the
1 federal Coronavirus State Fiscal Recovery Fund pursuant to the federal
2 American Rescue Plan Act of 2021, 42 U.S.C. 802, as amended.
3 Total expenditures for permanent and temporary salaries and per
4 diems from funds appropriated in this section shall not exceed \$200,000
5 for FY2021-22 or \$1,200,000 for FY2022-23.
6 The unexpended balance of Federal Funds appropriated to this program
7 in this section for FY2021-22 is hereby reappropriated for FY2022-23.
8 It is the intent of the Legislature that the unexpended balance of
9 amounts appropriated to this program in this section for FY2022-23 be
10 reappropriated for FY2023-24 and for FY2024-25.
11 Sec. 4. There is hereby appropriated (1) \$128,740,178 Federal Funds
12 for FY2022-23 to the Department of Economic Development, for Program 611,
13 to aid in carrying out the provisions of Legislative Bill 1024, One
14 Hundred Seventh Legislature, Second Session, 2022. The Federal Funds
15 appropriated in this section are from the funds allocated to the State of
16 Nebraska from the federal Coronavirus Capital Projects Fund pursuant to
17 the federal American Rescue Plan Act of 2021, 42 U.S.C. 804, as amended.
18 It is the intent of the Legislature that the unexpended balance of
19 amounts appropriated to this program in this section for FY2022-23 be
20 reappropriated for FY2023-24 and for FY2024-25.
21 Sec. 5. There is hereby appropriated (1) \$3,074,000 Federal Funds
22 for FY2022-23 to the Department of Economic Development, for Program 611,
23 to aid in carrying out the provisions of Legislative Bill 1024, One
24 Hundred Seventh Legislature, Second Session, 2022. The Federal Funds
25 appropriated in this section are from the funds allocated to the State of
26 Nebraska from the United States Economic Development Administration's
27 American Rescue Plan Travel, Tourism and Outdoor Recreation program.
28 It is the intent of the Legislature that the unexpended balance of
29 amounts appropriated to this program in this section for FY2022-23 be
30 reappropriated for FY2023-24 and for FY2024-25.
31 Sec. 6. There is hereby appropriated \$55,000,000 from the Economic
1 Recovery Contingency Fund for FY2022-23 to the Department of Economic
2 Development, for Program 611, to aid in carrying out the provisions of
3 Legislative Bill 1024, One Hundred Seventh Legislature, Second Session,
4 2022.
5 It is the intent of the Legislature that the unexpended balance of
6 amounts appropriated to this program in this section for FY2022-23 be
7 reappropriated for FY2023-24 and for FY2024-25.
8 Sec. 7. Since an emergency exists, this act takes effect when
9 passed and approved according to law.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 436. Introduced by Lathrop, 12; Aguilar, 35; Albrecht, 17; Arch, 14; Blood, 3; Bostar, 29; Bostelman, 23; Brandt, 32; Brewer, 43; Briese, 41; Cavanaugh, J., 9; Cavanaugh, M., 6; Clements, 2; Day, 49; DeBoer, 10; Dorn, 30; Erdman, 47; Flood, 19; Friesen, 34; Geist, 25; Gragert, 40; Halloran, 33; Hansen, B., 16; Hansen, M., 26; Hilgers, 21;

Hilkemann, 4; Hughes, 44; Hunt, 8; Jacobson, 42; Kolterman, 24; Lindstrom, 18; Linehan, 39; Lowe, 37; McCollister, 20; McDonnell, 5; McKinney, 11; Morfeld, 46; Moser, 22; Murman, 38; Pansing Brooks, 28; Sanders, 45; Slama, 1; Stinner, 48; Vargas, 7; Walz, 15; Wayne, 13; Williams, 36; Wishart, 27.

WHEREAS, Brad Ashford of Omaha was a distinguished member of this Legislature, serving from 1987 through 1995 and again from 2007 through 2015, and of United States House of Representatives, serving from 2015 through 2017; and

WHEREAS, Brad served this Legislature as a member of the Executive Board, the Appropriations, Transportation, Intergovernmental Cooperation, Education, and Judiciary Committees, and served as Chairperson of the Intergovernmental Cooperation Committee from 1993 through 1995 and Chairperson of the Judiciary Committee from 2007 through 2015; and

WHEREAS, Brad was born and raised in Omaha, attended Westside High School, Gustavus Adolphus College, and Colgate University, and received his J.D. from Creighton University School of Law in 1974; and

WHEREAS, Brad married Ann Ferlic in 1993 and the couple raised three children: John, Ellie, and Tom; and

WHEREAS, Brad served the city of Omaha working to preserve Joslyn Castle and as a founding member of the Metropolitan Entertainment and Convention Authority, chairperson of the Omaha Housing Authority Board, Senior Fellow of the Creighton University School of Law Werner Institute for Negotiation and Dispute Resolution, cofounder of the Werner Institute Public Issues Collaboration Initiative, and member of the Salvation Army Advisory Board; and

WHEREAS, Brad's many public policy achievements in the Legislature included advancing successful bills to create the learning communities in the Omaha metropolitan area and the first permit to purchase system in the United States, to reform the juvenile justice system and the Nebraska Commission on Industrial Relations, to enable stem cell research to continue, and to provide medicaid coverage to undocumented pregnant mothers. Additionally, Brad provided tireless advocacy in support of public schools and teachers; and

WHEREAS, Brad, as a member of the United States House of Representatives, passed innovative legislation creating the first public-private partnership for United States Department of Veteran Affairs construction with the CHIP IN for Vets Act which paved the way for the Omaha Veterans Affairs Ambulatory Care Center.

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

1. That the Legislature honors Brad Ashford for a life of dedication to the law and of leadership and service to the State of Nebraska and the city of Omaha.

2. That a copy of this resolution be sent to Brad and Ann Ashford.

Laid over.

EXPLANATION OF VOTE

Had I been present, I would have voted "aye" on final passage of LB873.

(Signed) Julie Slama

SELECT FILE

LEGISLATIVE BILL 800. Senator Bostar offered his amendment, [AM2352](#), found on page 878.

SPEAKER HILGERS PRESIDING

The Bostar amendment was adopted with 32 ayes, 1 nay, 14 present and not voting, and 2 excused and not voting.

Senator Blood offered her amendment, [AM2210](#), found on page 1044.

Pending.

PRESENTED TO THE GOVERNOR

Presented to the Governor on April 7, 2022, at 11:35 a.m. were the following: LBs 873, 1014e, 1084, 1083e.

(Signed) Jamie Leishman
Clerk of the Legislature's Office

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Vargas name added to LB852.

RECESS

At 12:01 p.m., on a motion by Senator Briese, the Legislature recessed until 1:00 p.m.

AFTER RECESS

The Legislature reconvened at 1:00 p.m., Speaker Hilgers presiding.

ROLL CALL

The roll was called and all members were present except Senator Pahls who was excused; and Senators Albrecht, Bostar, J. Cavanaugh, M. Cavanaugh,

DeBoer, Flood, Geist, Kolterman, Lathrop, Morfeld, Pansing Brooks, Vargas, and Wishart who were excused until they arrive.

SELECT FILE

LEGISLATIVE BILL 800. Senator Blood renewed her amendment, [AM2210](#), found on page 1044 and considered in this day's Journal.

Senator Blood moved for a call of the house. The motion prevailed with 16 ayes, 8 nays, and 25 not voting.

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

Voting in the affirmative, 15:

Blood	Cavanaugh, M.	Hunt	Morfeld	Walz
Brandt	Day	Lathrop	Sanders	Wayne
Cavanaugh, J.	DeBoer	McKinney	Vargas	Wishart

Voting in the negative, 23:

Arch	Dorn	Hansen, B.	Lindstrom	Murman
Bostelman	Erdman	Hilgers	Linehan	Slama
Brewer	Flood	Hilkemann	Lowe	Williams
Briese	Friesen	Hughes	McDonnell	
Clements	Halloran	Jacobson	Moser	

Present and not voting, 6:

Aguilar	Hansen, M.	McCollister
Gragert	Kolterman	Stinner

Excused and not voting, 5:

Albrecht	Bostar	Geist	Pahls	Pansing Brooks
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The Blood amendment lost with 15 ayes, 23 nays, 6 present and not voting, and 5 excused and not voting.

The Chair declared the call raised.

Senator B. Hansen offered the following amendment:

[AM2365](#)

(Amendments to Standing Committee amendments, AM2035)

1 1. Insert the following new sections:

2 Sec. 340. (1) The Legislature finds that this section is necessary

3 to minimize burdens on the charitable sector and encourage a grantmaking

4 environment that is free and independent from intrusive or politically

5 motivated regulation.

6 (2) For purposes of this section:

7 (a) Agency means each board, commission, department, officer,
 8 division, or other administrative office or unit of the state government
 9 authorized by law to make rules and regulations, except the Adjutant
 10 General's office as provided in Chapter 55, the Legislature, the courts,
 11 including the Nebraska Workers' Compensation Court, and the Commission of
 12 Industrial Relations; and
 13 (b) Agency includes the Secretary of State and the Attorney General.
 14 (3) Absent the showing of a compelling state interest, an agency
 15 shall not require any annual filing or reporting by a charitable
 16 organization, whether regulated or specifically exempted from regulation,
 17 that is more burdensome than any requirements authorized by state law.
 18 Any such filing or reporting requirement shall be narrowly tailored to
 19 achieve such compelling state interest.
 20 (4) This section shall not be construed to limit or restrict the
 21 powers, duties, remedies, or penalties available to the Attorney General
 22 or Secretary of State under statute or common law, including, but not
 23 limited to, issuance of a civil investigative demand or subpoena.
 24 Sec. 341. Section 84-920, Revised Statutes Cumulative Supplement,
 25 2020, is amended to read:
 26 84-920 Sections 84-901 to 84-920 and section 340 of this act and the
 1 Occupational Board Reform Act shall be known and may be cited as the
 2 Administrative Procedure Act.
 3 2. Correct the operative date and repealer sections so that the
 4 sections added by this amendment become operative three calendar months
 5 after the adjournment of this legislative session.
 6 3. Renumber the remaining sections and correct internal references
 7 accordingly.

SENATOR ARCH PRESIDING

Senator B. Hansen withdrew his amendment.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 1102. [ER142](#), found on page 860, was adopted.

Senator Bostelman offered his amendment, [AM2470](#), found on page 1003.

The Bostelman amendment was adopted with 32 ayes, 0 nays, 13 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 1102A. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 888. [ER119](#), found on page 707, was adopted.

Senator Bostelman offered his amendment, [AM2201](#), found on page 779.

The Bostelman amendment was adopted with 35 ayes, 0 nays, 10 present and not voting, and 4 excused and not voting.

Senator Wayne offered his amendment, [FA193](#), found on page 1044.

The Wayne amendment was adopted with 31 ayes, 0 nays, 14 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 1016. [ER156](#), found on page 1078, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 902. [ER160](#), found on page 1078, was adopted.

Senator M. Cavanaugh withdrew her motion, [MO205](#), found on page 1157, to bracket.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 902A. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 852. [ER157](#), found on page 1076, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 1069. [ER158](#), found on page 1079, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 1068. [ER163](#), found on page 1126, was adopted.

Senator M. Cavanaugh withdrew her motion, [MO204](#), found on page 1152, to bracket.

Senator Stinner offered his amendment, [AM2695](#), found on page 1156.

The Stinner 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 1068A. Senator Stinner offered his amendment, [AM2708](#), found on page 1156.

The Stinner amendment was adopted with 32 ayes, 0 nays, 13 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 977. [ER165](#), found on page 1126, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 977A. Advanced to Enrollment and Review for Engrossment.

GENERAL FILE

LEGISLATIVE BILL 1218. Title read. Considered.

Committee [AM2213](#), found on page 789, was offered.

Senator Linehan withdrew her amendment, [AM2284](#), found on page 815.

Senator Erdman offered the following amendment to the committee amendment:

[AM2751](#)

(Amendments to Standing Committee amendments, AM2213)

- 1 1. On page 19, strike beginning with the first comma in line 11 through "teaching" in line 12 and insert "and college admissions examinations"; and strike lines 22 through 31.
- 4 2. On page 20, lines 1 through 6, reinstate the stricken matter.

The Erdman amendment was adopted with 31 ayes, 1 nay, 13 present and not voting, and 4 excused and not voting.

The committee amendment, as amended, was adopted with 38 ayes, 0 nays, 7 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 39 ayes, 0 nays, 6 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 1218A. Title read. Considered.

Advanced to Enrollment and Review Initial with 39 ayes, 0 nays, 6 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 1261. Title read. Considered.

SENATOR WILLIAMS PRESIDING

Committee [AM2211](#), found on page 773, was offered.

Senator M. Cavanaugh withdrew her motion, [MO213](#), found on page 1152, to bracket.

Senator M. Hansen withdrew his amendment, [FA178](#), found on page 1007.

Senator Murman offered the following amendment to the committee amendment:

[AM2760](#) is available in the Bill Room.

The Murman amendment was adopted with 38 ayes, 0 nays, 7 present and not voting, and 4 excused and not voting.

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

Advanced to Enrollment and Review Initial with 35 ayes, 0 nays, 10 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 984. Title read. Considered.

Committee [AM2130](#), found on page 714, was offered.

Senator Linehan offered her amendment, [AM2144](#), found on page 716, to the committee amendment.

The Linehan amendment was adopted with 37 ayes, 0 nays, 8 present and not voting, and 4 excused and not voting.

Senator Pansing Brooks offered her amendment, [AM2642](#), found on page 1082, to the committee amendment.

Senator Pansing Brooks withdrew her amendment.

Senator M. Hansen withdrew his amendment, [FA175](#), found on page 1007.

Senator M. Hansen withdrew his amendment, [FA176](#), found on page 1007.

The committee amendment, as amended, was adopted with 41 ayes, 0 nays, 4 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 42 ayes, 0 nays, 3 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 729. Title read. Considered.

Committee [AM2084](#), found on page 687, was offered.

Senator M. Hansen withdrew his amendment, [FA159](#), found on page 1006.

The committee amendment lost with 3 ayes, 33 nays, 9 present and not voting, and 4 excused and not voting.

Senator M. Hansen withdrew his amendment, [FA160](#), found on page 1006.

Senator M. Hansen withdrew his amendment, [FA161](#), found on page 1006.

Senator Lindstrom moved for a call of the house. The motion prevailed with 30 ayes, 8 nays, and 11 not voting.

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

Voting in the affirmative, 27:

Aguilar	Dorn	Kolterman	McKinney	Wayne
Arch	Gragert	Lindstrom	Morfeld	Williams
Bostar	Hansen, B.	Linehan	Moser	Wishart
Brandt	Hilgers	Lowe	Pansing Brooks	
Brewer	Hilkemann	McCollister	Sanders	
Briese	Jacobson	McDonnell	Vargas	

Voting in the negative, 10:

Blood	Cavanaugh, M.	Erdman	Friesen	Slama
Bostelman	DeBoer	Flood	Hansen, M.	Stinner

Present and not voting, 8:

Cavanaugh, J.	Day	Hughes	Lathrop
Clements	Halloran	Hunt	Murman

Excused and not voting, 4:

Albrecht	Geist	Pahls	Walz
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Advanced to Enrollment and Review Initial with 27 ayes, 10 nays, 8 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

AMENDMENT(S) - Print in Journal

Senator Lathrop filed the following amendment to [LB896](#):
[AM2502](#)

(Amendments to Standing Committee amendments, AM1930)

- 1 1. On page 2, line 21, after "institution" insert "located within
- 2 the State of Nebraska".
- 3 2. On page 3, line 11, strike "on a regular basis" and insert "at
- 4 least once every eight years".

Senator DeBoer filed the following amendment to [LB922](#):
[AM2429](#)

(Amendments to Standing Committee amendments, AM2332)

- 1 1. Insert the following new section:
- 2 Sec. 8. Section 42-369, Revised Statutes Cumulative Supplement,
- 3 2020, is amended to read:
- 4 42-369 (1) All orders, decrees, or judgments for temporary or

5 permanent support payments, including child, spousal, or medical support,
6 and all orders, decrees, or judgments for alimony or modification of
7 support payments or alimony shall direct the payment of such sums to be
8 made commencing on the first day of each month for the use of the persons
9 for whom the support payments or alimony have been awarded. Such payments
10 shall be made to the clerk of the district court (a) when the order,
11 decree, or judgment is for spousal support, alimony, or maintenance
12 support and the order, decree, or judgment does not also provide for
13 child support, and (b) when the payment constitutes child care or day
14 care expenses, unless payments under subdivision (1)(a) or (1)(b) of this
15 section are ordered to be made directly to the obligee. All other support
16 order payments shall be made to the State Disbursement Unit. In all cases
17 in which income withholding has been implemented pursuant to the Income
18 Withholding for Child Support Act or sections 42-364.01 to 42-364.14,
19 support order payments shall be made to the State Disbursement Unit. The
20 court may order such payment to be in cash or guaranteed funds.
21 (2)(a) If the party against whom an order, decree, or judgment for
22 child support is entered or the custodial party has health care coverage
23 available to him or her through an employer, organization, or other
24 health care coverage entity which may extend to cover any children
25 affected by the order, decree, or judgment and the health care coverage
26 is accessible to the children and is available to the responsible party
1 at reasonable cost, the court shall require health care coverage to be
2 provided. Health care coverage is accessible if the covered children can
3 obtain services from a plan provider with reasonable effort by the
4 custodial party. When the administrative agency, court, or other tribunal
5 determines that the only health care coverage option available through
6 the noncustodial party is a plan that limits service coverage to
7 providers within a defined geographic area, the administrative agency,
8 court, or other tribunal shall determine whether the child lives within
9 the plan's service area. If the child does not live within the plan's
10 service area, the administrative agency, court, or other tribunal shall
11 determine whether the plan has a reciprocal agreement that permits the
12 child to receive coverage at no greater cost than if the child resided in
13 the plan's service area. The administrative agency, court, or other
14 tribunal shall also determine if primary care is available within thirty
15 minutes or thirty miles of the child's residence. For the purpose of
16 determining the accessibility of health care coverage, the administrative
17 agency, court, or other tribunal may determine and include in an order
18 that longer travel times are permissible if residents, in part or all of
19 the service area, customarily travel distances farther than thirty
20 minutes or thirty miles. If primary care services are not available
21 within these constraints, the health care coverage is presumed
22 inaccessible. If health care coverage is not available or is inaccessible
23 and one or more of the parties are receiving Title IV-D services, then
24 cash medical support shall be ordered. Cash medical support or the cost
25 of health care coverage is considered reasonable in cost if the cost to
26 the party responsible for providing medical support does not exceed the
27 amount set forth in child support guidelines established by the Supreme
28 Court by court rule pursuant to section 42-364.16 three percent of his or
29 her gross income. In applying the three percent standard, the cost is the
30 cost of adding the children to existing health care coverage or the
31 difference between self-only and family health care coverage. Cash
1 medical support payments shall not be ordered if, at the time that the
2 order is issued or modified, the responsible party's income is or such
3 expense would reduce the responsible party's net income below the basic
4 subsistence limitation provided in Nebraska Court Rule section 4-218. If
5 such rule does not describe a basic subsistence limitation, the
6 responsible party's net income shall not be reduced below nine hundred
7 three dollars net monthly income for one person or below the poverty

8 ~~guidelines updated annually in the Federal Register by the United States~~
 9 ~~Department of Health and Human Services under the authority of 42 U.S.C.~~
 10 ~~9902(2).~~

11 (b) For purposes of this section:

12 (i) Health care coverage has the same meaning as in section
 13 44-3,144; and

14 (ii) Cash medical support means an amount ordered to be paid toward
 15 the cost of health care coverage provided by a public entity or by
 16 another parent through employment or otherwise or for other medical costs
 17 not covered by insurance or other health care coverage.

18 (3) A support order, decree, or judgment may include the providing
 19 of necessary shelter, food, clothing, care, medical support as defined in
 20 section 43-512, medical attention, expenses of confinement, education
 21 expenses, funeral expenses, and any other expense the court may deem
 22 reasonable and necessary.

23 (4) Orders, decrees, and judgments for temporary or permanent
 24 support or alimony shall be filed with the clerk of the district court
 25 and have the force and effect of judgments when entered. The clerk and
 26 the State Disbursement Unit shall disburse all payments received as
 27 directed by the court and as provided in sections 42-358.02 and
 28 43-512.07. Records shall be kept of all funds received and disbursed by
 29 the clerk and the unit and shall be open to inspection by the parties and
 30 their attorneys.

31 (5) Unless otherwise specified by the court, an equal and
 1 proportionate share of any child support awarded shall be presumed to be
 2 payable on behalf of each child subject to the order, decree, or judgment
 3 for purposes of an assignment under section 43-512.07.

4 2. Correct the operative date and repealer sections so that the
 5 section added by this amendment becomes operative on its effective date.

6 3. Renumber the remaining sections and correct internal references
 7 accordingly.

Senator McCollister filed the following amendment to LB709:
AM2707

(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"; in
 6 line 23 strike "section" and insert "subsection"; and strike lines 25
 7 through 31 and insert the following new subdivisions:

8 "(i)(A) The applicant holds (I) a credential in another state that
 9 has a reciprocal credentialing agreement with the State of Nebraska for
 10 such credential as determined by the board, (II) a military occupational
 11 specialty in the United States Military, or (III) a license with a
 12 prerequisite of apprentice registration and successful completion of an
 13 apprenticeship training program registered by the United States
 14 Department of Labor; and

15 (B) The credential, military occupational specialty, or license is
 16 similar to a license issued pursuant to the State Electrical Act and is
 17 for an occupation with a similar scope of practice, as determined by the
 18 board;".

19 2. On page 3, strike line 1; and in line 29, after "to" insert

20 "(i)".

21 3. On page 4, line 1, after "examination" insert "or (ii)
 22 participate in jurisprudential training required for all licensees, not
 23 to exceed ten clock hours".

24 4. On page 6, line 19, strike "felony"; in line 20 after "statutes"
 25 insert "or rules and regulations"; and after line 29 insert the following

26 new subsection:

1 "(3) An occupational board shall adopt and promulgate rules and
2 regulations related to disqualifying offenses in the statutes governing
3 the occupation and shall report such rules and regulations to the
4 standing committee of the Legislature with jurisdiction not later than
5 January 1, 2024. Subsequent changes to rules and regulations adopted and
6 promulgated pursuant to this section shall be reported to the standing
7 committee of the Legislature with jurisdiction within thirty days after
8 the adoption of such changes to rules and regulations."; and in line 30
9 strike "(3)" and insert "(4)".

10 5. On page 7, line 10, strike "three" and insert "five"; in line 28
11 strike "(4)" and insert "(5)"; and after line 30 insert the following new
12 subsection:

13 "(6) This section does not apply to an occupation regulated by the
14 Supreme Court, the Department of Banking and Finance, the State
15 Electrical Board, the State Real Estate Commission, or the Nebraska
16 Commission on Law Enforcement and Criminal Justice or a credential issued
17 for a certified public accountant pursuant to the Public Accountancy Act,
18 a viatical settlement broker pursuant to the Viatical Settlements Act, an
19 insurance consultant pursuant to sections 44-2606 to 44-2635, an
20 insurance producer pursuant to the Insurance Producers Licensing Act, a
21 managing general agent pursuant to the Managing General Agents Act, a
22 utilization review agent pursuant to the Utilization Review Act, a
23 surplus lines producer pursuant to the Surplus Lines Insurance Act, a
24 reinsurance intermediary-broker or reinsurance intermediary-manager
25 pursuant to the Reinsurance Intermediary Act, or a public adjuster
26 pursuant to the Public Adjusters Licensing Act."

27 6. On page 11, line 11, after "to" insert "(a)"; and in line 15
28 after "examination" insert "or (b) participate in jurisprudential
29 training required for all licensees, not to exceed ten clock hours".

30 7. On page 12, line 30, after the second comma insert "the
31 Department of Banking and Finance, the Board of Engineers and Architects,
1 the State Real Estate Commission,".

2 8. On page 14, line 12, strike "(9)" and insert "(10)".

3 9. On page 15, line 6, strike "(9)" and insert "(10)"; in line 12

4 strike "(4)" and insert "(5)"; in line 16 strike "felony"; in line 17

5 after "statutes" insert "or rules and regulations"; after line 25 insert

6 the following new subsection:

7 "(4) An occupational board shall adopt and promulgate rules and
8 regulations related to disqualifying offenses in the statutes governing
9 the occupation and shall report such rules and regulations to the
10 standing committee of the Legislature with jurisdiction not later than
11 January 1, 2024. Subsequent changes to rules and regulations adopted and
12 promulgated pursuant to this section shall be reported to the standing
13 committee of the Legislature with jurisdiction within thirty days after
14 the adoption of such changes to rules and regulations."; in line 26
15 strike "(4)" and insert "(5)"; and in line 29 strike "or" and insert an
16 underscored comma and after "employee" insert ", or".

17 10. On page 16, line 4, after "consideration" insert "or at the
18 board's next regularly scheduled meeting if the board does not meet
19 within sixty days after receiving an application"; in line 17 strike
20 "(5)" and insert "(6)"; and in line 30 strike "(6)" and insert "(7)".

21 11. On page 17, line 10, strike "three" and insert "five"; in line
22 28 strike "(7)" and insert "(8)"; and in line 31 strike "(8)" and insert
23 "(9)".

24 12. On page 18, line 8, strike "(9)" and insert "(10)"; and after
25 line 18 insert the following new subsection:

26 "(11) This section does not apply to an occupation regulated by the
27 Supreme Court, the Department of Banking and Finance, the State
28 Electrical Board, the State Real Estate Commission, or the Nebraska

29 Commission on Law Enforcement and Criminal Justice or a credential issued
 30 for a certified public accountant pursuant to the Public Accountancy Act,
 31 a viatical settlement broker pursuant to the Viatical Settlements Act, an
 1 insurance consultant pursuant to sections 44-2606 to 44-2635, an
 2 insurance producer pursuant to the Insurance Producers Licensing Act, a
 3 managing general agent pursuant to the Managing General Agents Act, a
 4 utilization review agent pursuant to the Utilization Review Act, a
 5 surplus lines producer pursuant to the Surplus Lines Insurance Act, a
 6 reinsurance intermediary-broker or reinsurance intermediary-manager
 7 pursuant to the Reinsurance Intermediary Act, or a public adjuster
 8 pursuant to the Public Adjusters Licensing Act."

Senator McCollister filed the following amendment to LB344:
[AM2739](#)

(Amendments to AM1880)

1 1. On page 1, line 20, after the period insert "An investigation
 2 shall only be conducted by an investigator trained in the rules and
 3 regulations adopted and promulgated by the State Fire Marshal to carry
 4 out the One-Call Notification System Act.".

Senator J. Cavanaugh filed the following amendment to LB344:
[AM2741](#)

(Amendments to AM1880)

1 1. On page 4, line 22, strike "to establish rules of procedure" and
 2 after "section" insert ", including general rules of practice and
 3 procedure, training requirements for investigators, the complaint
 4 process, and the structure for assessing the amount of any civil
 5 penalty".

Senator J. Cavanaugh filed the following amendment to LB344:
[AM2740](#)

(Amendments to AM1880)

1 1. On page 3, strike line 31.
 2 2. On page 4, strike lines 1 through 8; in line 9 strike "(4)" and
 3 insert "(3) In addition to or in lieu of assessing a civil penalty as
 4 provided in subsection (2) of this section, the State Fire Marshal may
 5 order that a violator take and complete continuing education regarding
 6 compliance with the One-Call Notification System Act. Such continuing
 7 education shall be approved by the State Fire Marshal. When imposing a
 8 civil penalty, the State Fire Marshal"; reinstate the stricken matter
 9 beginning with the second stricken "shall" in line 12 through the
 10 stricken period in line 18; and in line 21 strike "(5)" and insert "(4)".

Senator Arch filed the following amendment to LB1173A:
[AM2627](#)

(Amendments to Arch amendments, AM2051)

1 1. Insert the following new sections:
 2 Sec. 2. There is hereby appropriated (1) \$346,413 from the General
 3 Fund and \$42,262 from federal funds for FY2022-23 and (2) \$317,867 from
 4 the General Fund for FY2023-24 to the Department of Health and Human
 5 Services, for Program 33, to aid in carrying out the provisions of
 6 Legislative Bill 1173, One Hundred Seventh Legislature, Second Session,
 7 2022.
 8 Total expenditures for permanent and temporary salaries and per
 9 diems from funds appropriated in this section shall not exceed \$31,879
 10 for FY2022-23 or \$42,505 for FY2023-24.
 11 Sec. 3. There is hereby appropriated (1) \$133,541 from the General
 12 Fund and \$1,975 from federal funds for FY2022-23 and (2) \$148,651 from

13 the General Fund and \$2,174 from federal funds for FY2023-24 to the
14 Department of Health and Human Services, for Program 354, to aid in
15 carrying out the provisions of Legislative Bill 1173, One Hundred Seventh
16 Legislature, Second Session, 2022.
17 No expenditures for permanent and temporary salaries and per diems
18 for state employees shall be made from funds appropriated in this
19 section.
20 2. Renumber the remaining section accordingly.

GENERAL FILE

LEGISLATIVE BILL 543. Title read. Considered.

Committee [AM1800](#), found on page 511, was offered.

SENATOR HUGHES PRESIDING

SPEAKER HILGERS PRESIDING

Senator Aguilar moved the previous question. The question is, "Shall the debate now close?" The motion failed with 13 ayes, 5 nays, and 31 not voting.

Pending.

EXPLANATION(S) OF VOTE(S)

Had I been present, I would have voted "aye" on final passage of LB873.

(Signed) Machaela Cavanaugh

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Vargas name added to LB721.
Senator Morfeld name added to LB852.
Senator Slama name added to LR427.
Senator Wishart name added to LR427.
Senator Brewer name added to LR427.
Senator Blood name added to LR427.
Senator Briese name added to LR427.
Senator Williams name added to LR427.
Senator Jacobson name added to LR427.
Senator Moser name added to LR427.
Senator McDonnell name added to LR427.
Senator Kolterman name added to LR427.
Senator Lowe name added to LR427.
Senator Gragert name added to LR427.

Senator Dorn name added to LR427.
Senator Aguilar name added to LR427.
Senator Clements name added to LR427.

VISITOR(S)

Visitors to the Chamber were eighth-grade students from St. Peter's School, Lincoln; third-, fourth-, and fifth-grade students from St. Ludger School, Creighton; fourth- and fifth-grade students from St. Patrick's School, Lincoln; fourth-grade students from St. Gerald's, Ralston; fourth-grade students from St. Joseph's School, York; fifth-grade students from Lifegate Christian School, Omaha; and members of the Pender FFA Chapter from Pender High School.

The Doctor of the Day was Dr. Dan Rosenquist of Columbus.

ADJOURNMENT

At 5:48 p.m., on a motion by Senator J. Cavanaugh, the Legislature adjourned until 9:00 a.m., Friday, April 8, 2022.

Patrick J. O'Donnell
Clerk of the Legislature

FIFTY-SIXTH DAY - APRIL 8, 2022

LEGISLATIVE JOURNAL

**ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION**

FIFTY-SIXTH DAY

Legislative Chamber, Lincoln, Nebraska
Friday, April 8, 2022

PRAYER

The prayer was offered by Pastor Derek Geist, Mercy City Church, Lincoln.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Dorn.

ROLL CALL

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

The roll was called and all members were present except Senator Pahls who was excused; and Senators Bostar, M. Cavanaugh, Day, Geist, B. Hansen, Hunt, Morfeld, and Stinner who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

Page 1181, line 25, strike "AM171" and insert "FA171".
The Journal for the fifty-fifth day was approved as corrected.

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 April 7, 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

Hallman, J. Eric

Nebraska Independent Community Bankers (Withdrawn 04/07/2022)

GENERAL FILE

LEGISLATIVE BILL 984A. Title read. Considered.

Advanced to Enrollment and Review Initial with 37 ayes, 0 nays, 3 present and not voting, and 9 excused and not voting.

LEGISLATIVE BILL 1144A. Title read. Considered.

Advanced to Enrollment and Review Initial with 38 ayes, 0 nays, 2 present and not voting, and 9 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 917A. Senator Wayne offered his amendment, [AM2640](#), found on page 1109.

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

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 1024A. Senator Wayne offered his amendment, [AM2752](#), found on page 1185.

The Wayne amendment was adopted with 29 ayes, 1 nay, 11 present and not voting, and 8 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

GENERAL FILE

LEGISLATIVE BILL 922. Title read. Considered.

Committee [AM2332](#), found on page 880, was offered.

Senator DeBoer offered her amendment, [AM2429](#), found on page 1194, to the committee amendment.

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

Senator M. Hansen offered the following amendment, to the committee amendment:

[AM2771](#)

(Amendments to Standing Committee amendments, AM2332)

- 1 1. Insert the following new sections:
- 2 Sec. 8. Section 47-502, Reissue Revised Statutes of Nebraska, is
- 3 amended to read:
- 4 47-502 Any person sentenced to or confined in a city or county jail,
- 5 including any person serving a custodial sanction imposed in response to
- 6 a parole or probation violation, shall, ~~after the fifteenth day of his or~~
- 7 ~~her confinement,~~ have his or her remaining term reduced one day for each
- 8 day of his or her sentence or sanction during which he or she has not
- 9 committed any breach of discipline or other violation of jail
- 10 regulations.
- 11 Sec. 9. Section 47-503, Reissue Revised Statutes of Nebraska, is
- 12 amended to read:
- 13 47-503 (1) Credit against a jail term shall be given to any person
- 14 sentenced to a city or county jail for time spent in jail as a result of
- 15 the criminal charge for which the jail term is imposed or as a result of
- 16 conduct upon which such charge is based. Such credit shall include, but
- 17 not be limited to, time spent in jail:
- 18 (a) Prior to trial;
- 19 (b) During trial;
- 20 (c) Pending sentence;
- 21 (d) Pending resolution of an appeal; and
- 22 (e) Prior to delivery of such person to the county board of
- 23 corrections or, in counties which do not have a county board of
- 24 corrections, the county sheriff.
- 25 (2) If a person is arrested on one charge and prosecuted on another
- 26 charge growing out of conduct which occurred prior to such person's
- 1 arrest, credit against the term of any sentence resulting from such
- 2 prosecution shall be given for all time spent in custody under the former
- 3 charge which has not been credited against another sentence.
- 4 ~~(3)~~ (2) Credit to any person sentenced to a city or county jail who
- 5 is eligible for credit pursuant to subsection (1) ~~or (2)~~ of this section
- 6 shall be set forth as part of the sentence at the time such sentence is
- 7 imposed.
- 8 2. Correct the operative date and repealer sections so that the
- 9 sections added by this amendment become operative on their effective
- 10 date.
- 11 3. Renumber the remaining sections and correct internal references
- 12 accordingly.

Senator M. Hansen withdrew his amendment.

Senator J. Cavanaugh offered the following amendment to the committee amendment:

[FA204](#)

Amend AM2332 by striking section 6 and renumbering the remaining sections.

Senator J. Cavanaugh withdrew his amendment.

The committee amendment, as amended, was adopted with 31 ayes, 0 nays, 11 present and not voting, and 7 excused and not voting.

Advanced to Enrollment and Review Initial with 33 ayes, 0 nays, 9 present and not voting, and 7 excused and not voting.

LEGISLATIVE BILL 922A. Title read. Considered.

Senator Lathrop offered the following amendment:

[AM2767](#)

1 1. Strike the original section and insert the following new
2 sections:

3 Section 1. There is hereby appropriated (1) \$209,768 from the
4 General Fund for FY2022-23 and (2) \$209,768 from the General Fund for
5 FY2023-24 to the Supreme Court, for Program 6, to aid in carrying out the
6 provisions of Legislative Bill 922, One Hundred Seventh Legislature,
7 Second Session, 2022.

8 Total expenditures for permanent and temporary salaries and per
9 diems from funds appropriated in this section shall not exceed \$183,544
10 for FY2022-23 or \$183,544 for FY2023-24.

11 Sec. 2. There is hereby appropriated (1) \$116,125 from the General
12 Fund for FY2022-23 and (2) \$106,731 from the General Fund for FY2023-24
13 to the Supreme Court, for Program 52, to aid in carrying out the
14 provisions of Legislative Bill 922, One Hundred Seventh Legislature,
15 Second Session, 2022.

16 Total expenditures for permanent and temporary salaries and per
17 diems from funds appropriated in this section shall not exceed \$67,942
18 for FY2022-23 or \$67,942 for FY2023-24.

The Lathrop amendment was adopted with 34 ayes, 0 nays, 8 present and not voting, and 7 excused and not voting.

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

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 843. Placed on Select File with amendment.
[ER170](#) is available in the Bill Room.

LEGISLATIVE BILL 686. Placed on Select File.

LEGISLATIVE BILL 1130. Placed on Select File with amendment.
[ER168](#)

1 1. On page 1, strike beginning with "sections" in line 2 through
2 line 10 and insert "section 48-3704, Reissue Revised Statutes of
3 Nebraska; to change reporting requirements; and to repeal the original
4 section."

LEGISLATIVE BILL 1130A. Placed on Select File.

LEGISLATIVE BILL 1150. Placed on Select File with amendment.
[ER169](#) is available in the Bill Room.

LEGISLATIVE BILL 1150A. Placed on Select File.

LEGISLATIVE RESOLUTION 917. Placed on Final Reading Second.

LEGISLATIVE RESOLUTION 1024. Placed on Final Reading Second.

LEGISLATIVE RESOLUTION 1173. Placed on Final Reading Second.

(Signed) Terrell McKinney, Chairperson

ATTORNEY GENERAL'S OPINION

Opinion 22-005

SUBJECT: Constitutionality of Allowing Law Enforcement
 to Access Electronic Monitoring Data for
 Adjudicated Juveniles — LB 1010.

REQUESTED BY: Senator Michael Flood
 Nebraska Legislature

WRITTEN BY: Douglas J. Peterson, Attorney General
 Melissa R. Vincent, Assistant Attorney General

INTRODUCTION

Neb. Rev. Stat. § 43-250 (Cum. Supp. 2020) governs the disposition of juveniles taken into temporary custody for various reasons. LB 1010 amends § 43-250(1)(c) to allow the court or a probation officer to place a juvenile on electronic monitoring as an alternative to secure detention and to share the data from the electronic monitoring device with law enforcement "immediately upon request." On March 23, 2022, you requested an opinion from our office concerning the legality of this amendment, specifically whether "there are any privacy and or other legal issues that would prevent law enforcement from accessing the data of an electronic monitoring device on an adjudicated juvenile" and whether this provision is "constitutional as it pertains to adjudicated juveniles."

As a preliminary observation, § 43-250 does not distinguish between adjudicated and unadjudicated juveniles, and when limited to the former, is triggered only if the juvenile is placed on electronic monitoring after being taken into temporary custody for a specified reason. Having read the testimony from the Judiciary Committee's hearing on LB 1010, it appears this amendment is intended to apply to juveniles who have been placed on electronic monitoring as a condition of their probation. If so, that objective may be more effectively accomplished by LB 1010 (AM2435), which amends Neb. Rev. § 43-2,108 (Cum. Supp. 2020) to state that "any court order that places a juvenile on electronic monitoring shall also state whether the data from such electronic monitoring device shall be made available to a law enforcement agency immediately upon request by such

agency."¹ With that understanding, and for the reasons discussed below, we conclude that a statute allowing law enforcement to access a juvenile probationer's electronic monitoring data without first obtaining a warrant is constitutional.

ANALYSIS

The fundamental question presented here is whether authorizing law enforcement to access a juvenile probationer's electronic monitoring data without a warrant violates the Fourth Amendment. For purposes of this analysis, we note that the Fourth Amendment to the U.S. Constitution affords the same protection as article I, § 7, of the Nebraska Constitution. *State v. Smith*, 279 Neb. 918, 782 N.W.2d 913 (2010).

The basic purpose of the Fourth Amendment is to safeguard the privacy and security of individuals against arbitrary invasions by government officials. *U.S. v. Mathews*, 928 F.3d 968 (10th Cir. 2019) [*Mathews*"]. When an individual seeks to preserve something as private, and his expectation of privacy is one that society is prepared to recognize as reasonable, an official intrusion into that private sphere generally qualifies as a search and requires a warrant supported by probable cause. *Id.* at 975.

However, the Fourth Amendment does not apply with equal force to probationers.² The U.S. Supreme Court has long recognized that probationers do not enjoy the absolute liberty to which every citizen is entitled and may be subject to reasonable conditions that deprive them of some freedoms enjoyed by law-abiding citizens. *Griffin v. Wisconsin*, 483 U.S. 868 (1987); *U.S. v. Knights*, 534 U.S. 112 (2001) [*Knights*"]. As a result, the U.S. Supreme Court has established two exceptions to the Fourth Amendment's warrant requirement in the parolee/probationer context. *Mathews*, 928 F.3d at 975-76. The first exception, generally described as the "special needs search," holds that it is constitutionally permissible for a

¹ Notably, § 43-253 requires any juvenile taken into temporary custody under § 43-250(1)(c) to be brought before a court of competent jurisdiction within 24 hours for a hearing to determine if continued detention or supervision is necessary. Presumably, the court would then enter an order in accordance with § 43-2,108 as amended by AM2435.

² This statement applies to both adults and juveniles. "No court has ever held that a juvenile is entitled to greater fourth amendment protections by reason of [his or] her minority." *In re Lakisha M.*, 882 N.E.2d 570, 576 (Ill. 2008).

probation officer to search probationers in compliance with a probation agreement search provision, but without a warrant. *Id.* The second exception, known as the totality-of-the-circumstances exception, authorizes warrantless searches without probable cause (or even reasonable suspicion) by police officers with no responsibility for parolees or probationers when the totality of the circumstances renders the search reasonable. *Id.* at 976. The totality-of-the-circumstances exception is predicated on (1) the reduced (or absent) expectation of privacy for probationers and parolees and (2) the needs of law enforcement. *Id.* When the terms of a probation agreement allow officers to search the probationer's person or effects with something less than probable cause, the probationer's reasonable expectation of privacy is "significantly diminished." *Id.* Courts balance this significantly diminished expectation of privacy against the government's interest in apprehending violators of the criminal law. *Id.*

Notably, a primary goal of probation is to protect society from future criminal violations. *Knights*, 534 U.S. at 119. And because the very assumption of the institution of probation is that the probationer is more likely than the ordinary citizen to violate the law, the government may justifiably focus on probationers in a way that it does not on the ordinary citizen. *Mathews*, 928 F.3d at 976.

As a general matter, a search of a parolee or probationer authorized by state law satisfies the totality-of-the-circumstances exception. *Mathews*, 928 F.3d at 976. Whether a search is authorized by state law is determined by the offender's probation agreement and the state regulations applicable to his or her case. *Id.* Thus, parolee and probationer searches are examples of the rare instance in which the contours of a federal constitutional right are determined, in part, by the content of state law. *Id.*

Based on the foregoing principles, courts in other jurisdictions have found that law enforcement may conduct warrantless searches of a probationer's electronic monitoring data without violating the Fourth Amendment. In both *Commonwealth v. Johnson*, 481 Mass. 710, 119 N.E.3d 669 (Mass. 2019) ["*Johnson*"], and *U.S. v. Jackson*, 214 A.3d 464 (D.C. 2019) ["*Jackson*"], law enforcement conducted warrantless searches of a probationer's historical GPS data for the limited purpose of determining whether the probationer was present at a particular crime scene. After the GPS data implicated the probationer in additional crimes, he moved to suppress it, alleging law enforcement had violated his Fourth Amendment right to be free from unreasonable searches by accessing the data without a warrant. Both courts rejected the probationer's claim, finding he had no reasonable expectation of privacy in the GPS data due to (1) his status as a probationer, (2) his knowledge that his movements were being monitored

and recorded by the GPS device, and (3) the existence of either a statute (*Johnson*) or a memorandum of understanding (*Jackson*) that specifically authorized law enforcement to access the probationer's GPS data. As the court in *Johnson* explained:

... [A] probationer subject to GPS monitoring as a condition of probation would certainly objectively understand that his or her location would be recorded and monitored to determine compliance with the conditions of probation, including whether he or she had engaged in additional criminal activity, to deter the commission of such offenses, and that police would have access to this location information for that purpose. General Laws c. 276, § 90, which serves the legitimate, even compelling, governmental purpose of detecting and determining whether a probationer engaged in criminal activity during the probationary period, confirms that objective understanding by expressly providing police access to this data.... [C]riminal activity that occurred during the probationary period is of particular concern to the Commonwealth, as it reflects the recidivist nature of the probationer.... Accordingly, as opposed to nonprobationers who have their GPS, CSLI, or other precise location information recorded and reviewed by law enforcement without their knowledge, the defendant could not reasonably expect that his whereabouts while subject to GPS monitoring, particularly his whereabouts at the time and place of criminal activity, would remain private from government eyes....

Moreover, the Commonwealth's conduct did not amount to the same type of conduct we have identified in other contexts as intruding on an individual's reasonable expectation of privacy in his or her whereabouts. The record does not describe law enforcement engaged in an effort to map out and analyze all of the defendant's movements over the 6-month probationary period.... Rather, as the defendant recognized in his motion to suppress, the Commonwealth reviewed the defendant's historical GPS location data to determine whether he was present at the general times and locations where various unsolved break-ins may have occurred.... Simply comparing subsets of the defendant's GPS location data recorded while he was on probation to the general times and places of suspected criminal activity during the probationary period is not a search in the constitutional sense. At least in other contexts, society has not recognized a probationer's purported expectation of privacy in information that identifies his or her presence at the scene of a crime as a reasonable one.

481 Mass. at 724-26, 119 N.E.3d at 683-85 (internal citations omitted).

In *Schall v. Martin*, 467 U.S. 253 (1984), the U.S. Supreme Court recognized that crime prevention is a legitimate and compelling state interest that persists undiluted in the juvenile context since the harm suffered by the victim of a crime is not dependent upon the age of the perpetrator. *Id.* at 264-65. The court also recognized that "the harm to society might be even greater in this context given the high rate of recidivism among juveniles." *Id.* at 265. Thus, although *Johnson* and *Jackson* involved adult probationers, we believe the same legal principles apply here since juvenile probationers have no greater expectation of privacy in their electronic monitoring data than their adult counterparts.

CONCLUSION

For the foregoing reasons, we conclude that a statute authorizing law enforcement to access the data from a juvenile probationer's electronic monitoring device without first obtaining a warrant is constitutional.

Very truly yours,

DOUGLAS J. PETERSON

Attorney General

(Signed) Melissa R. Vincent

Assistant Attorney General

(Signed) Dave Bydalek

Chief Deputy Attorney General

pc Patrick J. O'Donnell
Clerk of the Nebraska Legislature

07-1396-29

GENERAL FILE

LEGISLATIVE BILL 921. Title read. Considered.

Committee [AM2503](#), found on page 955, was offered.

SENATOR WILLIAMS PRESIDING

The committee amendment was adopted with 39 ayes, 0 nays, 4 present and not voting, and 6 excused and not voting.

Advanced to Enrollment and Review Initial with 39 ayes, 0 nays, 4 present

and not voting, and 6 excused and not voting.

LEGISLATIVE BILL 921A. Title read. Considered.

Advanced to Enrollment and Review Initial with 38 ayes, 0 nays, 5 present and not voting, and 6 excused and not voting.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 437. Introduced by Flood, 19.

WHEREAS, Trevor Dredla is a volunteer firefighter for Battle Creek Volunteer Fire and Rescue; and

WHEREAS, Trevor Dredla served his country with the United States Army for a ten-month period from 2021 through 2022; and

WHEREAS, Battle Creek Volunteer Fire and Rescue supported Trevor Dredla's wife, Kacie, and his daughters, Aislynn and Maesyn, during the duration of his deployment; and

WHEREAS, the Nebraska Employer Support of the Guard and Reserve honors those who show patriotism and support of soldiers while the soldiers serve their country; and

WHEREAS, the Seven Seals Award is one of the greatest distinctions granted to recognize individual or organizational efforts promoting the mission of the Employer Support of the Guard and Reserve across the United States; and

WHEREAS, on April 7, 2022, Battle Creek Volunteer Fire and Rescue was presented the Seven Seals Award for their support and care of Trevor Dredla's family during his service.

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

1. That the Legislature recognizes and honors the military service of Trevor Dredla.
2. That the Legislature recognizes the care and support Battle Creek Volunteer Fire and Rescue provided Kacie, Aislynn, and Maesyn Dredla and congratulates Battle Creek Volunteer Fire and Rescue on receiving the Seven Seals Award.
3. That copies of this resolution be sent to the family of Trevor Dredla and Battle Creek Volunteer Fire and Rescue.

Laid over.

LEGISLATIVE RESOLUTION 438. Introduced by Health and Human Services Committee: Arch, 14, Chairperson; Cavanaugh, M., 6; Day, 49; Hansen, B., 16; Murman, 38; Walz, 15; Williams, 36.

PURPOSE: The purpose of this resolution is to propose an interim study to identify potential policy changes for improving communication and sharing of case-specific information among the various state and local government

agencies responsible for the care, custody, treatment, and rehabilitation of youth in Nebraska, including, but not limited to, youth involved in the child welfare system and youth committed to the youth rehabilitation and treatment centers. The sharing of information related to the past treatment, interventions, programming, and support of youth may improve efficiency in treating youth who transition from the care of one agency to another agency and improve outcomes for youth.

The study should include, but not be limited to, an examination of:

- (1) The opportunities for sharing case information between and among state and local government agencies involved in the treatment, rehabilitation, and education of youth in the state's care and custody; and
- (2) The barriers to sharing case information between and among the Department of Health and Human Services, the Department of Correctional Services, the Office of Probation Administration, the State Department of Education, and juvenile detention facilities.

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.

LEGISLATIVE RESOLUTION 439. Introduced by Hilkemann, 4; Day, 49; Lathrop, 12; McCollister, 20; Pahlis, 31; Walz, 15.

WHEREAS, Dr. Jim Sutfin began his teaching career in Bellevue in 1989 and served with Millard Public Schools from 1995 until his retirement as superintendent in 2022; and

WHEREAS, Dr. Sutfin served in a variety of roles during his time at Millard, including principal, assistant principal, science department head, science teacher, and Assistant Superintendent of Human Resources; and

WHEREAS, Dr. Sutfin stepped into the role of superintendent in the fall of 2014 and embraced technology from the onset, connecting with students and families through social media and transitioning Millard to a one-to-one district; and

WHEREAS, Dr. Sutfin was named a Superintendent to Watch in 2016 by the National School Public Relations Association and in 2020 he was selected as Superintendent of the Year by the Nebraska Association of School Administrators; and

WHEREAS, Dr. Sutfin, in transitioning to a one-to-one district, enabled Millard to continue school remotely during the pandemic closures throughout the spring of 2020 and by fall of 2020 the district was able to offer both in-person and remote learning, operating continuously throughout the school year; and

WHEREAS, Dr. Sutfin facilitated additional initiatives that include the #BeKind community movement and the #TeachUp campaign; and

WHEREAS, Dr. Sutfin was instrumental in the creation of Early College at Millard South and Bridge to Early College at Central Middle School; and

WHEREAS, Dr. Sutfin helped bring the first Boys and Girls Club to Millard and the first ROTC program to Millard with the Junior Air Force ROTC program at Millard South; and

WHEREAS, Dr. Sutfin partnered with Avenue Scholars in 2019 to create Intern Omaha, an internship program connecting rising seniors across the city with businesses throughout Omaha.

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

1. That the Legislature congratulates Dr. Jim Sutfin on his retirement and thanks him for his service to the state.
2. That a copy of this resolution be sent to Dr. Jim Sutfin.

Laid over.

LEGISLATIVE RESOLUTION 440. Introduced by Hansen, B., 16.

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, senior Charlie Powers competed in the tournament for the Blair High School wrestling team coached by Erich Warner; and

WHEREAS, Charlie wrestled in the Class B 160-pound championship match against the undefeated Jett Samuelson of Hastings, who had beaten Charlie in two previous matches; and

WHEREAS, after ending regulation time tied, Charlie pushed the pace and hit a knee pull to defeat Jett 5-3 in overtime and win the Class B 160-pound championship; and

WHEREAS, the championship win capped an outstanding career for Charlie who finished his season with an overall record of 51-4 and put an exclamation point on the tournament for Blair High School that finished with school records of 110 team points and six medalists; 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 Charlie Powers on winning the 2022 Class B 160-pound State Wrestling Championship.
2. That copies of this resolution be sent to Blair High School, Charlie Powers, and coach Erich Warner.

Laid over.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Murman name added to LR427.
Senator Brandt name added to LR427.

RECESS

At 11:58 a.m., on a motion by Senator Clements, the Legislature recessed until 1:00 p.m.

AFTER RECESS

The Legislature reconvened at 1:00 p.m., Senator Williams presiding.

ROLL CALL

The roll was called and all members were present except Senator Pahls who was excused; and Senators Arch, Bostar, M. Cavanaugh, Clements, DeBoer, Geist, B. Hansen, Hunt, Kolterman, Lathrop, Linehan, Morfeld, Sanders, Vargas, Wayne, and Wishart who were excused until they arrive.

AMENDMENT(S) - Print in Journal

Senator J. Cavanaugh filed the following amendment to LB922:
AM2769

(Amendments to Standing Committee amendments, AM2332)

1 1. Insert the following new sections:

2 Sec. 8. Section 29-3001, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 29-3001 (1) A prisoner in custody under sentence and claiming a
5 right to be released on the ground that there was such a denial or
6 infringement of the rights of the prisoner as to render the judgment void
7 or voidable under the Constitution of this state or the Constitution of
8 the United States, may file a verified motion, in the court which imposed
9 such sentence, stating the grounds relied upon and asking the court to
10 vacate or set aside the sentence.

11 (2) Unless the motion and the files and records of the case show to
12 the satisfaction of the court that the prisoner is entitled to no relief,
13 the court shall cause notice thereof to be served on the county attorney,
14 grant a prompt hearing thereon, and determine the issues and make
15 findings of fact and conclusions of law with respect thereto. If the
16 court finds that there was such a denial or infringement of the rights of
17 the prisoner as to render the judgment void or voidable under the
18 Constitution of this state or the Constitution of the United States, the
19 court shall vacate and set aside the judgment and shall discharge the
20 prisoner or resentence the prisoner or grant a new trial as may appear
21 appropriate. Proceedings under the provisions of sections 29-3001 to
22 29-3004 shall be civil in nature. Costs shall be taxed as in habeas
23 corpus cases.

24 (3) A court may entertain and determine such motion without
25 requiring the production of the prisoner, whether or not a hearing is

26 held. Testimony of the prisoner or other witnesses may be offered by
1 deposition. The court need not entertain a second motion or successive
2 motions for similar relief on behalf of the same prisoner.
3 (4) A one-year period of limitation shall apply to the filing of a
4 verified motion for postconviction relief. The one-year limitation period
5 shall run from the later of:
6 (a) The date the judgment of conviction became final by the
7 conclusion of a direct appeal or the expiration of the time for filing a
8 direct appeal;
9 (b) The date on which the factual predicate of the constitutional
10 claim or claims alleged could have been discovered through the exercise
11 of due diligence;
12 (c) The date on which an impediment created by state action, in
13 violation of the Constitution of the United States or the Constitution of
14 Nebraska or any law of this state, is removed, if the prisoner was
15 prevented from filing a verified motion by such state action;
16 (d) The date on which a constitutional claim asserted was initially
17 recognized by the Supreme Court of the United States or the Nebraska
18 Supreme Court, if the newly recognized right has been made applicable
19 retroactively to cases on postconviction collateral review; or
20 (e) The date on which the Supreme Court of the United States denies
21 a writ of certiorari or affirms a conviction appealed from the Nebraska
22 Supreme Court. This subdivision only applies if, within thirty days after
23 petitioning the Supreme Court of the United States for a writ of
24 certiorari, the prisoner files a notice in the district court of
25 conviction stating that the prisoner has filed such petition August 27,
26 2011.
27 Sec. 9. Section 43-279, Reissue Revised Statutes of Nebraska, is
28 amended to read:
29 43-279 (1) The adjudication portion of hearings shall be conducted
30 before the court without a jury, applying the customary rules of evidence
31 in use in trials without a jury. When the petition alleges the juvenile
1 to be within the provisions of subdivision (1), (2), (3)(b), or (4) of
2 section 43-247 and the juvenile or his or her parent, guardian, or
3 custodian appears with or without counsel, the court shall inform the
4 parties:
5 (a) Of the nature of the proceedings and the possible consequences
6 or dispositions pursuant to sections 43-284 to 43-286, 43-289, and 43-290
7 that may apply to the juvenile's case following an adjudication of
8 jurisdiction;
9 (b) Of such juvenile's right to counsel as provided in sections
10 43-272 and 43-273;
11 (c) Of the privilege against self-incrimination by advising the
12 juvenile, parent, guardian, or custodian that the juvenile may remain
13 silent concerning the charges against the juvenile and that anything said
14 may be used against the juvenile;
15 (d) Of the right to confront anyone who testifies against the
16 juvenile and to cross-examine any persons who appear against the
17 juvenile;
18 (e) Of the right of the juvenile to testify and to compel other
19 witnesses to attend and testify in his or her own behalf;
20 (f) Of the right of the juvenile to a speedy adjudication hearing;
21 and
22 (g) Of the right to appeal and have a transcript for such purpose.
23 After giving such warnings and admonitions, the court may accept an
24 in-court admission or answer of no contest by the juvenile of all or any
25 part of the allegations in the petition if the court has determined from
26 examination of the juvenile and those present that such admission or
27 answer of no contest is intelligently, voluntarily, and understandingly
28 made and with an affirmative waiver of rights and that a factual basis

29 for such admission or answer of no contest exists. The waiver of the
30 right to counsel shall satisfy section 43-3102. The court may base its
31 adjudication provided in subsection (2) of this section on such admission
1 or answer of no contest.

2 (2) If the juvenile denies the petition or stands mute the court
3 shall first allow a reasonable time for preparation if needed and then
4 consider only the question of whether the juvenile is a person described
5 by section 43-247. After hearing the evidence on such question, the court
6 shall make a finding and adjudication, to be entered on the records of
7 the court, whether or not the juvenile is a person described by
8 subdivision (1), (2), (3)(b), or (4) of section 43-247 based upon proof
9 beyond a reasonable doubt. If an Indian child is involved, the standard
10 of proof shall be in compliance with the Nebraska Indian Child Welfare
11 Act, if applicable.

12 (3) If the court shall find that the juvenile named in the petition
13 is not within the provisions of section 43-247, it shall dismiss the
14 case. If the court finds that the juvenile named in the petition is such
15 a juvenile, it shall make and enter its findings and adjudication
16 accordingly, designating which subdivision or subdivisions of section
17 43-247 such juvenile is within; the court shall allow a reasonable time
18 for preparation if needed and then proceed to an inquiry into the proper
19 disposition to be made of such juvenile.

20 Sec. 10. Section 43-280, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 43-280 No adjudication by the juvenile court upon the status of a
23 juvenile shall be deemed a conviction nor shall the adjudication operate
24 to impose any of the civil disabilities ordinarily resulting from
25 conviction. The adjudication and the evidence given in the court shall
26 not operate to disqualify such juvenile in any future civil or military
27 service application or appointment. Any admission, answer of no contest,
28 confession, or statement made by the juvenile in court and admitted by
29 the court, in a proceeding under section 43-279, shall be inadmissible
30 against such juvenile in any criminal or civil proceeding but may be
31 considered by a court as part of a presentence investigation involving a
1 subsequent transaction.

2 Sec. 14. Section 83-4,134.01, Revised Statutes Cumulative
3 Supplement, 2020, is amended to read:

4 83-4,134.01 (1) It is the intent of the Legislature to establish a
5 system of investigation and performance review in order to provide
6 increased accountability and oversight regarding the use of room
7 confinement for juveniles in a juvenile facility.

8 (2) The following shall apply regarding placement in room
9 confinement of a juvenile in a juvenile facility:

10 (a) Room confinement of a juvenile for longer than one hour during a
11 twenty-four-hour period shall be approved in writing by a supervisor in
12 the juvenile facility;

13 ~~(b) (a) Room confinement of a juvenile for longer than one hour~~
14 ~~during a twenty-four-hour period shall be documented and approved in~~
15 ~~writing by a supervisor in the juvenile facility. Documentation of the~~
16 ~~room confinement shall include the date of the occurrence; the race,~~
17 ~~ethnicity, age, and gender of the juvenile; the reason for placement of~~
18 ~~the juvenile in room confinement; an explanation of why less restrictive~~
19 ~~means were unsuccessful; the ultimate duration of the placement in room~~
20 ~~confinement in hours and minutes; facility staffing levels at the time of~~
21 ~~confinement; and any incidents of self-harm or suicide committed by the~~
22 ~~juvenile while he or she was isolated;~~

23 ~~(c) (b) If any physical or mental health clinical evaluation was~~
24 ~~performed during the time the juvenile was in room confinement for longer~~
25 ~~than one hour, the results of such evaluation shall be considered in any~~
26 ~~decision to place a juvenile in room confinement or to continue room~~

27 confinement;

28 ~~(d) (e)~~ The juvenile facility shall electronically submit a
 29 ~~quarterly report quarterly~~ to the Legislature on the juveniles placed in
 30 room confinement; the length of time, in hours and minutes, each juvenile
 31 was in room confinement; the race, ethnicity, age, and gender of each
 1 juvenile placed in room confinement; facility staffing levels at the time
 2 of confinement; and the reason each juvenile was placed in room
 3 confinement. The report shall specifically address each instance of room
 4 confinement of a juvenile for more than four hours, including all reasons
 5 why attempts to return the juvenile to the general population of the
 6 juvenile facility were unsuccessful. The report shall also detail all
 7 corrective measures taken in response to noncompliance with this section.
 8 The report shall redact all personal identifying information but shall
 9 provide individual, not aggregate, data. ~~The report shall be delivered~~
 10 ~~electronically to the Legislature.~~ The initial quarterly report shall be
 11 submitted ~~within two weeks after the quarter ending on September 30,~~
 12 ~~2016. Subsequent reports shall be submitted for the ensuing quarters~~
 13 ~~within two weeks after the end of each quarter; and~~

14 ~~(e)~~ By September 15, 2022, and by each September 15 thereafter, the
 15 juvenile facility shall electronically submit to the Legislature an
 16 annual summary report for the immediately preceding fiscal year. The
 17 ~~summary report shall include the total number of available beds in the~~
 18 ~~facility; the total number of juveniles served; the total number of~~
 19 ~~juveniles confined; the total number of occurrences of juvenile room~~
 20 ~~confinement; the total number of confinement hours; the longest single~~
 21 ~~period of room confinement experienced by a specific juvenile, in hours~~
 22 ~~and minutes; the total number of incidents of room confinement lasting~~
 23 ~~less than one hour; the total number of incidents lasting over four~~
 24 ~~hours; and the total number of incidents lasting over twenty-four hours.~~
 25 ~~The report shall redact all personal identifying information but shall,~~
 26 ~~as required by this subdivision, provide individual, not aggregate data;~~
 27 ~~and~~

28 ~~(f) (4)~~ The Inspector General of Nebraska Child Welfare shall review
 29 all data collected pursuant to this section. ~~The Inspector General may~~
 30 ~~request that such data be provided to the Inspector General's office in a~~
 31 ~~format the Inspector General determines is necessary for its review. The~~
 1 ~~Inspector General shall review the data~~ in order to assess the use of
 2 room confinement for juveniles in each juvenile facility and prepare an
 3 annual report of his or her findings, including, but not limited to,
 4 identifying changes in policy and practice which may lead to decreased
 5 use of such confinement as well as model evidence-based criteria to be
 6 used to determine when a juvenile should be placed in room confinement.
 7 The report shall be delivered electronically to the Legislature on an
 8 annual basis.

9 ~~(3) The use of consecutive periods of room confinement to avoid the~~
 10 ~~intent or purpose of this section is prohibited.~~

11 ~~(3) (4)~~ Any juvenile facility which is not a residential child-
 12 caring agency which fails to comply with the requirements of this section
 13 is subject to disciplinary action as provided in section 83-4,134. Any
 14 juvenile facility which is a residential child-caring agency which fails
 15 to comply with the requirements of this section is subject to
 16 disciplinary action as provided in section 71-1940.

17 2. Correct the operative date and repealer sections so that the
 18 sections added by this amendment become operative on their effective
 19 date.

20 3. Renumber the remaining sections and correct internal references
 21 accordingly.

Senator Linehan filed the following amendment to [LB927](#):
[AM2778](#)

(Amendments to E&R amendments, ER166)

- 1 1. Strike section 3.
- 2 2. On page 1, lines 9 and 10, strike the new matter and reinstate
- 3 the stricken matter.
- 4 3. On page 28, line 14, strike "13-2605,".
- 5 4. Renumber the remaining sections accordingly.

GENERAL FILE

LEGISLATIVE BILL 661. Considered.

Senator McKinney offered the following amendment:

AM2772

- 1 1. Insert the following new sections:
- 2 Sec. 11. Section 29-2101, Reissue Revised Statutes of Nebraska, is
- 3 amended to read:
- 4 29-2101 A new trial, after a verdict of conviction, may be granted,
- 5 on the application of the defendant, for any of the following grounds
- 6 affecting materially his or her substantial rights:
- 7 (1) Irregularity in the proceedings of the court, of the prosecuting
- 8 attorney, or of the witnesses for the state or in any order of the court
- 9 or abuse of discretion by which the defendant was prevented from having a
- 10 fair trial;
- 11 (2) ~~Misconduct~~ ~~misconduct~~ of the jury, of the prosecuting attorney,
- 12 or of the witnesses for the state;
- 13 (3) ~~Accident~~ ~~accident~~ or surprise which ordinary prudence could not
- 14 have guarded against;
- 15 (4) ~~The~~ ~~the~~ verdict is not sustained by sufficient evidence or is
- 16 contrary to law;
- 17 (5) ~~Newly~~ ~~newly~~ discovered evidence material for the defendant which
- 18 he or she could not with reasonable diligence have discovered ~~or~~ ~~and~~
- 19 produced at the trial. For purposes of this subdivision, testimony or
- 20 evidence from a codefendant witness shall be considered newly discovered
- 21 evidence if:
- 22 (a) Such codefendant previously had a testimonial or constitutional
- 23 privilege and, because of such privilege, refused to testify or produce
- 24 evidence in a prior proceeding; and
- 25 (b) Such codefendant was charged or tried in a separate trial which
- 26 was severed pursuant to section 29-2002 at the request of the
- 27 prosecution;
- 1 (6) ~~Newly~~ ~~newly~~ discovered exculpatory DNA or similar forensic
- 2 testing evidence obtained under the DNA Testing Act; or
- 3 (7) ~~Error~~ ~~error~~ of law occurring at the trial.
- 4 The changes made to this section by this legislative bill shall
- 5 apply to all persons, otherwise eligible in accordance with the
- 6 provisions of this section, whether convicted prior to, on, or subsequent
- 7 to the effective date of this section.
- 8 Sec. 12. Section 29-2103, Reissue Revised Statutes of Nebraska, is
- 9 amended to read:
- 10 29-2103 (1) A motion for new trial shall be made by written
- 11 application and may be filed either during or after the term of the court
- 12 at which the verdict was rendered.
- 13 (2) A motion for a new trial shall state the grounds under section
- 14 29-2101 which are the basis for the motion and shall be supported by
- 15 evidence as provided in section 29-2102.
- 16 (3) A motion for new trial based on the grounds set forth in
- 17 subdivision (1), (2), (3), (4), or (7) of section 29-2101 shall be filed
- 18 within ten days after the verdict was rendered unless such filing is
- 19 unavoidably prevented, and the grounds for such motion may be stated by

20 directly incorporating the appropriate language of section 29-2101
 21 without further particularity.
 22 (4)(a) Except as provided in subdivision (4)(b) of this section, a
 23 (4) A motion for new trial based on the grounds set forth in subdivision
 24 (5) of section 29-2101 shall be filed within a reasonable time after the
 25 discovery of the new evidence and cannot be filed more than five years
 26 after the date of the verdict, unless the motion and supporting documents
 27 show the new evidence could not with reasonable diligence have been
 28 discovered or and produced at trial and such evidence is so substantial
 29 that a different result may have occurred.
 30 (b) The time limitation in this subsection does not apply if the
 31 motion for a new trial involves a conviction for a Class I, IA, or IB
 1 felony.
 2 (5) A motion for new trial based on the grounds set forth in
 3 subdivision (6) of section 29-2101 shall be filed within ninety days
 4 after a final order is issued under section 29-4123 or within ninety days
 5 after the hearing if no final order is entered, whichever occurs first.
 6 (6) The changes made to this section by this legislative bill shall
 7 apply to all persons, otherwise eligible in accordance with the
 8 provisions of this section, whether convicted prior to, on, or subsequent
 9 to the effective date of this section.
 10 2. Renumber the remaining sections and correct the repealer
 11 accordingly.

Senator McDonnell requested a ruling of the Chair on whether the McKinney amendment is germane to the bill.

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

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

Senator McKinney moved for a call of the house. The motion prevailed with 22 ayes, 5 nays, and 22 not voting.

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

Voting in the affirmative, 4:

Cavanaugh, M. Hansen, M. Hunt McKinney

Voting in the negative, 31:

Aguilar	Cavanaugh, J.	Gragert	Lathrop	Stinner
Albrecht	Clements	Halloran	Lindstrom	Walz
Blood	DeBoer	Hilgers	Lowe	Williams
Bostelman	Dorn	Hilkemann	McDonnell	
Brandt	Erdman	Hughes	Moser	
Brewer	Flood	Jacobson	Murman	
Briese	Friesen	Kolterman	Slama	

Present and not voting, 5:

Day McCollister Pansing Brooks Vargas Wishart

Excused and not voting, 9:

Arch Geist Linehan Pahls Wayne
Bostar Hansen, B. Morfeld Sanders

The McKinney motion to overrule the Chair failed with 4 ayes, 31 nays, 5 present and not voting, and 9 excused and not voting.

The Chair was sustained.

The Chair declared the call raised.

Senator M. Cavanaugh offered the following motion:

[MO227](#)

Bracket until April 20, 2022.

SENATOR HUGHES PRESIDING

Pending.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 800. Placed on Final Reading.

[ST69](#)

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

1. In the E&R amendments, ER143:
 - a. On page 2, line 12, "and 77-2704.15" has been struck and "77-2501, 77-2502, 77-2503, 77-2505, 77-2704.15, and 81-523" inserted; and
 - b. On page 3, line 4, "to change provisions of the Affordable Housing Tax Credit Act;" has been inserted after the semicolon.
2. In the Standing Committee amendments, AM2035:
 - a. On page 227, line 2, "339, 341, and 343" has been struck and "338, 339, 340, 341, 342, 344, 345, 347, and 349" inserted; and
 - b. On page 228, line 10, "and 31-735" has been struck and "31-735, 77-2501, 77-2502, 77-2503, 77-2505, and 81-523" inserted.

LEGISLATIVE BILL 917A. Placed on Final Reading.

LEGISLATIVE BILL 1024A. Placed on Final Reading.

[ST71](#)

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

1. In the Wayne amendment, AM2752, on page 2, lines 11 and 21, "(1)" has been struck.

LEGISLATIVE BILL 1102. Placed on Final Reading.

LEGISLATIVE BILL 1102A. Placed on Final Reading.

(Signed) Terrell McKinney, Chairperson

AMENDMENT(S) - Print in Journal

Senator Day filed the following amendment to LB888:

AM2785

(Amendments to AM1995)

1 1. Strike the Wayne amendment, FA193.

Senator J. Cavanaugh filed the following amendment to LB921:

AM2768

(Amendments to Standing Committee amendments, AM2503)

1 1. Insert the following new sections:

2 Sec. 2. Section 29-3001, Reissue Revised Statutes of Nebraska, is

3 amended to read:

4 29-3001 (1) A prisoner in custody under sentence and claiming a
5 right to be released on the ground that there was such a denial or
6 infringement of the rights of the prisoner as to render the judgment void
7 or voidable under the Constitution of this state or the Constitution of
8 the United States, may file a verified motion, in the court which imposed
9 such sentence, stating the grounds relied upon and asking the court to
10 vacate or set aside the sentence.

11 (2) Unless the motion and the files and records of the case show to
12 the satisfaction of the court that the prisoner is entitled to no relief,
13 the court shall cause notice thereof to be served on the county attorney,
14 grant a prompt hearing thereon, and determine the issues and make
15 findings of fact and conclusions of law with respect thereto. If the
16 court finds that there was such a denial or infringement of the rights of
17 the prisoner as to render the judgment void or voidable under the
18 Constitution of this state or the Constitution of the United States, the
19 court shall vacate and set aside the judgment and shall discharge the
20 prisoner or resentence the prisoner or grant a new trial as may appear
21 appropriate. Proceedings under the provisions of sections 29-3001 to
22 29-3004 shall be civil in nature. Costs shall be taxed as in habeas
23 corpus cases.

24 (3) A court may entertain and determine such motion without
25 requiring the production of the prisoner, whether or not a hearing is
26 held. Testimony of the prisoner or other witnesses may be offered by
1 deposition. The court need not entertain a second motion or successive
2 motions for similar relief on behalf of the same prisoner.

3 (4) A one-year period of limitation shall apply to the filing of a
4 verified motion for postconviction relief. The one-year limitation period
5 shall run from the later of:

6 (a) The date the judgment of conviction became final by the
7 conclusion of a direct appeal or the expiration of the time for filing a
8 direct appeal;

9 (b) The date on which the factual predicate of the constitutional
10 claim or claims alleged could have been discovered through the exercise
11 of due diligence;

12 (c) The date on which an impediment created by state action, in
13 violation of the Constitution of the United States or the Constitution of
14 Nebraska or any law of this state, is removed, if the prisoner was
15 prevented from filing a verified motion by such state action;

16 (d) The date on which a constitutional claim asserted was initially
17 recognized by the Supreme Court of the United States or the Nebraska
18 Supreme Court, if the newly recognized right has been made applicable
19 retroactively to cases on postconviction collateral review; or

20 (e) The date on which the Supreme Court of the United States denies
21 a writ of certiorari or affirms a conviction appealed from the Nebraska

22 Supreme Court. This subdivision only applies if, within thirty days after
23 petitioning the Supreme Court of the United States for a writ of
24 certiorari, the prisoner files a notice in the district court of
25 conviction stating that the prisoner has filed such petition August 27,
26 2011.
27 Sec. 3. Section 43-279, Reissue Revised Statutes of Nebraska, is
28 amended to read:
29 43-279 (1) The adjudication portion of hearings shall be conducted
30 before the court without a jury, applying the customary rules of evidence
31 in use in trials without a jury. When the petition alleges the juvenile
1 to be within the provisions of subdivision (1), (2), (3)(b), or (4) of
2 section 43-247 and the juvenile or his or her parent, guardian, or
3 custodian appears with or without counsel, the court shall inform the
4 parties:
5 (a) Of the nature of the proceedings and the possible consequences
6 or dispositions pursuant to sections 43-284 to 43-286, 43-289, and 43-290
7 that may apply to the juvenile's case following an adjudication of
8 jurisdiction;
9 (b) Of such juvenile's right to counsel as provided in sections
10 43-272 and 43-273;
11 (c) Of the privilege against self-incrimination by advising the
12 juvenile, parent, guardian, or custodian that the juvenile may remain
13 silent concerning the charges against the juvenile and that anything said
14 may be used against the juvenile;
15 (d) Of the right to confront anyone who testifies against the
16 juvenile and to cross-examine any persons who appear against the
17 juvenile;
18 (e) Of the right of the juvenile to testify and to compel other
19 witnesses to attend and testify in his or her own behalf;
20 (f) Of the right of the juvenile to a speedy adjudication hearing;
21 and
22 (g) Of the right to appeal and have a transcript for such purpose.
23 After giving such warnings and admonitions, the court may accept an
24 in-court admission or answer of no contest by the juvenile of all or any
25 part of the allegations in the petition if the court has determined from
26 examination of the juvenile and those present that such admission or
27 answer of no contest is intelligently, voluntarily, and understandingly
28 made and with an affirmative waiver of rights and that a factual basis
29 for such admission or answer of no contest exists. The waiver of the
30 right to counsel shall satisfy section 43-3102. The court may base its
31 adjudication provided in subsection (2) of this section on such admission
1 or answer of no contest.
2 (2) If the juvenile denies the petition or stands mute the court
3 shall first allow a reasonable time for preparation if needed and then
4 consider only the question of whether the juvenile is a person described
5 by section 43-247. After hearing the evidence on such question, the court
6 shall make a finding and adjudication, to be entered on the records of
7 the court, whether or not the juvenile is a person described by
8 subdivision (1), (2), (3)(b), or (4) of section 43-247 based upon proof
9 beyond a reasonable doubt. If an Indian child is involved, the standard
10 of proof shall be in compliance with the Nebraska Indian Child Welfare
11 Act, if applicable.
12 (3) If the court shall find that the juvenile named in the petition
13 is not within the provisions of section 43-247, it shall dismiss the
14 case. If the court finds that the juvenile named in the petition is such
15 a juvenile, it shall make and enter its findings and adjudication
16 accordingly, designating which subdivision or subdivisions of section
17 43-247 such juvenile is within; the court shall allow a reasonable time
18 for preparation if needed and then proceed to an inquiry into the proper
19 disposition to be made of such juvenile.

20 Sec. 4. Section 43-280, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 43-280 No adjudication by the juvenile court upon the status of a
23 juvenile shall be deemed a conviction nor shall the adjudication operate
24 to impose any of the civil disabilities ordinarily resulting from
25 conviction. The adjudication and the evidence given in the court shall
26 not operate to disqualify such juvenile in any future civil or military
27 service application or appointment. Any admission, ~~answer of no contest,~~
28 confession, or statement made by the juvenile in court and admitted by
29 the court, in a proceeding under section 43-279, shall be inadmissible
30 against such juvenile in any criminal or civil proceeding but may be
31 considered by a court as part of a presentence investigation involving a
1 subsequent transaction.

2 Sec. 8. Section 83-4,134.01, Revised Statutes Cumulative Supplement,
3 2020, is amended to read:

4 83-4,134.01 (1) It is the intent of the Legislature to establish a
5 system of investigation and performance review in order to provide
6 increased accountability and oversight regarding the use of room
7 confinement for juveniles in a juvenile facility.

8 (2) The following shall apply regarding placement in room
9 confinement of a juvenile in a juvenile facility:

10 (a) Room confinement of a juvenile for longer than one hour during a
11 twenty-four-hour period shall be approved in writing by a supervisor in
12 the juvenile facility;

13 ~~(b) (a) Room confinement of a juvenile for longer than one hour~~
14 ~~during a twenty-four-hour period shall be documented and approved in~~
15 ~~writing by a supervisor in the juvenile facility. Documentation of the~~
16 ~~room confinement shall include the date of the occurrence; the race,~~
17 ~~ethnicity, age, and gender of the juvenile; the reason for placement of~~
18 ~~the juvenile in room confinement; an explanation of why less restrictive~~
19 ~~means were unsuccessful; the ultimate duration of the placement in room~~
20 ~~confinement in hours and minutes; facility staffing levels at the time of~~
21 ~~confinement; and any incidents of self-harm or suicide committed by the~~
22 ~~juvenile while he or she was isolated;~~

23 ~~(c) (b) If any physical or mental health clinical evaluation was~~
24 ~~performed during the time the juvenile was in room confinement for longer~~
25 ~~than one hour, the results of such evaluation shall be considered in any~~
26 ~~decision to place a juvenile in room confinement or to continue room~~
27 ~~confinement;~~

28 ~~(d) (e) The juvenile facility shall electronically submit a~~
29 ~~quarterly report quarterly to the Legislature on the juveniles placed in~~
30 ~~room confinement; the length of time, in hours and minutes, each juvenile~~
31 ~~was in room confinement; the race, ethnicity, age, and gender of each~~
1 ~~juvenile placed in room confinement; facility staffing levels at the time~~
2 ~~of confinement; and the reason each juvenile was placed in room~~
3 ~~confinement. The report shall specifically address each instance of room~~
4 ~~confinement of a juvenile for more than four hours, including all reasons~~
5 ~~why attempts to return the juvenile to the general population of the~~
6 ~~juvenile facility were unsuccessful. The report shall also detail all~~
7 ~~corrective measures taken in response to noncompliance with this section.~~

8 The report shall redact all personal identifying information but shall
9 provide individual, not aggregate, data. ~~The report shall be delivered~~
10 ~~electronically to the Legislature. The initial quarterly report shall be~~
11 ~~submitted within two weeks after the quarter ending on September 30,~~
12 ~~2016. Subsequent reports shall be submitted for the ensuing quarters~~
13 ~~within two weeks after the end of each quarter; and~~

14 ~~(e) By September 15, 2022, and by each September 15 thereafter, the~~
15 ~~juvenile facility shall electronically submit to the Legislature an~~
16 ~~annual summary report for the immediately preceding fiscal year. The~~
17 ~~summary report shall include the total number of available beds in the~~

18 facility; the total number of juveniles served; the total number of
 19 juveniles confined; the total number of occurrences of juvenile room
 20 confinement; the total number of confinement hours; the longest single
 21 period of room confinement experienced by a specific juvenile, in hours
 22 and minutes; the total number of incidents of room confinement lasting
 23 less than one hour; the total number of incidents lasting over four
 24 hours; and the total number of incidents lasting over twenty-four hours.
 25 The report shall redact all personal identifying information but shall,
 26 as required by this subdivision, provide individual, not aggregate data;
 27 and
 28 (f) (4) The Inspector General of Nebraska Child Welfare shall review
 29 all data collected pursuant to this section. The Inspector General may
 30 request that such data be provided to the Inspector General's office in a
 31 format the Inspector General determines is necessary for its review. The
 1 Inspector General shall review the data in order to assess the use of
 2 room confinement for juveniles in each juvenile facility and prepare an
 3 annual report of his or her findings, including, but not limited to,
 4 identifying changes in policy and practice which may lead to decreased
 5 use of such confinement as well as model evidence-based criteria to be
 6 used to determine when a juvenile should be placed in room confinement.
 7 The report shall be delivered electronically to the Legislature on an
 8 annual basis.
 9 (3) ~~The use of consecutive periods of room confinement to avoid the~~
 10 ~~intent or purpose of this section is prohibited.~~
 11 (3) (4) Any juvenile facility which is not a residential child-
 12 caring agency which fails to comply with the requirements of this section
 13 is subject to disciplinary action as provided in section 83-4,134. Any
 14 juvenile facility which is a residential child-caring agency which fails
 15 to comply with the requirements of this section is subject to
 16 disciplinary action as provided in section 71-1940.
 17 2. Renumber the remaining section and correct the repealer
 18 accordingly.

Senator Flood filed the following amendment to LB709:
AM2675

(Amendments to Standing Committee amendments, AM1936)

1 1. On page 7, after line 30 insert the following new subsection:
 2 "(5) This section does not apply to any occupation regulated by the
 3 Board of Engineers and Architects, the Department of Banking and Finance,
 4 or the State Real Estate Commission."
 5 2. On page 12, line 30, after the second comma insert "the Board of
 6 Engineers and Architects, the Department of Banking and Finance, the
 7 State Real Estate Commission."
 8 3. On page 18, after line 18 insert the following new subsection:
 9 "(10) This section does not apply to any occupation regulated by the
 10 Board of Engineers and Architects, the Department of Banking and Finance,
 11 or the State Real Estate Commission."

RESOLUTION(S)

LEGISLATIVE RESOLUTION 441. Introduced by Health and Human Services Committee: Arch, 14, Chairperson; Cavanaugh, M., 6; Day, 49; Hansen, B., 16; Murman, 38; Walz, 15; Williams, 36.

WHEREAS, the fortieth anniversary of the Foster Care Review Office is on July 1, 2022; and

WHEREAS, the Legislature passed Legislative Bill 714 in 1982 to establish the Foster Care Review Board, the precursor to the Foster Care Review Office, in an effort to improve outcomes for children in foster care in Nebraska; and

WHEREAS, Governor Charles Thone appointed the first members of the Foster Care Review Board which held its first meeting on August 26, 1982; and

WHEREAS, the Legislature passed Legislative Bill 998 in 2012, renaming the agency the Foster Care Review Office and replacing the state board with the Foster Care Advisory Committee, consisting of five members appointed by the Governor and confirmed by the Legislature; and

WHEREAS, the Foster Care Review Office independently tracks children in foster care, reviews the cases of children utilizing local volunteer citizen review boards, collects and analyzes data to monitor and evaluate the effectiveness of care for children in foster or trial home visit placements, submits outcome reports quarterly and annually to the Legislature, and makes individual and systemic recommendations on conditions and outcomes for children of Nebraska in foster care; and

WHEREAS, over three hundred twenty-five volunteer foster care review board members serving on fifty-three local foster care review boards across Nebraska meet monthly to review cases of children in foster care in order to promote safety, permanency, and well-being for children and youth in foster care; and

WHEREAS, the volunteer foster care review board members collectively contribute over thirty thousand hours of time annually reviewing the cases of children and youth in the foster care system of Nebraska to ensure that services are in place, that children are in safe and appropriate placements, and that children find timely permanency; and

WHEREAS, over the last forty years, over one hundred fifty thousand cases of children in foster care have been reviewed by local foster care review boards which submitted findings and recommendations to courts across the 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 Foster Care Review Office for forty years of pursuing meaningful change, great outcomes, and hopeful futures for children in foster care.

2. That the Legislature recognizes all past and current Foster Care Review Office volunteers and staff for their dedicated service to the children and families of Nebraska.

3. That copies of this resolution be sent to the Foster Care Review Offices in Lincoln and Omaha.

Laid over.

LEGISLATIVE RESOLUTION 442. Introduced by Erdman, 47.

WHEREAS, May 30, 2022, marks the one hundredth anniversary of the dedication of the Lincoln Memorial in Washington, D.C.; and

WHEREAS, the National Park Service held a centennial anniversary celebration of the dedication of the Lincoln Memorial honoring the legacy of Abraham Lincoln, the sixteenth president of the United State of America, on March 26, 2022; and

WHEREAS, the Bayard High School choir, under the direction of choir director Linda Pilkington, was a featured choir at the celebration and sang four patriotic songs; and

WHEREAS, the Bayard High School choir sang with the Massed Honor Choir, consisting of choirs from all fifty states.

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

1. That the Legislature congratulates the twenty-nine member Bayard High School choir for being selected to perform at the National Park Service's centennial anniversary celebration of the dedication of the Lincoln Memorial and the legacy of Abraham Lincoln.

2. That copies of this resolution be sent to Bayard High School and to Linda Pilkington.

Laid over.

LEGISLATIVE RESOLUTION 443. Introduced by Erdman, 47.

WHEREAS, the 2022 Nebraska State Athletic Association Basketball Championships were held March 7 through 12 in Lincoln, Nebraska; and

WHEREAS, Coach Dave Kuhlen led the Bridgeport High School Bulldogs girls basketball team to an overall record of 26-2; and

WHEREAS, the Bulldogs girls basketball team played in the high school's first ever Class C-2 Girls State Basketball Championship game; and

WHEREAS, the team finished second in the state after losing to Saint Cecilia Hastings by a score of 40-38.

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

1. That the Legislature congratulates the Bridgeport High School Bulldogs girls basketball team for playing in the school's first Class C-2 Girls State Basketball Championship game and finishing in second place.

2. That copies of this resolution be sent to the Bridgeport High School and Coach Dave Kuhlen.

Laid over.

GENERAL FILE

LEGISLATIVE BILL 709. Title read. Considered.

Committee [AM1936](#), found on page 696, was offered.

Senator Lowe requested a division of the question on the committee amendment.

The Chair sustained the division of the question.

The first committee amendment is as follows:

[AM2787](#) is available in the Bill Room.

The second committee amendment is as follows:

[AM2786](#)

1 1. Strike the original sections and insert the following new
2 sections:
3 Sec. 7. (1) An individual who has a criminal conviction may submit
4 to the appropriate occupational board an application for an occupational
5 license, government certification, or state recognition of the
6 individual's personal qualifications and may include with the application
7 additional information about the individual's current circumstances,
8 mitigating factors, and other evidence of rehabilitation, including:
9 (a) The age of the individual when the individual committed the
10 offense;
11 (b) The time elapsed since the offense;
12 (c) The circumstances and nature of the offense;
13 (d) The completion of the criminal sentence;
14 (e) The completion of, or active participation in, rehabilitative
15 drug or alcohol treatment;
16 (f) Testimonials and recommendations, which may include a progress
17 report from the individual's probation or parole officer;
18 (g) Other evidence of rehabilitation;
19 (h) Education and training;
20 (i) Employment history;
21 (j) Employment aspirations;
22 (k) Family responsibilities at the time of application;
23 (l) Whether the individual is required to be bonded in the
24 occupation; and
25 (m) Other information the individual submits to the appropriate
26 occupational board.
27 (2) Upon receipt of the application pursuant to subsection (1) of
1 this section and any applicable fees, the appropriate occupational board
2 shall make a determination of whether the individual's criminal
3 conviction disqualifies the individual from obtaining such occupational
4 license, government certification, or state recognition of the
5 individual's personal qualifications from that occupational board. In
6 making such determination, an individual's criminal history shall
7 disqualify the individual from obtaining an occupational license,
8 government certification, or state recognition of the individual's
9 personal qualifications only if:
10 (a) Beginning January 1, 2024, the individual has a felony
11 conviction expressly listed as a disqualifying offense in the statutes
12 governing the occupation;
13 (b) The individual's conviction directly and specifically relates to
14 the duties and responsibilities of the occupation; and
15 (c) The individual obtaining such license, certification, or state
16 recognition of the individual's personal qualifications would pose a
17 direct and substantial risk to public safety because the individual has
18 not been rehabilitated, as evidenced by information described in
19 subsection (1) of this section, to safely perform the duties and
20 responsibilities of the occupation.

21 (3) An individual shall not be required to disclose nor shall
 22 consideration be given in a determination under this section to the
 23 following:
 24 (a) A deferred adjudication, participation in a diversion program,
 25 or an arrest not followed by a conviction;
 26 (b) A conviction of an offense for which no sentence of
 27 incarceration is statutorily authorized;
 28 (c) A conviction that has been sealed, annulled, dismissed,
 29 expunged, or pardoned;
 30 (d) A juvenile adjudication;
 31 (e) A nonviolent misdemeanor;
 1 (f) A conviction older than three years for which the individual was
 2 not incarcerated; or
 3 (g) A conviction for which the individual's incarceration ended more
 4 than three years before the date of the application except for a
 5 conviction of a felony related to:
 6 (i) A sexual act subject to criminal penalties as provided in
 7 sections 28-317 to 28-322.05;
 8 (ii) Fraud subject to criminal penalties as provided in sections
 9 28-505, 28-631, 28-638, 28-639, 28-640, and 28-935;
 10 (iii) Assault in the first or second degree as provided in sections
 11 28-308 and 28-309;
 12 (iv) Robbery as provided in section 28-324;
 13 (v) Child abuse as provided in section 28-707;
 14 (vi) Arson as provided in sections 28-502, 28-503, and 28-504;
 15 (vii) Theft as provided in section 28-511;
 16 (viii) Kidnapping as provided in section 28-313;
 17 (ix) Manslaughter as provided in section 28-305; or
 18 (x) Murder as provided in sections 28-303, 28-304, and 28-306.
 19 (4) The individual may appeal the determination of the occupational
 20 board. The appeal shall be in accordance with the Administrative
 21 Procedure Act.
 22 Sec. 10. Section 84-947, Revised Statutes Cumulative Supplement,
 23 2020, is amended to read:
 24 84-947 (1) The fundamental right of an individual to pursue an
 25 occupation includes the right of an individual with a criminal history to
 26 obtain an occupational license, government certification, or state
 27 recognition of the individual's personal qualifications.
 28 (2)(a) An individual who has a criminal conviction may submit to the
 29 appropriate occupational board a preliminary application for an
 30 occupational license, government certification, or state recognition of
 31 the individual's personal qualifications for a determination as to
 1 whether the individual's criminal conviction would disqualify the
 2 individual from obtaining the occupational license, government
 3 certification, or state recognition of the individual's personal
 4 qualifications from that occupational board. The preliminary application
 5 may be submitted at any time, including prior to obtaining required
 6 education or paying any fee, other than the fee for the preliminary
 7 application if required under subsection (9) (7) of this section.
 8 (b) The individual may include with the preliminary application
 9 additional information about the individual's current circumstances,
 10 mitigating factors, and other evidence of rehabilitation, including:
 11 including the time since the offense, completion of the criminal
 12 sentence, other evidence of rehabilitation, testimonials, employment
 13 history, and employment aspirations.
 14 (i) The age of the individual when the individual committed the
 15 offense;
 16 (ii) The time elapsed since the offense;
 17 (iii) The circumstances and nature of the offense;
 18 (iv) The completion of the criminal sentence;

19 (v) The completion of, or active participation in, rehabilitative
 20 drug or alcohol treatment;
 21 (vi) Testimonials and recommendations, which may include a progress
 22 report from the individual's probation or parole officer;
 23 (vii) Other evidence of rehabilitation;
 24 (viii) Education and training;
 25 (ix) Employment history;
 26 (x) Employment aspirations;
 27 (xi) Family responsibilities at the time of the application;
 28 (xii) Whether the individual is required to be bonded in the
 29 occupation; and
 30 (xiii) Other information the individual submits to the board.
 31 (3) Upon receipt of a preliminary application under subsection (2)
 1 of this section and a fee if required under subsection (9) (7) of this
 2 section, the appropriate occupational board shall make a determination of
 3 whether the individual's criminal conviction would disqualify the
 4 individual from obtaining an occupational license, government
 5 certification, or state recognition of the individual's personal
 6 qualifications from that occupational board in accordance with subsection
 7 (4) of this section. In making such determination, an individual's
 8 criminal history disqualifies the individual from obtaining an
 9 occupational license, government certification, or state recognition of
 10 the individual's personal qualifications only if: -
 11 (a) Beginning January 1, 2024, the individual has a felony
 12 conviction expressly listed as a disqualifying offense in the statutes
 13 governing the occupation;
 14 (b) The individual's conviction directly and specifically relates to
 15 the duties and responsibilities of the occupation; and
 16 (c) The individual obtaining such license, certification, or state
 17 recognition would pose a direct and substantial risk to public safety
 18 because the individual has not been rehabilitated, as evidenced by
 19 information described in subdivision (2)(b) of this section, to safely
 20 perform the duties and responsibilities of the occupation.
 21 (4) In determining whether an individual's criminal history is
 22 disqualifying under subsection (3) of this section, the occupational
 23 board shall only make an adverse determination after:
 24 (a) The executive director or employee designee of the occupational
 25 board issues a preliminary adverse determination after completing the
 26 following actions:
 27 (i) Providing an opportunity for an informal meeting with the
 28 individual, which shall be held in-person, by remote video, or by
 29 teleconference within sixty days after receiving an application for
 30 consideration. The individual shall be allowed to include character
 31 witnesses at such informal meeting. The executive director shall not make
 1 an adverse determination based on an individual's decision not to attend
 2 an informal meeting or not to include character witnesses; and
 3 (ii) Issuing and submitting a written preliminary determination to
 4 the appropriate occupational board for consideration and ratification
 5 within sixty days after receiving preliminary application for
 6 consideration or of the informal meeting, whichever is later. A
 7 preliminary adverse decision shall not become final without consideration
 8 and ratification by the appropriate occupational board; and
 9 (b) The occupational board ratifies the preliminary adverse
 10 determination and issues a final adverse determination in writing within
 11 ninety days after the issuance of the preliminary adverse determination.
 12 (5) (4) The determination of the occupational board shall issue its
 13 determination in writing within ninety days after receiving a preliminary
 14 application under subsection (2) of this section. The determination shall
 15 include findings of fact and conclusions of law, including clear and
 16 convincing evidence for any adverse determination made by the

17 occupational board. If the occupational board determines that the
18 individual's criminal conviction would disqualify the individual, the
19 occupational board may advise the individual of any action the individual
20 may take to remedy the disqualification. If the occupational board finds
21 that the individual has been convicted of a subsequent criminal
22 conviction, the occupational board may rescind a determination upon
23 finding that the subsequent criminal conviction would be disqualifying
24 under subsection (3) of this section.

25 (6) An individual shall not be required to disclose nor shall
26 consideration be given in a determination under this section to the
27 following:

28 (a) A deferred adjudication, participation in a diversion program,
29 or an arrest not followed by a conviction;

30 (b) A conviction of an offense for which no sentence of
31 incarceration is statutorily authorized;

1 (c) A conviction that has been sealed, annulled, dismissed,
2 expunged, or pardoned;

3 (d) A juvenile adjudication;

4 (e) A nonviolent misdemeanor;

5 (f) A conviction older than three years for which the individual was
6 not incarcerated; or

7 (g) A conviction for which the individual's incarceration ended more
8 than three years before the date of the application except for a
9 conviction of a felony related to:

10 (i) A sexual act subject to criminal penalties as provided in
11 sections 28-317 to 28-322.05;

12 (ii) Fraud subject to criminal penalties as provided in sections
13 28-505, 28-631, 28-638, 28-639, 28-640, and 28-935;

14 (iii) Assault in the first or second degree as provided in sections
15 28-308 and 28-309;

16 (iv) Robbery as provided in section 28-324;

17 (v) Child abuse as provided in section 28-707;

18 (vi) Arson as provided in sections 28-502, 28-503, and 28-504;

19 (vii) Theft as provided in section 28-511;

20 (viii) Kidnapping as provided in section 28-313;

21 (ix) Manslaughter as provided in section 28-305; or

22 (x) Murder as provided in sections 28-303, 28-304, and 28-306.

23 (7) (5) The individual may appeal the determination of the
24 occupational board. The appeal shall be in accordance with the
25 Administrative Procedure Act.

26 (8) (6) An individual shall not file another preliminary application
27 under this section with the same occupational board within two years
28 after the final decision on the previous preliminary application, except
29 that if the individual has taken action to remedy the disqualification as
30 advised by the occupational board, the individual may file another
31 preliminary application under this section with the same occupational
1 board six months after the final decision on the previous preliminary
2 application.

3 (9) (7) An occupational board may charge a fee not to exceed one
4 hundred dollars for each preliminary application filed pursuant to this
5 section. The fee is intended to offset the administrative costs incurred
6 under this section. If an individual's income at the time of the
7 preliminary application is at or below three hundred percent of the
8 federal poverty level, such individual may submit with the preliminary
9 application a request for a waiver of the application fee along with
10 supporting documentation to show such individual's income. If the
11 occupational board determines that the individual's income is at or below
12 three hundred percent of the federal poverty level, the occupational
13 board shall waive such individual's application fee.

The first committee amendment, [AM2787](#), found in this day's Journal, was offered.

Senator Brewer withdrew his amendment, [AM2171](#), found on page 775.

Senator Flood withdrew his amendment, [AM2521](#), found on page 931.

Senator Hilkemann offered his amendment, [AM2248](#), found on page 976, to the first committee amendment.

Senator Hilkemann moved for a call of the house. The motion prevailed with 18 ayes, 4 nays, and 27 not voting.

Senator Hilkemann requested a roll call vote on his amendment.

Voting in the affirmative, 8:

Bostelman	Dorn	Kolterman	Wayne
Brandt	Hilkemann	Stinner	Williams

Voting in the negative, 20:

Aguilar	Briese	Halloran	Lindstrom	Moser
Albrecht	Clements	Hilgers	McCollister	Murman
Blood	Flood	Hughes	McDonnell	Pansing Brooks
Brewer	Friesen	Jacobson	McKinney	Slama

Present and not voting, 8:

Bostar	Cavanaugh, M.	Hansen, M.	Lowe
Cavanaugh, J.	DeBoer	Hunt	Walz

Excused and not voting, 13:

Arch	Geist	Lathrop	Pahls	Wishart
Day	Gragert	Linehan	Sanders	
Erdman	Hansen, B.	Morfeld	Vargas	

The Hilkemann amendment lost with 8 ayes, 20 nays, 8 present and not voting, and 13 excused and not voting.

The Chair declared the call raised.

Senator McCollister withdrew his amendment, [AM2707](#), found on page 1196.

Senator Flood offered the following amendment to the first committee amendment:

[AM2791](#)

(Amendments to AM2787)

1 1. On page 10, line 15, after the second comma insert "the Board of
2 Engineers and Architects, the State Real Estate Commission,".

SPEAKER HILGERS PRESIDING

SENATOR HUGHES PRESIDING

The Flood amendment was adopted with 25 ayes, 0 nays, 12 present and not voting, and 12 excused and not voting.

Senator Hilkemann offered the following motion:

[MO228](#)

Recommit to Government, Military and Veterans Affairs Committee.

Pending.

SELECT FILE

LEGISLATIVE BILL 1144. [ER161](#), found on page 1096, was adopted.

Senator Friesen offered the following amendment:

[AM2679](#)

(Amendments to E&R amendments, ER161)

1 1. Insert the following new section:

2 Sec. 17. (1) For purposes of this section:

3 (a) Authority means any county, city of the first class, city of the
4 second class, or village whose authorization is necessary prior to the
5 deployment of a wireless facility;

6 (b)(i) Base station means a structure or equipment at a fixed
7 location that enables Federal Communications Commission-licensed or
8 authorized wireless communications between user equipment and a
9 communications network. The term does not encompass a tower as defined in
10 this section or any equipment associated with a tower. The term includes,
11 but is not limited to:

12 (A) Equipment associated with wireless communications services such
13 as private, broadcast, and public safety services, as well as unlicensed
14 wireless services and fixed wireless services such as microwave backhaul;
15 (B) Radio transceivers, antennas, coaxial or fiber-optic cable,
16 regular and backup power supplies, and comparable equipment, regardless
17 of technological configuration, including distributed antenna systems and
18 small-cell networks; and

19 (C) Any structure other than a tower that, at the time the relevant
20 application is filed with the authority, supports or houses equipment
21 described in subdivision (1)(b)(i)(A) or (B) of this section that has
22 been reviewed and approved under the applicable zoning or siting process,
23 or under another state or local regulatory review process, even if the
24 structure was not built for the sole or primary purpose of providing such
25 support.

26 (ii) Base station does not include any structure that, at the time
1 the relevant application is filed with the authority, does not support or
2 house equipment described in subdivision (1)(b)(i)(A) or (B) of this
3 section;

4 (c) Collocate or collocation means the mounting or installation of
5 transmission equipment on an eligible support structure for the purpose
6 of transmitting or receiving radio frequency signals for communications

7 purposes;

8 (d) Eligible facilities request means any request for modification
9 of an existing tower or base station that does not substantially change
10 the physical dimensions of such tower or base station involving (i)
11 collocation of new transmission equipment, (ii) removal of transmission
12 equipment, or (iii) replacement of transmission equipment;

13 (e) Eligible support structure means any tower or base station as
14 defined in this section that is existing at the time the relevant
15 application is filed with the authority;

16 (f) Site means for towers other than towers in the public rights-of-
17 way, the current boundaries of the leased or owned property surrounding
18 the tower and any access or utility easements currently related to the
19 site, and, for other eligible support structures, further restricted to
20 that area in proximity to the structure and to other transmission
21 equipment already deployed on the ground. The current boundaries of a
22 site are the boundaries that existed as of the date that the original
23 support structure or a modification to that structure was last reviewed
24 and approved by a state or local government, if the approval of the
25 modification occurred prior to the passage of the federal Middle Class
26 Tax Relief and Job Creation Act of 2012 or otherwise outside of the
27 process provided in section 6409(a) of such act;

28 (g) Small wireless facility has the same meaning as in section
29 86-1226;

30 (h) Substantially change means a modification that substantially
31 changes the physical dimensions of an eligible support structure if such
1 modification meets any of the following criteria:

2 (i) For towers other than towers in the public rights-of-way, it
3 increases the height of the tower by more than ten percent or by the
4 height of one additional antenna array with separation from the nearest
5 existing antenna not to exceed twenty feet, whichever is greater. For
6 other eligible support structures, it increases the height of the
7 structure by more than ten percent or more than ten feet, whichever is
8 greater. Changes in height should be measured from the original support
9 structure in cases where deployments are or will be separated
10 horizontally, such as on building rooftops. In other circumstances,
11 changes in height should be measured from the dimensions of the tower or
12 base station, inclusive of originally approved appurtenances and any
13 modifications that were approved prior to the passage of the federal
14 Middle Class Tax Relief and Job Creation Act of 2012;

15 (ii) For towers other than towers in the public rights-of-way, it
16 involves adding an appurtenance to the body of the tower that would
17 protrude from the edge of the tower more than twenty feet, or more than
18 the width of the tower structure at the level of the appurtenance,
19 whichever is greater. For other eligible support structures, it involves
20 adding an appurtenance to the body of the structure that would protrude
21 from the edge of the structure by more than six feet;

22 (iii) For any eligible support structure, it involves installation
23 of more than the standard number of new equipment cabinets for the
24 technology involved, but not to exceed four cabinets, or, for towers in
25 the public rights-of-way and base stations, it involves installation of
26 any new equipment cabinets on the ground if there are no pre-existing
27 ground cabinets associated with the structure, or involves installation
28 of ground cabinets that are more than ten percent larger in height or
29 overall volume than any other ground cabinets associated with the
30 structure;

31 (iv) It entails any excavation or deployment outside the current
1 site, except that for towers other than towers in the public rights-of-
2 way, it entails any excavation or deployment of transmission equipment
3 outside of the current site by more than thirty feet in any direction.
4 The site boundary from which the thirty feet is measured excludes any

5 access or utility easements currently related to the site;
6 (v) It would defeat the concealment elements of the eligible support
7 structure; or
8 (vi) It does not comply with conditions associated with the siting
9 approval of the construction or modification of the eligible support
10 structure or base station equipment, except that this limitation does not
11 apply to any modification that is noncompliant only in a manner that
12 would not exceed the thresholds identified in subdivisions (1)(h)(i)
13 through (iv) of this section;
14 (i) Tower means any structure built for the sole or primary purpose
15 of supporting any Federal Communications Commission-licensed or
16 authorized antennas and their associated facilities, including structures
17 that are constructed for wireless communications services, including, but
18 not limited to, private, broadcast, and public safety services, as well
19 as unlicensed wireless services and fixed wireless services such as
20 microwave backhaul, and the associated site;
21 (j) Transmission equipment means equipment that facilitates
22 transmission for any Federal Communications Commission-licensed or
23 authorized wireless communication service, including, but not limited to,
24 radio transceivers, antennas, coaxial or fiber-optic cable, and regular
25 and backup power supply. The term includes equipment associated with
26 wireless communications services, including, but not limited to, private,
27 broadcast, and public safety services, as well as unlicensed wireless
28 services and fixed wireless services such as microwave backhaul;
29 (k)(i) Wireless facility means equipment at a fixed location that
30 enables wireless communications between user equipment and a
31 communications network including (A) equipment associated with wireless
1 communications and (B) radio transceivers, antennas, coaxial or fiber-
2 optic cable, regular power supply, and small back-up battery, regardless
3 of technological configuration.
4 (ii) Wireless facility does not include a small wireless facility.
5 Wireless facility does not include (A) the structure or improvements on,
6 under, or within the equipment which is collocated, (B) coaxial or fiber-
7 optic cable that is between wireless structures or utility poles or that
8 is otherwise not immediately adjacent to, or directly associated with, a
9 particular antenna, or (C) a wireline backhaul facility;
10 (l) Wireless support structure means a structure, such as a tower or
11 other existing or proposed structure, designed to support or capable of
12 supporting wireless facilities other than a structure designed solely for
13 the collocation of a small wireless facility; and
14 (m) Wireline backhaul facility has the same meaning as in section
15 86-1235.
16 (2)(a) Subject to the limitations in this section, an authority may
17 fix and charge an application fee for the submission, processing, and
18 review of an eligible facilities request to collocate a new wireless
19 facility, site a new wireless support structure, or substantially change
20 an existing wireless facility or wireless support structure. The
21 application fee shall be based on the authority's actual, direct, and
22 objectively reasonable costs incurred for all aspects of an application
23 review process. Any costs incurred by an authority for review by an
24 outside consultant shall be included in the application fee, be based on
25 objectively reasonable costs, and not exceed the usual and customary fee
26 charged for the services provided. The charges included in the
27 application fee or amended application fee shall be itemized and
28 separately identified and disclosed to the applicant.
29 (b) The application fee imposed by an authority shall not be used
30 for (i) travel time or expenses, meals, or overnight accommodations
31 incurred in the review of an application by an outside consultant or (ii)
1 reimbursement for a consultant that is based on a contingent fee or a
2 results-based arrangement.

3 (3) Nothing in this section shall be construed to otherwise limit
4 alter, or expand an authority's existing ability to charge an applicant a
5 rate or fee for the use of or access to a public right-of-way for the
6 construction, installation, maintenance, modification, or operation of
7 fiber-optic cables, coaxial cables, or conduit facilities.
8 (4) Nothing in this section shall be construed to apply to an
9 application submitted to an authority pursuant to the Small Wireless
10 Facilities Deployment Act.
11 (5) A reviewing authority shall be subject to a sixty-day shot clock
12 to review and approve or deny an application for an eligible facilities
13 request or modification. For purposes of this subsection, the authority
14 shall follow the guidelines set by the Federal Communications Commission
15 in its decisions issued in FCC 14-153, 29 FCC Record 12865 (16), and FCC
16 20-75, 35 FCC Record 5977 (7), as guidance for compliance with section
17 6409(a) of the federal Middle Class Tax Relief and Job Creation Act of
18 2012, 47 U.S.C. 1455, and 47 C.F.R. 1.6100(c)(2), as such order, ruling,
19 section, act, and regulations existed on January 1, 2022.
20 (6) This section shall terminate on September 30, 2026, unless
21 extended by the Legislature.
22 2. On page 15, line 28, strike "and 18" and insert "17, and 19".
23 3. Renumber the remaining sections accordingly.

SENATOR WILLIAMS PRESIDING

Senator Friesen withdrew his amendment.

Senator Flood withdrew his amendment, [AM2408](#), found on page 1044.

Senator Flood offered the following amendment:

[AM2757](#)

(Amendments to E&R amendments, ER161)

1 1. Insert the following new section:
2 Sec. 11. Any political subdivision of the state that allocates funds
3 received under the federal American Rescue Plan Act of 2021 for eligible
4 broadband infrastructure projects may coordinate with the commission by
5 mutual consent to administer such federal funds in a manner consistent
6 with the Nebraska Broadband Bridge Act.
7 2. On page 2, line 4, strike "section" and insert "sections 86-1307
8 and".
9 3. On page 8, line 11, strike "section 10" and insert "sections 10
10 and 11".
11 4. On page 11, line 31, strike "may" and insert "shall".
12 5. On page 12, line 2, after "area" insert "in which the provider
13 submitting the challenge states that broadband service is currently
14 available at minimum speeds of one hundred megabits per second for
15 downloading and twenty megabits per second for uploading"; in line 16
16 strike beginning with "provider" through the second "the", show as
17 stricken, and insert "commission shall impose a civil penalty for each
18 day such provider fails to provide service after the expiration of such
19 eighteen-month period, and such provider shall not challenge any grant
20 application or make any application for a grant under the Nebraska
21 Broadband Bridge Act for the"; and in line 17 after "failure" insert "to
22 provide such service".
23 6. On page 13, line 29, strike "11 to 16" and insert "12 to 17".
24 7. On page 14, line 7, strike "13" and insert "14".
25 8. On page 15, line 14, strike "14" and insert "15"; and in line 28
26 strike "11, 12, 13, 14, 15, 16, and 18" and insert "12, 13, 14, 15, 16,
1 17, and 19".
2 9. Renumber the remaining sections accordingly.

The Flood amendment was adopted with 29 ayes, 0 nays, 3 present and not voting, and 17 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 876. [ER162](#), found on page 1110, was adopted.

Senator Briese withdrew his amendment, [AM2276](#), found on page 789.

Senator Geist withdrew her amendment, [AM2282](#), found on page 804.

Senator Geist offered her amendment, [AM2665](#), found on page 1136.

Senator Geist withdrew her amendment.

Senator Blood offered her amendment, [AM2666](#), found on page 1151.

Senator Slama moved for a call of the house. The motion prevailed with 22 ayes, 3 nays, and 24 not voting.

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

Voting in the affirmative, 22:

Aguilar	Brandt	Flood	Moser	Wayne
Albrecht	Brewer	Hansen, M.	Murman	Wishart
Blood	Briese	Lowe	Pansing Brooks	
Bostar	DeBoer	McDonnell	Slama	
Bostelman	Dorn	McKinney	Walz	

Voting in the negative, 9:

Friesen	Hughes	Kolterman	McCollister	Williams
Hilkemann	Jacobson	Lindstrom	Stinner	

Present and not voting, 1:

Halloran

Excused and not voting, 17:

Arch	Day	Hansen, B.	Linehan	Vargas
Cavanaugh, J.	Erdman	Hilgers	Morfeld	
Cavanaugh, M.	Geist	Hunt	Pahls	
Clements	Gragert	Lathrop	Sanders	

The Blood amendment lost with 22 ayes, 9 nays, 1 present and not voting, and 17 excused and not voting.

The Chair declared the call raised.

Senator Briese offered the following amendment:

[AM2764](#)

(Amendments to E&R amendments, ER162)

1 1. Strike section 6 and insert the following new section:

2 Sec. 6. Section 2-1208, Revised Statutes Supplement, 2021, is

3 amended to read:

4 2-1208 (1)(a) For all race meetings, every corporation or

5 association licensed under the provisions of sections 2-1201 to 2-1218

6 relating to horseracing shall pay the tax imposed by section 2-1208.01

7 and shall also pay to the commission:

8 (i) Beginning on the effective date of this act through June 30,

9 2023, the sum of sixty-four one hundredths of one percent of the gross

10 sum wagered by the parimutuel method at each licensed racetrack enclosure

11 during the calendar year; -

12 (ii) Beginning July 1, 2023, through June 30, 2024, the sum of one

13 percent of the gross sum wagered by the parimutuel method at the licensed

14 racetrack enclosure during the previous calendar year; and

15 (iii) Beginning July 1, 2024, and each year thereafter, the sum of

16 two percent of the gross sum wagered by the parimutuel method at the

17 licensed racetrack enclosure during the previous calendar year.

18 (b) For race meetings devoted principally to running live races, the

19 licensee shall pay to the commission the sum of one hundred ~~forty~~ dollars

20 for each live racing day that the licensee serves as the host track for

21 intrastate simulcasting and fifty ~~twenty-five~~ dollars for any other live

22 racing day.

23 (2) No other license tax, permit tax, occupation tax, or excise tax

24 or racing fee, except as provided in this section and in sections 2-1203

25 and 2-1208.01, relating to horseracing shall be levied, assessed, or

26 collected from any such licensee by the state or by any county, township,

1 district, city, village, or other governmental subdivision or body having

2 power to levy, assess, or collect any such tax or fee.

The Briese amendment was adopted with 26 ayes, 0 nays, 5 present and not voting, and 18 excused and not voting.

Pending.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 852. Placed on Final Reading.

LEGISLATIVE BILL 902. Placed on Final Reading.

LEGISLATIVE BILL 902A. Placed on Final Reading.

LEGISLATIVE BILL 977. Placed on Final Reading.

LEGISLATIVE BILL 977A. Placed on Final Reading.

LEGISLATIVE BILL 1016. Placed on Final Reading.

LEGISLATIVE BILL 1068. Placed on Final Reading.

LEGISLATIVE BILL 1068A. Placed on Final Reading.

LEGISLATIVE BILL 1069. Placed on Final Reading.

(Signed) Terrell McKinney, Chairperson

AMENDMENT(S) - Print in Journal

Senator Flood filed the following amendment to [LB709](#):
[AM2792](#)

(Amendments to AM2786)

- 1 1. On page 3, after line 21 insert the following new subsection:
- 2 "~~(5) This section does not apply to any occupation regulated by the~~
- 3 ~~Board of Engineers and Architects or the State Real Estate Commission.~~".
- 4 2. On page 8, after line 13 insert the following new subsection:
- 5 "~~(10) This section does not apply to any occupation regulated by the~~
- 6 ~~Board of Engineers and Architects or the State Real Estate Commission.~~".

Senator Lowe filed the following amendment to [LB792](#):
[FA206](#)

Amend AM2700: Line 3 strike \$3,000,000 and replace with \$500,000.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 444. Introduced by Walz, 15.

WHEREAS, the 2022 High School Slam Dunk and 3-Point Championships were held on March 29, 2022, in New Orleans, Louisiana; and

WHEREAS, Taylor McCabe of Fremont High School competed in the 2022 High School Slam Dunk and 3-Point Championships and won the girls three-pointer contest; and

WHEREAS, Taylor McCabe was named the Lincoln Journal Star's Super-State honorary captain and the Nebraska Gatorade Player of the Year; 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 Taylor McCabe on winning the girls three-pointer contest at the 2022 High School Slam Dunk and 3-Point Championships.

2. That copies of this resolution be sent to Fremont High School and Taylor McCabe.

Laid over.

LEGISLATIVE RESOLUTION 445. Introduced by Stinner, 48.

WHEREAS, Margo Hartman has served the Community Action Partnership of Western Nebraska for forty-one years. She started as a trainer for the Head Start program in 1981, worked in various roles over the years in the community including leadership roles, and served as chief executive officer since 2016; and

WHEREAS, Margo Hartman has exhibited the qualities of a servant leader. She aided families in her community at a neighborhood family service center, helped teenage parents receive needed resources, and served employees, the board of directors, and community leaders while leading Community Action Partnership of Western Nebraska; and

WHEREAS, Margo Hartman has significantly contributed her talents to the Community Action Partnership of Western Nebraska during its various changes, including a restructuring of the organization, multiple relocations, the addition of new programs and services to the community, and the implementation of a strategic plan during her time as chief executive officer.

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

1. That the Legislature recognizes and thanks Margo Hartman for her servant leadership to her community through her roles with the Community Action Partnership of Western Nebraska and her many years of community service.

2. That a copy of this resolution be sent to Margo Hartman.

Laid over.

COMMITTEE REPORT(S)

General Affairs

The General Affairs 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.

Jana Goranson - Nebraska Arts Council
 Alec Gorynski - Nebraska Arts Council
 Amy M. Haddad - Nebraska Arts Council
 Ellen L. Hornady - Nebraska Arts Council
 Sarah G. Peetz - Nebraska Arts Council
 Clark Roush - Nebraska Arts Council
 Walter A. Seiler - Nebraska Arts Council

Aye: 8. Arch, Brandt, Brewer, Briese, Cavanaugh, J., Jacobson, Lowe, Wayne. Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) Tom Briese, Chairperson

ANNOUNCEMENT

Senator Bostelman announced the Natural Resources Committee will hold an executive session Monday, April 11, 2022, at 10:00 a.m., under the South Balcony.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator M. Hansen name added to LB921.

Senator M. Hansen name added to LB922.

Senator Bostar name added to LR427.

Senator Lindstrom name added to LR427.

VISITOR(S)

Visitors to the Chamber were high school students from Keya Paha County Schools, Springview; fourth-grade students from Aspen Creek Elementary, Gretna, members of Angel Guardians, Omaha; fourth-grade students from Golden Hills Elementary, Bellevue; fourth-grade students from Messiah Lutheran School, Lincoln; and high school students from Lutheran High Northeast, Norfolk.

The Doctor of the Day was Dr. Pat Hotovy of York.

ADJOURNMENT

At 5:55 p.m., on a motion by Speaker Hilgers, the Legislature adjourned until 9:00 a.m., Monday, April 11, 2022.

Patrick J. O'Donnell
Clerk of the Legislature

FIFTY-SEVENTH DAY - APRIL 11, 2022

LEGISLATIVE JOURNAL

**ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION**

FIFTY-SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska
Monday, April 11, 2022

PRAYER

The prayer was offered by Pastor Tom Starkjohn, Louisville Evangelical Church, Plattsmouth.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Sanders.

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 Senator Pahls who was excused; and Senators Arch, Bostar, Day, B. Hansen, McCollister, Murman, Pansing Brooks, Stinner, Vargas, Walz, Wayne, Williams, and Wishart who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the fifty-sixth day was approved.

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LRs 426 and 427 were adopted.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LRs 426 and 427.

SELECT FILE

LEGISLATIVE BILL 773. Senator Brewer offered his amendment,

[AM2106](#), found on page 714.

Senator Morfeld offered the following amendment to the Brewer amendment:

[FA207](#)

Amend AM2106: Strike lines 3-11 on Page 1.

Senator Morfeld withdrew his amendment.

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

Senator Brewer requested a roll call vote on his amendment.

Voting in the affirmative, 13:

Brandt	Dorn	Hilgers	McDonnell	Williams
Brewer	Geist	Hilkemann	Moser	
DeBoer	Gragert	Kolterman	Stinner	

Voting in the negative, 29:

Aguilar	Cavanaugh, J.	Hansen, M.	Lowe	Sanders
Albrecht	Clements	Hughes	McCollister	Slama
Arch	Erdman	Hunt	McKinney	Vargas
Blood	Friesen	Jacobson	Morfeld	Wayne
Bostelman	Halloran	Lathrop	Murman	Wishart
Briese	Hansen, B.	Lindstrom	Pansing Brooks	

Present and not voting, 2:

Cavanaugh, M. Linehan

Excused and not voting, 5:

Bostar	Day	Flood	Pahls	Walz
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The Brewer amendment lost with 13 ayes, 29 nays, 2 present and not voting, and 5 excused and not voting.

The Chair declared the call raised.

Senator Morfeld offered the following motion:

[MO229](#)

Recommit to Judiciary Committee.

Pending.

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE BILL 1218. Placed on Select File with amendment.

[ER175](#)

1 1. On page 1, strike beginning with "and" in line 1 through line 8
2 and insert ", 79-810, and 79-811, Reissue Revised Statutes of Nebraska,
3 sections 79-318, 79-807, and 79-8,137, Revised Statutes Cumulative
4 Supplement, 2020, and sections 77-2716 and 79-813, Revised Statutes
5 Supplement, 2021; to adopt the Teach in Nebraska Today Act; to provide
6 for income tax adjustments; to change provisions relating to
7 certification of qualified educators and the Attracting Excellence to
8 Teaching Program; to harmonize provisions; and to repeal the original
9 sections."

LEGISLATIVE BILL 1218A. Placed on Select File.

LEGISLATIVE BILL 1261. Placed on Select File with amendment.

[ER173](#) is available in the Bill Room.

LEGISLATIVE BILL 984. Placed on Select File with amendment.

[ER171](#) is available in the Bill Room.

LEGISLATIVE BILL 729. Placed on Select File.

LEGISLATIVE BILL 984A. Placed on Select File.

LEGISLATIVE BILL 1144A. Placed on Select File.

LEGISLATIVE BILL 922. Placed on Select File with amendment.

[ER172](#) is available in the Bill Room.

LEGISLATIVE BILL 922A. Placed on Select File.

LEGISLATIVE BILL 921. Placed on Select File with amendment.

[ER174](#)

1 1. On page 1, strike beginning with "crimes" in line 1 through line
2 5 and insert "public health and welfare; to amend sections 47-706 and
3 83-338, Reissue Revised Statutes of Nebraska, and section 29-1823,
4 Revised Statutes Cumulative Supplement, 2020; to require the Department
5 of Health and Human Services to reimburse counties for lodging certain
6 defendants; to define a term; to provide for enrollment of inmates in the
7 medical assistance program prior to release from incarceration; to change
8 priorities for admission to state hospitals for the mentally ill and
9 require minimum numbers of beds for certain patients; to provide duties
10 for the department; to create the Legislative Mental Health Care Capacity
11 Strategic Planning Committee and provide for its duties and termination;
12 to harmonize provisions; and to repeal the original sections."

LEGISLATIVE BILL 921A. Placed on Select File.

LEGISLATIVE BILL 1144. Placed on Final Reading.

[ST72](#)

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

1. In the E&R amendments, ER161, on page 16, line 13, "to provide certain jurisdiction for the Public Service Commission;" has been inserted after the semicolon.

(Signed) Terrell McKinney, Chairperson

AMENDMENT(S) - Print in Journal

Senator Linehan filed the following amendment to LB853:
AM2784

1 1. Strike the original sections and all amendments thereto and
2 insert the following new sections:
3 Section 1. Section 77-3506, Revised Statutes Cumulative Supplement,
4 2020, is amended to read:
5 77-3506 (1) All homesteads in this state shall be assessed for
6 taxation the same as other property, except that there shall be exempt
7 from taxation, on any homestead described in subsection (2) of this
8 section, one hundred percent of the exempt amount.
9 (2) The exemption described in subsection (1) of this section shall
10 apply to homesteads of:
11 (a) A veteran who was discharged or otherwise separated with a
12 characterization of honorable or general (under honorable conditions),
13 who is drawing compensation from the United States Department of Veterans
14 Affairs because of one hundred percent service-connected permanent
15 disability, and who is not eligible for total exemption under sections
16 77-3526 to 77-3528;
17 (b) An ~~an~~ unremarried surviving spouse of ~~such~~ a veteran described
18 in subdivision (2)(a) of this section ~~or~~ a surviving spouse of such a
19 veteran who remarries after attaining the age of fifty-seven years;
20 (c) A veteran who was discharged or otherwise separated with a
21 characterization of honorable or general (under honorable conditions),
22 who is drawing compensation from the United States Department of Veterans
23 Affairs because of one hundred percent service-connected temporary
24 disability, and who is not eligible for total exemption under sections
25 77-3526 to 77-3528, an unremarried surviving spouse of such a veteran, or
26 a surviving spouse of such a veteran who remarries after attaining the
27 age of fifty-seven years;
1 (d) ~~(b)~~ An unremarried surviving spouse of any veteran, including a
2 veteran other than a veteran described in section 80-401.01, who was
3 discharged or otherwise separated with a characterization of honorable or
4 general (under honorable conditions) and who died because of a service-
5 connected disability or a surviving spouse of such a veteran who
6 remarries after attaining the age of fifty-seven years;
7 (e) ~~(e)~~ An unremarried surviving spouse of a serviceman or
8 servicewoman, including a veteran other than a veteran described in
9 section 80-401.01, whose death while on active duty was service-connected
10 or a surviving spouse of such a serviceman or servicewoman who remarries
11 after attaining the age of fifty-seven years; and
12 (f) ~~(d)~~ An unremarried surviving spouse of a serviceman or
13 servicewoman who died while on active duty during the periods described
14 in section 80-401.01 or a surviving spouse of such a serviceman or
15 servicewoman who remarries after attaining the age of fifty-seven years.
16 (3) Application for exemption under subdivision (2)(a) of this
17 section shall be required once every five years and shall include
18 certification of the status described in subdivision (2)(a) ~~set forth in~~
19 subsection (2) of this section from the United States Department of
20 Veterans Affairs. Application for exemption under subdivision (2)(b),
21 (c), (d), (e), or (f) of this section shall be required annually and
22 shall include certification of the status described in subdivision (2)
23 (b), (c), (d), (e), or (f) of this section from the United States

24 Department of Veterans Affairs, except that such certification of status
 25 shall only be required once every five years. Such certification shall not
 26 be required in succeeding years if no change in status has occurred,
 27 except that the county assessor or the Tax Commissioner may request such
 28 certification to verify that no change in status has occurred.

29 Sec. 2. Section 77-3512, Revised Statutes Supplement, 2021, is
 30 amended to read:

31 77-3512 (1) It shall be the duty of each owner who wants a
 1 homestead exemption under section 77-3506, 77-3507, or 77-3508 to file an
 2 application therefor with the county assessor of the county in which the
 3 homestead is located after February 1 and on or before June 30 of each
 4 year. ~~Failure to do so shall constitute a waiver of the exemption for~~
 5 ~~that year,~~ except that:

6 (a) ~~(1)~~ The county board of the county in which the homestead is
 7 located may, by majority vote, extend the deadline for an applicant to on
 8 or before July 20. An extension shall not be granted to an applicant who
 9 received an extension in the immediately preceding year;

10 (b) ~~(2)~~ An owner may file a late application pursuant to section
 11 77-3514.01 if he or she includes documentation of a medical condition
 12 which impaired the owner's ability to file the application in a timely
 13 manner; ~~and~~

14 (c) ~~(3)~~ An owner may file a late application pursuant to section
 15 77-3514.01 if he or she includes a copy of the death certificate of a
 16 spouse who died during the year for which the exemption is requested; ~~-~~

17 (d) A veteran qualifying for a homestead exemption under subdivision
 18 (2)(a) of section 77-3506 shall only be required to file an application
 19 once every five years; and

20 (e) If a veteran who has been granted a homestead exemption under
 21 subdivision (2)(a) of section 77-3506 dies during the five-year exemption
 22 period, the surviving spouse of such veteran shall continue to receive
 23 such exemption for the remainder of the five-year exemption period. After
 24 the expiration of the five-year exemption period, the surviving spouse
 25 shall be required to file for an exemption under subdivision (2)(b) of
 26 section 77-3506 on an annual basis.

27 (2) Failure to file an application as required in subsection (1) of
 28 this section shall constitute a waiver of the exemption for the year in
 29 which the failure occurred.

30 Sec. 3. Section 77-3513, Reissue Revised Statutes of Nebraska, is
 31 amended to read:

1 77-3513 The county assessor shall mail a notice on or before April 1
 2 to claimants who are the owners of a homestead which was granted an
 3 exemption under section 77-3506, 77-3507, or 77-3508 and who are required
 4 to refile for such exemption in the current preceding year unless the
 5 claimant has already filed the application for the current year or the
 6 county assessor has reason to believe there has been a change of
 7 circumstances so that the claimant no longer qualifies. The notice shall
 8 include the claimant's name, the application deadlines for the current
 9 year, a list of documents that must be filed with the application, and
 10 the county assessor's office address and telephone number.

11 Sec. 4. Section 77-3522, Reissue Revised Statutes of Nebraska, is
 12 amended to read:

13 77-3522 (1) Any person who makes any false or fraudulent claim for
 14 exemption or any false statement or false representation of a material
 15 fact in support of such claim or any person who knowingly assists another
 16 in the preparation of any such false or fraudulent claim or enters into
 17 any collusion with another by the execution of a fictitious deed or other
 18 instrument for the purpose of obtaining unlawful exemption under sections
 19 77-3501 to 77-3529 shall be guilty of a Class II misdemeanor and shall be
 20 subject to a forfeiture of any such exemption for a period of two years
 21 from the date of conviction. Any person who shall make an oath or

22 affirmation to any false or fraudulent application for homestead
 23 exemption knowing the same to be false or fraudulent shall be guilty of a
 24 Class I misdemeanor.

25 (2) In addition to the penalty provided in subsection (1) of this
 26 section, if any person (a) files a claim for exemption as provided in
 27 section 77-3506, 77-3507, or 77-3508 which is excessive due to
 28 misstatements by the owner filing such claim or (b) fails to notify the
 29 county assessor of a change in status of a veteran qualifying for a
 30 homestead exemption under subdivision (2)(a) of section 77-3506 which
 31 affected all or a portion of the exemption period, including a change in
 1 rating, a transfer of the property, or the death of the veteran, the
 2 claim may be disallowed in full and, if the claim has been allowed, an
 3 amount equal to the amount of taxes lawfully due during the applicable
 4 exemption period but not paid by reason of such unlawful and improper
 5 allowance of homestead exemption shall be due and shall upon entry of the
 6 amount thereof on the books of the county treasurer be a lien on such
 7 property until paid and a penalty equal to the amount of taxes lawfully
 8 due but claimed for exemption shall be assessed. Any amount paid to
 9 satisfy a lien imposed pursuant to this subsection shall be paid to the
 10 county treasurer in the same manner that other property taxes are paid,
 11 and the county treasurer shall remit such amount to the State Treasurer
 12 for credit to the General Fund. Any penalty collected pursuant to this
 13 subsection shall be retained by the county in which such penalty is
 14 assessed.

15 (3) For any veteran claiming a homestead exemption under subdivision
 16 (2)(a) of section 77-3506, the county assessor may revoke such exemption
 17 back to the date on which the county assessor has reason to believe that
 18 the exemption was improper upon notice to the veteran of the revocation.
 19 The veteran may then provide evidence in favor of receiving the exemption
 20 to the county assessor, and the county assessor may revise any revocation
 21 based on such evidence. Any decision of the county assessor to revoke a
 22 homestead exemption under this subsection may be appealed to the county
 23 board within thirty days after the decision. The county board may reverse
 24 or modify the revocation if there is clear and convincing evidence that
 25 the veteran qualified for the exemption for a particular period of time.
 26 (4) Any additional taxes or penalties imposed pursuant to this
 27 section may be appealed in the same manner as appeals are made under
 28 section 77-3519.

29 Sec. 5. This act becomes operative on January 1, 2023.

30 Sec. 6. Original sections 77-3513 and 77-3522, Reissue Revised
 31 Statutes of Nebraska, section 77-3506, Revised Statutes Cumulative
 1 Supplement, 2020, and section 77-3512, Revised Statutes Supplement, 2021,
 2 are repealed.

SELECT FILE

LEGISLATIVE BILL 773. Senator Morfeld renewed his motion, [MO229](#),
 found in this day's Journal, to recommit to Judiciary Committee.

SENATOR WILLIAMS PRESIDING

Senator Morfeld offered the following motion:

[MO230](#)

Bracket until April 20, 2022.

Pending.

COMMITTEE REPORT(S)

Health and Human Services

The Health and Human Services 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.

Frances Beurivage - Commission for the Deaf and Hard of Hearing

Aye: 7. Arch, Cavanaugh, M., Day, Hansen, B., Murman, Walz, Williams.
Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) John Arch, Chairperson

AMENDMENT(S) - Print in Journal

Senator McDonnell filed the following amendment to [LB773](#):
[AM2825](#)

(Amendments to AM1757)

- 1 1. On page 2, line 1, strike "(6)", show as stricken, and insert
- 2 "(6)(a)"; and after line 6 insert the following new subdivision:
- 3 "(b) To require registration of handguns other than those owned,
- 4 possessed, or transported by an individual holding a valid permit under
- 5 the Concealed Handgun Permit Act or a license or permit to carry a
- 6 concealed handgun issued by any other state or the District of Columbia
- 7 and recognized as valid under section 69-2448. A city of the metropolitan
- 8 class which requires registration of handguns under this subdivision
- 9 shall not deny registration to any individual who is not a prohibited
- 10 person. For purposes of this subdivision, handgun and prohibited person
- 11 have the same meanings as in section 28-1201;"
- 12 2. On page 17, insert the following new subsection after line 3:
- 13 "(2) A person shall not carry a handgun concealed on or about his or
- 14 her person while engaged in the commission of a covered offense."; in
- 15 line 4 strike "(2)" and insert "(3)"; after line 7 insert the following
- 16 new subsection:
- 17 "(4) For purposes of this section, covered offense means:
- 18 (a) Robbery under section 28-324;
- 19 (b) Arson in the first, second, or third degree under section
- 20 28-502, 28-503, or 28-504, respectively;
- 21 (c) Burglary under section 28-507;
- 22 (d) Murder in the first degree, murder in the second degree, or
- 23 manslaughter under section 28-303, 28-304, or 28-305, respectively;
- 24 (e) A violation involving a controlled substance under section
- 25 28-416;
- 26 (f) Offenses involving a firearm or other deadly weapon under
- 1 section 28-1203, 28-1204.03, 28-1204.04, 28-1205, 28-1207, 28-1208,
- 2 28-1212.01, 28-1212.03, or 28-1212.04, except that for a violation of
- 3 section 28-1205, the violation of this section cannot serve as the
- 4 predicate offense;
- 5 (g) Assault in the first degree, assault in the second degree, or
- 6 assault by strangulation or suffocation under section 28-308, 28-309, or
- 7 28-310.01, respectively;
- 8 (h) Assault on an officer, an emergency responder, a state
- 9 correctional employee, a Department of Health and Human Services
- 10 employee, or a health care professional in the first, second, or third
- 11 degree under section 28-929, 28-930, or 28-931, respectively, or assault

12 on an officer, an emergency responder, a state correctional employee, a
13 Department of Health and Human Services employee, or a health care
14 professional using a motor vehicle under section 28-931.01;
15 (j) Theft by unlawful taking or disposition under section 28-511;
16 (j) Theft by receiving stolen property under section 28-517;
17 (k) Theft by deception under section 28-512;
18 (l) Theft by extortion under section 28-513;
19 (m) Kidnapping under section 28-313;
20 (n) Any forgery offense under sections 28-602 to 28-605;
21 (o) Criminal impersonation under section 28-638;
22 (p) Tampering with a publicly exhibited contest under section
23 28-614;
24 (q) Unauthorized use of a financial transaction device or criminal
25 possession of a financial transaction device under section 28-620 or
26 28-621, respectively;
27 (r) Pandering under section 28-802;
28 (s) Keeping a place of prostitution under section 28-804;
29 (t) Bribery, bribery of a witness, or bribery of a juror under
30 section 28-917, 28-918, or 28-920, respectively;
31 (u) Tampering with a witness or an informant or jury tampering under
1 section 28-919;
2 (v) Unauthorized application of graffiti under section 28-524;
3 (w) Dogfighting, cockfighting, bearbaiting, or pitting an animal
4 against another under section 28-1005;
5 (x) Promoting gambling in the first degree under section 28-1102;
6 (y) Criminal child enticement under section 28-311;
7 (z) Terroristic threats under section 28-311.01;
8 (aa) Stalking under section 28-311.03;
9 (bb) False imprisonment in the first degree or false imprisonment in
10 the second degree, under section 28-314 or 28-315, respectively;
11 (cc) Sexual assault in the first degree or sexual assault in the
12 second or third degree, under section 28-319 or 28-320, respectively;
13 (dd) Sexual assault of a child in the first degree or sexual assault
14 of a child in the second or third degree, under section 28-319.01 or
15 28-320.01, respectively;
16 (ee) Sexual abuse of a protected individual under section 28-322.04;
17 (ff) Domestic assault under section 28-323;
18 (gg) Impersonating a public servant or impersonating a peace officer
19 under section 28-609 or 28-610, respectively;
20 (hh) Operating a motor vehicle or vessel to avoid arrest under
21 section 28-905;
22 (ii) Introducing implements for escape under section 28-913;
23 (jj) Loitering about a penal institution under section 28-914;
24 (kk) Labor trafficking, labor trafficking of a minor, sex
25 trafficking, or sex trafficking of a minor under section 28-831;
26 (ll) Knowing violation of a sexual assault protection order under
27 section 28-311.11;
28 (mm) Assault in the third degree under section 28-310 if punishable
29 as a Class I misdemeanor;
30 (nn) Assault of an unborn child in the first, second, or third
31 degree under section 28-397, 28-398, or 28-399, respectively;
1 (oo) Theft in violation of section 28-518 when the offense is
2 classified as a Class I misdemeanor or a felony;
3 (pp) First or second degree criminal trespass under section 28-520
4 or 28-521, respectively;
5 (qq) Prostitution under section 28-801;
6 (rr) Solicitation of prostitution under section 28-801.01;
7 (ss) Debauching a minor under section 28-805;
8 (tt) Obstructing government operations under section 28-901;
9 (uu) Resisting arrest under section 28-904;

10 (vv) Obstructing a peace officer under section 28-906;
 11 (ww) Interference with a fireman on official duty under section
 12 28-908;
 13 (xx) Assault with a bodily fluid against a public safety officer
 14 under section 28-934;
 15 (yy) Use of explosives without a permit under section 28-1218;
 16 (zz) Concealing the death of another person under section 28-1302;
 17 (aaa) Knowing violation of a protection order under section 42-924;
 18 (bbb) Manufacturing spirits without a license under subsection (2)
 19 of section 53-1,100;
 20 (ccc) Offenses involving an imitation controlled substance under
 21 section 28-445 if punishable as a Class II misdemeanor;
 22 (ddd) An offense relating to an inspection warrant under section
 23 29-835;
 24 (eee) Failure to obey a lawful order of a peace officer under
 25 subsection (2) of section 60-6,110;
 26 (fff) Harassment of a police animal under subsection (3) of section
 27 28-1009;
 28 (ggg) Offenses involving a service animal under section 28-1009.01;
 29 (hhh) Discharging a firearm or weapon from a public way under
 30 section 28-1335;
 31 (iii) Resisting or obstructing an officer or employee of the Game
 1 and Parks Commission under section 37-609;
 2 (jjj) Failure of a vessel to comply with an order of an officer to
 3 stop under section 37-1238.02;
 4 (kkk) Violations relating to animals under section 39-313;
 5 (lll) Criminal mischief under section 28-519 if punishable as a
 6 Class I or II misdemeanor or a felony, including cases in which the
 7 penalty is enhanced as provided in section 28-111;
 8 (mmm) Any criminal attempt under section 28-201 to commit an offense
 9 described in this subsection, other than a violation of a city or village
 10 ordinance;
 11 (nnn) Accessory to felony under section 28-204; or
 12 (ooo) A violation of a city or village ordinance prohibiting hate
 13 intimidation, obstructing a law enforcement officer or firefighter,
 14 resisting arrest, disorderly conduct, failure to disperse, refusing a
 15 lawful request to move, unlawful assembly, assault, battery, enticement
 16 of a child under sixteen years of age into a vehicle, child enticement,
 17 caretaker neglect, solicitation, pandering, theft, trespass, failure to
 18 leave the property of another upon request to leave, damage to property,
 19 discharging a projectile, or sale of a firearm to a minor."; and in line
 20 10, strike "or a prohibited person" and insert ", prohibited person, or
 21 person engaged in the commission of a covered offense as defined in
 22 section 28-1202".
 23 3. On page 23, strike lines 12 and 13 and insert "first offense, a
 24 Class I misdemeanor for a second offense, and a Class IV felony for a
 25 third offense; and".

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Pansing Brooks name added to LR427.

RECESS

At 12:02 p.m., on a motion by Senator Walz, the Legislature recessed until 1:00 p.m.

AFTER RECESS

The Legislature reconvened at 1:00 p.m., Senator Williams presiding.

ROLL CALL

The roll was called and all members were present except Senator Pahls who was excused; and Senators Albrecht, Arch, Bostar, Briese, Day, DeBoer, Erdman, Lathrop, Lindstrom, McDonnell, Pansing Brooks, Slama, Stinner, Vargas, Wayne, and Wishart who were excused until they arrive.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 446. Introduced by Hansen, B., 16.

WHEREAS, the 2021 Nebraska School Activities Association State Volleyball Championships were held from November 3 through November 6 in Lincoln, Nebraska; and

WHEREAS, the Oakland-Craig High School Knights volleyball team competed for the Class C-2 State Volleyball Championship; and

WHEREAS, this is the first appearance at the state tournament for the Knights since 1992; and

WHEREAS, the first seed Knights lost only a single set during the entire tournament and beat the sixth seed Sutton in three sets to win the final match and claim the Class C-2 State Volleyball Championship; and

WHEREAS, this is the first state volleyball championship won by the Knights; 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 Oakland-Craig High School Knights volleyball team on winning the 2021 Class C-2 State Volleyball Championship.

2. That copies of this resolution be sent to Oakland-Craig High School and Coach Becky Rennerfeldt.

Laid over.

LEGISLATIVE RESOLUTION 447. Introduced by Hansen, B., 16.

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, senior Luke MacDonald competed in the tournament for the Bennington High School wrestling team coached by Alan Pokorny; and

WHEREAS, Luke wrestled in the Class B 195-pound championship match against Mack Owens of Aurora, defeated Mack 7-3, and won the Class B 195-pound championship; and

WHEREAS, Luke's win is his second state championship and capped off Bennington's first Class B State Wrestling team title in thirty-five years; and

WHEREAS, Luke finished the season with a 52-3 record with no losses in Nebraska. His only losses came at the prestigious national Walsh Jesuit Ironman Wrestling Tournament in Ohio where Luke finished 8th in his weight class; 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 Luke MacDonald on winning the 2022 Class B 195-pound State Wrestling Championship.

2. That copies of this resolution be sent to Bennington High School, Luke MacDonald, and Coach Alan Pokorny.

Laid over.

LEGISLATIVE RESOLUTION 448. Introduced by Brewer, 43.

WHEREAS, Karen Eisenbarth has served the Northwest Community Action Partnership for more than thirteen years, first as human resources director from 2008 through 2013 and subsequently as the chief executive officer since 2013; and

WHEREAS, Karen previously served in her community as the executive director for the Chadron Housing Authority and as a coordinator for Chadron State College; and

WHEREAS, Karen earned a Bachelor of Arts in Finance from Chadron State College in 1996 and a Masters of Business Administration from Chadron State College in 2002; and

WHEREAS, Karen has contributed her talents through service to her community over the years as President of Community Action of Nebraska and as a part of the Panhandle Worksite Wellness Council Advisory Committee, Chadron Rotary Club, Chadron Boys and Girls Club, CSC Child Development Center Laboratory Advisory Board, Chadron Housing Authority, and the Chadron Chamber of Commerce Board of Directors.

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

1. That the Legislature recognizes and thanks Karen Eisenbarth for her service to her community through her role on the Northwest Community Action Partnership and her many years of community involvement.
2. That a copy of this resolution be sent to Karen Eisenbarth.

Laid over.

SELECT FILE

LEGISLATIVE BILL 773. Senator Morfeld renewed his motion, [MO230](#), found in this day's Journal, to bracket until April 20, 2022.

SENATOR HUGHES PRESIDING

PRESIDENT FOLEY PRESIDING

Senator Brewer offered the following motion:

[MO231](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Brewer moved for a call of the house. The motion prevailed with 38 ayes, 2 nays, and 9 not voting.

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

Voting in the affirmative, 31:

Aguilar	Clements	Hansen, B.	Lowe	Wayne
Albrecht	Dorn	Hilgers	McKinney	Williams
Arch	Erdman	Hughes	Moser	Wishart
Bostelman	Flood	Jacobson	Murman	
Brandt	Friesen	Kolterman	Sanders	
Brewer	Gragert	Lindstrom	Slama	
Briese	Halloran	Linehan	Stinner	

Voting in the negative, 9:

Bostar	Cavanaugh, M.	DeBoer	Hunt	Morfeld
Cavanaugh, J.	Day	Hansen, M.	Lathrop	

Present and not voting, 6:

Blood	Hilkemann	McDonnell
Geist	McCollister	Walz

Excused and not voting, 3:

Pahls Pansing Brooks Vargas

The Brewer motion to invoke cloture failed with 31 ayes, 9 nays, 6 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 449. Introduced by Friesen, 34.

WHEREAS, in June 1871, the town of Aurora was laid out by founders David Stone, Robert Miller, Nathaniel Thorpe, Darius Wilcox, and S.P. Lewis. These founders sought a place to establish a town to reside in, to attract new residents to live in, to weather the storms of life in, and to build a progressive prosperous future for the next generations; and

WHEREAS, Aurora continues to thrive in the areas related to business, education, agriculture, and industry; and

WHEREAS, Aurorans take great pride in their community, including their historic town square and their recreational and aquatic facilities that offer an abundance of opportunities to all residents of the city; and

WHEREAS, the city of Aurora continues to build on its past successes while preparing for a more prosperous future.

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

1. That the Legislature congratulates the city of Aurora on the one hundred fifty years since its founding.
2. That a copy of this resolution be sent to the city of Aurora.

Laid over.

SELECT FILE

LEGISLATIVE BILL 876. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 792. [ER164](#), found on page 1126, was adopted.

Senator Lowe offered his amendment, [AM2700](#), found on page 1136.

Senator Lowe offered his amendment, [FA206](#), found on page 1237, to the Lowe amendment.

The Lowe amendment, [FA206](#), was adopted with 41 ayes, 0 nays, 6 present and not voting, and 2 excused and not voting.

The Lowe amendment, as amended, was adopted with 40 ayes, 0 nays, 7

present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 843. [ER170](#), found on page 1204, was adopted.

Senator Flood withdrew his amendment, [AM2713](#), found on page 1170.

Senator Flood offered the following amendment:

[AM2816](#)

(Amendments to E & R amendments, ER170)

- 1 1. Insert the following new section:
- 2 Sec. 7. Section 32-119.01, Reissue Revised Statutes of Nebraska, is
- 3 amended to read:
- 4 32-119.01 Voting system means the process of creating, casting, and
- 5 counting ballots and includes any software or service used in such
- 6 process.
- 7 2. On page 4, lines 11 and 12, strike "16, 30, 32, 39, 43, and 45"
- 8 and insert "17, 31, 33, 40, 44, and 46".
- 9 3. On page 51, line 20, strike "51 and 52" and insert "52 and 53".
- 10 4. On page 58, line 14, after the first comma insert "32-119.01,";
- 11 and in line 23 before "32-203" insert "32-119.01,".
- 12 5. Renumber the remaining sections accordingly.

The Flood amendment was adopted with 36 ayes, 0 nays, 11 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 686. Senator M. Hansen withdrew his amendment, [AM2296](#), found on page 1170.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 598. [ER136](#), found on page 823, was adopted.

Senator Wishart offered her amendment, [AM2293](#), found on page 845.

The Wishart amendment was adopted with 44 ayes, 0 nays, 4 present and not voting, and 1 excused and not voting.

Senator M. Cavanaugh withdrew her motion, [MO215](#), found on page 1153, to bracket.

Senator Wayne offered the following amendment:

[AM2817](#)

(Amendments to E&R amendments, ER136)

- 1 1. Insert the following new sections:
- 2 Sec. 6. Section 81-12,153, Revised Statutes Cumulative Supplement,
- 3 2020, is amended to read:
- 4 81-12,153 For purposes of the Business Innovation Act:
- 5 (1) Department means the Department of Economic Development;

6 (2) Economic redevelopment area means an area in the State of
7 Nebraska in which:
8 (a) The average rate of unemployment in the area during the period
9 covered by the most recent federal decennial census or American Community
10 Survey 5-Year Estimate by the United States Bureau of the Census is at
11 least one hundred fifty percent of the average rate of unemployment in
12 the state during the same period; and
13 (b) The average poverty rate in the area is twenty percent or more
14 for the federal census tract in the area;
15 (3) (2) Federal grant program means the federal Small Business
16 Administration's Small Business Innovation Research grant program or
17 Small Business Technology Transfer grant program;
18 (4) (3) Microenterprise means a for-profit business entity with not
19 more than ten full-time equivalent employees;
20 (5) (4) Prototype means an original model on which something is
21 patterned by a resident of Nebraska or a company located in Nebraska; and
22 (6) (5) Value-added agriculture means increasing the net worth of
23 food or nonfood agricultural products by processing, alternative
24 production and handling methods, collective marketing, or other
25 innovative practices.
26 Sec. 7. Section 81-12,158, Revised Statutes Cumulative Supplement,
1 2020, is amended to read:
2 81-12,158 (1) The department shall establish a financial assistance
3 program to provide financial assistance to businesses that employ no more
4 than five hundred employees or to individuals for the purposes of
5 creating a prototype of a product stemming from research and development
6 at a business operating in Nebraska or a public or private college or
7 university in Nebraska.
8 (2) Funds shall be matched by nonstate funds equivalent in money
9 equal to:
10 (a) Twenty-five percent of the funds requested if the applicant's
11 principal residence or principal place of business is located in an
12 economic redevelopment area within a city of the metropolitan class; or
13 (b) Fifty ~~fty~~ percent of the funds requested for any other
14 applicant.
15 (3) Matching funds may be from any nonstate source, including
16 private foundations, federal or local government sources, quasi-
17 governmental entities, or commercial lending institutions, or any other
18 funds whose source does not include funds appropriated by the
19 Legislature.
20 (4) The amount the department may provide shall not exceed one
21 hundred fifty thousand dollars per project.
22 (5) (3) A business or individual applying for financial assistance
23 under this section shall include a business plan that includes a proof-
24 of-concept demonstration.
25 (6) (4) Financial assistance under this section shall be expended
26 within twenty-four months after the date of the awarding decision.
27 (7) (5) The department may award up to five ~~four~~ million dollars per
28 year for financial assistance under this section.
29 Sec. 8. Sections 6, 7, and 9 of this act become operative three
30 calendar months after the adjournment of this legislative session. The
31 other sections of this act become operative on their effective date.
1 Sec. 9. Original sections 81-12,153 and 81-12,158, Revised Statutes
2 Cumulative Supplement, 2020, are repealed.
3 2. Renumber the remaining section accordingly.

The Wayne amendment was adopted with 42 ayes, 0 nays, 6 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 927. [ER166](#), found on page 1126, was adopted.

Senator M. Hansen withdrew his amendment, [FA173](#), found on page 1007.

Senator Linehan offered her amendment, [AM2778](#), found on page 1216.

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

Senator Linehan requested a roll call vote on her amendment.

Voting in the affirmative, 30:

Albrecht	Cavanaugh, M.	Geist	Hunt	Moser
Arch	Clements	Gragert	Jacobson	Murman
Bostelman	Day	Halloran	Kolterman	Slama
Brandt	Dorn	Hilgers	Linehan	Stinner
Briese	Erdman	Hilkemann	Lowe	Walz
Cavanaugh, J.	Friesen	Hughes	McCollister	Williams

Voting in the negative, 9:

Aguilar	Flood	McKinney	Pansing Brooks	Wayne
Blood	Lindstrom	Morfeld	Vargas	

Present and not voting, 6:

Bostar	Hansen, M.	McDonnell
DeBoer	Lathrop	Sanders

Excused and not voting, 4:

Brewer	Hansen, B.	Pahls	Wishart
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The Linehan amendment was adopted with 30 ayes, 9 nays, 6 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 1261. [ER173](#), found in this day's Journal, was adopted.

Senator M. Hansen withdrew his amendment, [FA179](#), found on page 1007.

Senator Linehan offered the following amendment:

[AM2829](#)

(Amendments to E&R amendments, ER173)

- 1 1. Insert the following new section:
- 2 Sec. 17. There is hereby appropriated (1) \$473,696 from the General
- 3 Fund for FY2022-23 and (2) \$256,100 from the General Fund for FY2023-24
- 4 to the Department of Revenue, for Program 102, to aid in carrying out the
- 5 provisions of this legislative bill.
- 6 Total expenditures for permanent and temporary salaries and per
- 7 diems from funds appropriated in this section shall not exceed \$189,700
- 8 for FY2022-23 or \$193,500 for FY2023-24.
- 9 2. On page 18, line 12, strike "twenty-five" and insert "ten".
- 10 3. On page 35, line 16, strike "18" and insert "19".
- 11 4. On page 36, line 6, after the second semicolon insert "to
- 12 appropriate funds to carry out this legislative bill;".
- 13 5. Renumber the remaining sections accordingly.

The Linehan amendment was adopted with 37 ayes, 1 nay, 6 present and not voting, and 5 excused and not voting.

Senator Wayne offered the following amendment:

[AM2774](#)

(Amendments to E&R amendments, ER173)

- 1 1. Insert the following new sections:
- 2 Sec. 17. Section 77-6912, Revised Statutes Supplement, 2021, is
- 3 amended to read:
- 4 77-6912 Qualified location means any location in a city of the
- 5 metropolitan class or a city of the primary class that is used or will be
- 6 used by the taxpayer to conduct business activities and that is located
- 7 within an economic redevelopment area. More than one qualified location
- 8 may be part of the same agreement project.
- 9 Sec. 18. Section 77-6919, Revised Statutes Supplement, 2021, is
- 10 amended to read:
- 11 77-6919 (1) To earn the incentives set forth in the Urban
- 12 Redevelopment Act, the taxpayer shall file an application for an
- 13 agreement with the Director of Economic Development.
- 14 (2) The application shall:
- 15 (a) Identify the taxpayer applying for incentives;
- 16 (b) Identify the location or locations where the new investment and
- 17 employment will occur, including documentation to show that each such
- 18 location is a qualified location;
- 19 (c) State the estimated, projected amount of new investment and the
- 20 estimated, projected number of new equivalent employees; and
- 21 (d) Include an application fee of five hundred dollars. The fee
- 22 shall be remitted to the State Treasurer for credit to the Nebraska
- 23 Incentives Fund.
- 24 (3) Subject to the limit in subsection (4) of this section, the
- 25 director shall approve the application and authorize the total amount of
- 26 incentives expected to be earned as a result of the project if he or she
- 1 is satisfied that the qualified location or locations meet plan in the
- 2 application defines a project that meets the requirements established in
- 3 section 77-6920 and such requirements will be reached within the required
- 4 time period.
- 5 (4) The director shall not approve further applications once the
- 6 expected incentives from the approved projects total eight million
- 7 dollars. All but one hundred dollars of the application fee shall be
- 8 refunded to the applicant if the application is not approved for any
- 9 reason.
- 10 (5) Applications for incentives shall be considered in the order in

11 which they are received.

12 (6) The director has ninety days to approve a complete application.

13 (7) After approval, the taxpayer and the director shall enter into a
14 written agreement. As part of such agreement, the taxpayer shall agree to
15 increase the levels of employment and investment required by the act
16 ~~complete the project~~ and the director, on behalf of the State of

17 Nebraska, shall ~~designate the approved plans of the taxpayer as a project~~
18 ~~and~~, in consideration of the taxpayer's agreement, agree to allow the
19 taxpayer to use the incentives contained in the Urban Redevelopment Act
20 up to the total amount that were authorized by the director at the time
21 of approval. The application and all supporting documentation, to the
22 extent approved, shall be considered a part of the agreement. The
23 agreement shall state:

24 (a) The levels of employment and investment required by the act for
25 the project;

26 (b) The time period under the act in which the required levels must
27 be met;

28 (c) The documentation the taxpayer will need to supply when claiming
29 an incentive under the act;

30 (d) The date the application was filed; and

31 (e) The maximum amount of incentives authorized.

1 (8) The application, the agreement, all supporting information, and
2 all other information reported to the Director of Economic Development
3 shall be kept confidential by the director, except for the name of the
4 taxpayer, the location of the project, the estimated amounts of increased
5 employment and investment stated in the application, the date of the
6 complete application, the date the agreement was signed, and the
7 information required to be reported by section 77-6928. The application,
8 the agreement, and all supporting information shall be provided by the
9 director to the Department of Revenue. The director shall disclose, to
10 any municipalities in which project locations exist, the approval of an
11 application and the execution of an agreement under this section. The Tax
12 Commissioner shall also notify each municipality of the amount and
13 taxpayer identity for each refund of local option sales and use taxes of
14 the municipality within thirty days after the refund is allowed or
15 approved. Disclosures shall be kept confidential by the municipality
16 unless publicly disclosed previously by the taxpayer or by the State of
17 Nebraska.

18 (9) There shall be no new applications for incentives filed under
19 this section after December 31, 2031.

20 Sec. 19. Section 77-6920, Revised Statutes Supplement, 2021, is
21 amended to read:

22 77-6920 (1) A tax credit shall be allowed to any taxpayer who has an
23 approved application pursuant to the Urban Redevelopment Act if the
24 taxpayer:

25 (a) Attains a cumulative investment in qualified property of at
26 least one hundred fifty thousand dollars and hires at least five new
27 employees at the qualified location or locations before the end of the
28 ramp-up period; and

29 (b) Pays a minimum qualifying wage of seventy percent of the
30 Nebraska statewide average hourly wage to the new equivalent employees
31 for whom tax incentives are sought under the Urban Redevelopment Act.

1 (2) A tax credit shall be allowed to any taxpayer who has an
2 approved application pursuant to the Urban Redevelopment Act if the
3 taxpayer attains a cumulative investment in qualified property of at
4 least fifty thousand dollars at the qualified location or locations
5 before the end of the ramp-up period.

6 (3) Subject to subsection (5) of this section, the amount of the
7 credit allowed under subsection (1) of this section shall be:

8 (a) Three thousand dollars for each new equivalent employee, except

9 that such amount shall be increased by one thousand dollars for each
 10 equivalent employee who lives in an economic redevelopment area; and
 11 (b) Two thousand seven hundred fifty dollars for each fifty thousand
 12 dollars of increased investment.
 13 (4) Subject to subsection (5) of this section, the amount of the
 14 credit allowed under subsection (2) of this section shall be five percent
 15 of the investment.
 16 (5) A taxpayer may qualify for a credit under either subsection (1)
 17 or (2) of this section, but cannot qualify for a credit under both such
 18 subsections. The credit shall not exceed fifty thousand dollars. The
 19 taxpayer shall receive such credit for each year of the performance
 20 period that the taxpayer is at or above the required levels of employment
 21 and cumulative investment.
 22 (6) A taxpayer shall not qualify for any credits under the Urban
 23 Redevelopment Act if the taxpayer is receiving any benefits under any
 24 other tax incentive program offered by the State of Nebraska.
 25 (7) A teleworker working from his or her residence shall not be
 26 considered an equivalent employee of the taxpayer for purposes of the
 27 Urban Redevelopment Act unless the teleworker's residence is located in
 28 the economic redevelopment area in which the taxpayer's qualified
 29 location is located.
 30 2. Renumber the remaining sections and correct internal references
 31 accordingly.
 1 3. Correct the operative date and repealer sections so that the
 2 sections added by this amendment become operative three calendar months
 3 after the adjournment of this legislative session.

The Wayne 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 984. [ER171](#), found in this day's Journal, was adopted.

Senator Linehan offered the following amendment:

[AM2830](#)

(Amendments to E & R amendments, ER171)

1 1. Strike section 7.
 2 2. On page 1, lines 6, 11, and 17; page 22, line 3; page 25, line 3;
 3 page 27, line 1; page 31, lines 20 and 30; page 32, lines 14, 17, and 22;
 4 and page 33, line 6, strike "sections 6 and 7" and insert "section 6".
 5 3. On page 34, line 16, strike "to change provisions relating to
 6 purchasing agents;".
 7 4. Renumber the remaining sections accordingly.

The Linehan amendment was adopted with 35 ayes, 0 nays, 10 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 984A. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 1150. [ER169](#), found on page 1204, was adopted.

Senator M. Hansen withdrew his amendment, [FA189](#), found on page 1008.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 1150A. Senator Geist offered the following amendment:

[AM2822](#)

1 I. Insert the following new section:

2 Sec. 2. There is hereby appropriated \$88,500 from the General Fund
3 for FY2022-23 to the Legislative Council, for Program 638, to acquire
4 REMI Tax-PI economic modeling software for use by entities in the
5 Legislature as designated in the licensing agreement for such software.
6 No expenditures for permanent and temporary salaries and per diems
7 for state employees shall be made from funds appropriated in this
8 section.

9 It is the intent of the Legislature to appropriate \$28,500 each
10 fiscal year beginning in FY2023-24 for annual maintenance payments
11 related to the REMI Tax-PI economic modeling software.

The Geist amendment was adopted with 33 ayes, 1 nay, 9 present and not voting, and 6 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 1218. [ER175](#), found in this day's Journal, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 1218A. Senator Walz offered the following amendment:

[AM2827](#)

1 I. Insert the following new section:

2 Sec. 2. There is hereby appropriated \$107,760 from the General Fund
3 for FY2022-23 to the Department of Revenue, for Program 102, to aid in
4 carrying out the provisions of Legislative Bill 1218, One Hundred Seventh
5 Legislature, Second Session, 2022.
6 No expenditures for permanent and temporary salaries and per diems
7 for state employees shall be made from funds appropriated in this
8 section.

The Walz amendment was adopted with 34 ayes, 0 nays, 9 present and not voting, and 6 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 922. [ER172](#), found in this day's Journal, was adopted.

Senator J. Cavanaugh withdrew his amendment, [AM2769](#), found on page 1213.

Senator Hilgers offered the following amendment:

[AM2834](#)

(Amendments to E&R amendments, ER172)

- 1 1. On page 10, line 31; page 11, line 20; and page 12, lines 16 and
- 2 27, after "hired" insert "with prior approval of the Attorney
- 3 General.".
- 4 2. On page 11, line 26, after the period insert "A conflict of
- 5 interest shall not be deemed to exist when the Attorney General is a
- 6 party to such claim or represents a party to such claim.".

The Hilgers 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 922A. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 896. [ER128](#), found on page 741, was adopted.

Senator Lathrop offered his amendment, [AM2502](#), found on page 1194.

The Lathrop amendment was adopted with 30 ayes, 0 nays, 13 present and not voting, and 6 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 896A. Senator Lathrop offered the following amendment:

[AM2789](#)

- 1 1. Strike the original section and insert the following new section:
- 2 Section 1. There is hereby appropriated (1) \$52,200 from the General
- 3 Fund for FY2022-23 and (2) \$37,900 from the General Fund for FY2023-24 to
- 4 the Department of Correctional Services, for Program 200, to aid in
- 5 carrying out the provisions of Legislative Bill 896, One Hundred Seventh
- 6 Legislature, Second Session, 2022.
- 7 No expenditures for permanent and temporary salaries and per diems
- 8 for state employees shall be made from funds appropriated in this
- 9 section.

The Lathrop amendment was adopted with 30 ayes, 0 nays, 13 present and not voting, and 6 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 1130. [ER168](#), found on page 1204, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 1130A. Senator Morfeld offered the following motion:

[MO232](#)

Indefinitely postpone.

The Morfeld motion to indefinitely postpone prevailed with 36 ayes, 0 nays, 6 present and not voting, and 7 excused and not voting.

LEGISLATIVE BILL 729. Senator Erdman offered the following motion:

[MO233](#)

Bracket until April 20, 2022.

SENATOR HUGHES PRESIDING

Senator Erdman moved for a call of the house. The motion prevailed with 32 ayes, 0 nays, and 17 not voting.

Senator Erdman requested a roll call vote on the motion to bracket.

Voting in the affirmative, 19:

Blood	Day	Gragert	Hunt	Pansing Brooks
Cavanaugh, J.	Erdman	Halloran	Lathrop	Slama
Cavanaugh, M.	Flood	Hansen, M.	Morfeld	Stinner
Clements	Friesen	Hughes	Murman	

Voting in the negative, 24:

Aguilar	Briese	Hilkemann	McCollister	Walz
Albrecht	DeBoer	Jacobson	McKinney	Wayne
Arch	Dorn	Kolterman	Moser	Williams
Bostar	Geist	Lindstrom	Sanders	Wishart
Brandt	Hilgers	Linehan	Vargas	

Present and not voting, 1:

Hansen, B.

Excused and not voting, 5:

Bostelman	Brewer	Low	McDonnell	Pahls
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The Erdman motion to bracket failed with 19 ayes, 24 nays, 1 present and not voting, and 5 excused and not voting.

The Chair declared the call raised.

Pursuant to Rule 6, Section 3(d), Speaker Hilgers requested to pass over LB729.

LEGISLATIVE BILL 376A. Senator M. Cavanaugh withdrew her amendment, [AM1395](#), found on page 1411, First Session, 2021.

Senator Stinner withdrew his amendment, [AM1463](#), found on page 274.

Senator M. Cavanaugh withdrew her amendment, [AM1456](#), found on page 274.

Senator M. Cavanaugh offered her amendment, [AM2172](#), found on page 756.

The M. Cavanaugh amendment was adopted with 34 ayes, 0 nays, 10 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 1144A. Senator Friesen offered the following amendment:

[AM2831](#)

1 1. Insert the following new section:

2 Sec. 2. There is hereby appropriated (1) \$324,875 from Federal
3 Funds for FY2022-23 and (2) \$316,738 from Federal Funds for FY2023-24 to
4 the Public Service Commission, for Program 793, to aid in carrying out
5 the provisions of Legislative Bill 1144, One Hundred Seventh Legislature,
6 Second Session, 2022. The Federal Funds appropriated in this section are
7 from the funds allocated to the State of Nebraska from the federal
8 Coronavirus State Fiscal Recovery Fund pursuant to the federal American
9 Rescue Plan Act of 2021, 42 U.S.C. 802, as amended.
10 Total expenditures for permanent and temporary salaries and per
11 diems from funds appropriated in this section shall not exceed \$194,400
12 for FY2022-23 or \$198,288 for FY2023-24.

13 2. Renumber the remaining section accordingly.

SENATOR WILLIAMS PRESIDING

The Friesen amendment was adopted with 34 ayes, 0 nays, 10 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 1173A. Senator Arch withdrew his amendment, [AM2627](#), found on page 1198.

Senator Arch offered the following amendment:

[AM2776](#)

1 1. Strike the original sections and all amendments thereto and

2 insert the following new sections:

3 Section 1. There is hereby appropriated (1) \$346,413 from the

4 General Fund and \$42,262 from federal funds for FY2022-23 and (2)

5 \$317,867 from the General Fund for FY2023-24 to the Department of Health
6 and Human Services, for Program 33, to aid in carrying out the provisions
7 of Legislative Bill 1173, One Hundred Seventh Legislature, Second
8 Session, 2022.
9 Total expenditures for permanent and temporary salaries and per
10 diems from funds appropriated in this section shall not exceed \$31,879
11 for FY2022-23 or \$42,505 for FY2023-24.
12 Sec. 2. There is hereby appropriated (1) \$133,541 from the General
13 Fund and \$1,975 from federal funds for FY2022-23 and (2) \$148,651 from
14 the General Fund and \$2,174 from federal funds for FY2023-24 to the
15 Department of Health and Human Services, for Program 354, to aid in
16 carrying out the provisions of Legislative Bill 1173, One Hundred Seventh
17 Legislature, Second Session, 2022.
18 No expenditures for permanent and temporary salaries and per diems
19 for state employees shall be made from funds appropriated in this
20 section.
21 Sec. 3. Since an emergency exists, this act takes effect when passed
22 and approved according to law.

The Arch amendment was adopted with 35 ayes, 0 nays, 10 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 921. [ER174](#), found in this day's Journal, was adopted.

Senator J. Cavanaugh withdrew his amendment, [AM2768](#), found on page 1220.

Senator Arch offered the following amendment:

[AM2826](#)

(Amendments to Standing Committee amendments, AM2503)

1 1. On page 7, line 29, strike "State hospitals for the mentally ill"
2 and insert "The Lincoln Regional Center".
3 2. On page 8, lines 1, 3, and 7, strike "Fifteen" and insert "Ten";
4 in line 5 strike "Forty-five" and insert "Thirty"; in line 8 strike
5 "and"; in line 10 strike the period and insert "; and
6 (f) Thirty percent to remain unallocated for the Department of
7 Health and Human Services to allocate according to the priorities
8 established in subsection (1) of this section as needed to reduce
9 existing waiting lists."; and in line 24 after the period insert "The
10 committee shall select a chairperson and vice-chairperson from among its
11 members.".

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

Senator J. Cavanaugh offered the following amendment:

[AM2835](#)

(Amendments to Standing Committee amendments, AM2503)

1 1. On page 5, strike lines 11 through 31 and insert the following
2 new subdivisions:
3 "(4)(a) This subsection applies beginning July 1, 2023.
4 (b) For purposes of this section:
5 (i) Covered facility means:

6 (A) A facility as defined in section 83-170; and
 7 (B) A county jail or adult correctional facility that is operated by
 8 a county, which county has a population of more than one hundred thousand
 9 inhabitants as determined by the most recent federal decennial census or
 10 the most recent revised certified count by the United States Bureau of
 11 the Census; and
 12 (ii) Inmate means a person who is an inmate of a covered facility
 13 for at least twenty-one consecutive days.
 14 (c) For individuals who are inmates of a covered facility and have
 15 at least sixty days' prior notice of their anticipated release date:
 16 (i) The Department of Health and Human Services shall provide
 17 onsite, telephonic, or live video medical assistance program enrollment
 18 assistance to each inmate at least sixty days before the inmate's release
 19 from a covered facility. The department shall submit each inmate's
 20 medical assistance program application at least forty-five days prior to
 21 the inmate's release from a covered facility unless the inmate elects not
 22 to apply for the medical assistance program in writing or the inmate is
 23 currently enrolled in the medical assistance program with suspended
 24 coverage under subsection (2) of this section; and
 25 (ii) The Department of Health and Human Services shall process each
 26 inmate's medical assistance program application prior to the inmate's
 1 release from a covered facility such that medical assistance program
 2 coverage becomes effective for an eligible individual no later than the
 3 day of release from a covered facility.
 4 (d) For individuals who are inmates of a covered facility and have
 5 less than sixty days' prior notice of their anticipated release date:
 6 (i) The Department of Health and Human Services shall provide
 7 onsite, telephonic, or live video medical assistance program enrollment
 8 assistance to each inmate as soon as practicable prior to the inmate's
 9 release from a covered facility. The department shall submit each
 10 inmate's medical assistance program application as soon as practicable
 11 prior to the inmate's release from a covered facility unless the inmate
 12 elects not to apply for the medical assistance program in writing or the
 13 inmate is currently enrolled in the medical assistance program with
 14 suspended coverage under subsection (2) of this section; and
 15 (ii) The Department of Health and Human Services shall process each
 16 inmate's medical assistance program application prior to the inmate's
 17 release from a covered facility such that medical assistance program
 18 coverage becomes effective for an eligible individual no later than the
 19 day of release from a covered facility or as soon as practicable
 20 thereafter."
 21 2. On page 6, strike lines 1 through 12; in line 13 strike "(c)" and
 22 insert "(e)"; and in line 17 strike "(d)" and insert "(f)".

The J. Cavanaugh amendment was adopted with 37 ayes, 1 nay, 7 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 121. [ER153](#), found on page 947, was adopted.

Senator Slama offered the following amendment:

[FA212](#)

Strike the enacting clause

Pending.

AMENDMENT(S) - Print in Journal

Senator Morfeld filed the following amendment to LB773:

[FA208](#)

Amend AM2297: Insert "(5)" on line 6, between "five" and "years"

Senator Morfeld filed the following amendment to LB773:

[FA209](#)

Strike "goats" on line 8, page 4.

Senator M. Hansen filed the following amendment to LB773:

[FA210](#)

Strike Section 19 and renumber

Senator Hunt filed the following amendment to LB773:

[FA211](#)

On Page 2, line 29 strike "of any description"

Senator Hughes filed the following amendment to LB1112:

[AM2836](#)

(Amendments to Final Reading copy)

- 1 1. On page 2, line 14, strike "2024-25" and insert "2026-27"; in
- 2 line 18 strike "2026-27" and insert "2028-29"; and in line 26 strike
- 3 "2025" and insert "2027".
- 4 2. On page 3, line 14, strike "2026-27" and insert "2028-29".

RESOLUTION(S)

LEGISLATIVE RESOLUTION 450. Introduced by Kolterman, 24; Albrecht, 17; Blood, 3; Cavanaugh, M., 6; Day, 49; DeBoer, 10; Dorn, 30; Geist, 25; Hilkemann, 4; Hunt, 8; Lathrop, 12; Lindstrom, 18; Linehan, 39; McCollister, 20; Morfeld, 46; Pansing Brooks, 28; Sanders, 45; Slama, 1; Stinner, 48; Vargas, 7; Walz, 15; Williams, 36; Wishart, 27.

WHEREAS, Betty Jean Kolterman is a seventy-year member of the General Federation of Women's Clubs (GFWC); and

WHEREAS, Betty Jean has served locally as President of both the GFWC Seward Junior Women's Club and the GFWC Seward Women's Club; and

WHEREAS, Betty Jean served as the State President of the Nebraska Federation of Women's Clubs, Inc. and as the District IV President; and

WHEREAS, Betty Jean served as the GFWC Mississippi Valley Regional President; and

WHEREAS, Betty Jean currently serves as the editor and chairperson for the Nebraska Federation of Women's Clubs Anthology featuring the writing of Nebraska students and members of the women's club; and

WHEREAS, Betty Jean chairs and hosts an annual GFWC "Girls Only" Writing Workshop for girls in high school; and

WHEREAS, Betty Jean chairs the annual GFWC "Girls Only" High School Quiz Bowl and also a GFWC High School "End of Year" Quiz Bowl; and

WHEREAS, Betty Jean serves as chairperson of the GFWC Elementary School Postcard Art Contest promoting the Nebraska State Song "Beautiful Nebraska" for kindergarten through 4th Grade students; and

WHEREAS, Betty Jean has championed the Nebraska Federation of Women's Clubs involvement with the Dr. Susan La Flesche Picotte's Memorial Hospital Restoration at Walthill as Dr. Susan was a leader in the Nebraska Federation of Women's Clubs at the turn of the twentieth century; and

WHEREAS, Betty Jean has long been an involved Seward community leader serving Seward as an elected official, a civic volunteer, loyal and involved church member, city beautification voice, and loving family mentor.

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

1. That the Legislature congratulates Betty Jean Kolterman for being named the 2022 Nebraska Federation of Women's Clubs Club Woman of the Year.
2. That a copy of this resolution be sent to Betty Jean Kolterman and the GFWC Seward Women's Club.

Laid over.

RECESS

At 6:02 p.m., on a motion by Senator Lowe, the Legislature recessed until 6:30 p.m.

AFTER RECESS

The Legislature reconvened at 6:30 p.m., Senator Hughes presiding.

ROLL CALL

The roll was called and all members were present except Senator Pahls who was excused; and Senators Bostar, Bostelman, Briese, Flood, B. Hansen, Hilkemann, Lathrop, Linehan, McCollister, McDonnell, Murman, Pansing Brooks, and Stinner who were excused until they arrive.

SENATOR WAYNE PRESIDING

MOTION(S) - Return LB805A to Select File

Senator Hughes moved to return LB805A to Select File for the following specific amendment:

[AM2839](#)

(Amendments to Final Reading copy)

1 1. Strike section 1 and insert the following new section:

2 Section 1. There is hereby appropriated (1) \$2,000,000 from Federal

3 Funds for FY2022-23, (2) \$2,000,000 from Federal Funds for FY2023-24, and

4 (3) \$2,000,000 from Federal Funds for FY2024-25 to the Department of
5 Agriculture, for Program 78, to aid in carrying out the provisions of
6 Legislative Bill 805, One Hundred Seventh Legislature, Second Session,
7 2022. The Federal Funds appropriated in this section are from the funds
8 allocated to the State of Nebraska from the federal Coronavirus State
9 Fiscal Recovery Fund pursuant to the federal American Rescue Plan Act of
10 2021, 42 U.S.C. 802, as amended.
11 There is included in the appropriation to this program for FY2022-23
12 \$2,000,000 Federal Funds for state aid, which shall only be used for such
13 purpose. There is included in the appropriation to this program for
14 FY2023-24 \$2,000,000 Federal Funds for state aid, which shall only be
15 used for such purpose. There is included in the appropriation to this
16 program for FY2024-25 \$2,000,000 Federal Funds for state aid, which shall
17 only be used for such purpose.
18 No expenditures for permanent and temporary salaries and per diems
19 for state employees shall be made from funds appropriated in this
20 section.

The Hughes motion to return prevailed with 30 ayes, 0 nays, 5 present and not voting, and 14 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 805A. The Hughes specific amendment, [AM2839](#), found in this day's Journal, was adopted with 29 ayes, 0 nays, 7 present and not voting, and 13 excused and not voting.

Advanced to Enrollment and Review for Reengrossment.

MOTION(S) - Return LB598 to Select File

Senator Wishart moved to return LB598 to Select File for the following specific amendment:

[AM2837](#) is available in the Bill Room.

The Wishart motion to return prevailed with 32 ayes, 0 nays, 4 present and not voting, and 13 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 598. The Wishart specific amendment, [AM2837](#), found in this day's Journal, was adopted with 33 ayes, 0 nays, 4 present and not voting, and 12 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

SENATOR HUGHES PRESIDING

MOTION(S) - Return LB888 to Select File

Senator Day moved to return LB888 to Select File for the following specific amendment:

[AM2785](#)

(Amendments to AM1995)

1 1. Strike the Wayne amendment, FA193.

Senator Day requested a roll call vote, in reverse order, on the motion to return.

Voting in the affirmative, 28:

Arch	Day	Hansen, M.	Lathrop	Sanders
Blood	Dorn	Hilgers	Lindstrom	Vargas
Bostelman	Erdman	Hughes	Lowe	Walz
Cavanaugh, J.	Friesen	Hunt	McCollister	Williams
Cavanaugh, M.	Geist	Jacobson	Moser	
Clements	Gragert	Kolterman	Murman	

Voting in the negative, 10:

Aguilar	Brewer	Halloran	Linehan	Slama
Brandt	DeBoer	Hansen, B.	McKinney	Wayne

Present and not voting, 4:

Albrecht	Morfeld	Pansing Brooks	Wishart
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Excused and not voting, 7:

Bostar	Flood	McDonnell	Stinner
Briese	Hilkemann	Pahls	

The Day motion to return prevailed with 28 ayes, 10 nays, 4 present and not voting, and 7 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 888. The Day specific amendment, [AM2785](#), found in this day's Journal, was adopted with 27 ayes, 13 nays, 5 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

SELECT FILE

LEGISLATIVE BILL 921A. Senator Lathrop offered the following amendment:

[AM2840](#)

1 1. Strike the original section and insert the following new section:

2 Section 1. There is hereby appropriated (1) \$1,176,544 from the

3 General Fund and \$-0- from federal funds for FY2022-23 and (2) \$951,497

4 from the General Fund and \$148,191 from federal funds for FY2023-24 to

5 the Department of Health and Human Services, for Program 33, to aid in
6 carrying out the provisions of Legislative Bill 921, One Hundred Seventh
7 Legislature, Second Session, 2022.
8 Total expenditures for permanent and temporary salaries and per
9 diems from funds appropriated in this section shall not exceed \$-0- for
10 FY2022-23 or \$197,588 for FY2023-24.

The Lathrop amendment was adopted with 42 ayes, 0 nays, 3 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 121. Senator Slama renewed her amendment, [FA212](#), found in this day's Journal.

SENATOR WILLIAMS PRESIDING

Senator Wishart moved the previous question. The question is, "Shall the debate now close?" The motion failed with 9 ayes, 15 nays, and 25 not voting.

Senator Slama withdrew her amendment.

Senator Slama offered the following amendment:

[FA215](#)

Strike section 1

SENATOR ARCH PRESIDING

Pending.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 376A. Placed on Final Reading.

LEGISLATIVE BILL 598. Placed on Final Reading.

[ST78](#)

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

1. On page 1, the matter beginning with "the" in line 1 through line 3 has been struck and "economic development; to amend sections 81-12,153, 81-12,157, 81-12,158, 81-12,159, 81-12,160, 81-12,161, and 81-12,162, Revised Statutes Cumulative Supplement, 2020; to adopt the Small Business Stabilization Grant Program Act; to change provisions of the Business Innovation Act; to harmonize provisions; to define terms; to provide operative dates; to repeal the original sections; and to declare an emergency." inserted.

LEGISLATIVE BILL 686. Placed on Final Reading.

LEGISLATIVE BILL 792. Placed on Final Reading.

LEGISLATIVE BILL 805A. Placed on Final Reading Second.

LEGISLATIVE BILL 843. Placed on Final Reading.

LEGISLATIVE BILL 876. Placed on Final Reading.

[ST73](#)

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

1. In the E&R amendments, ER162, on page 21, line 2, "and" has been struck.

LEGISLATIVE BILL 888. Placed on Final Reading.

LEGISLATIVE BILL 896. Placed on Final Reading.

LEGISLATIVE BILL 896A. Placed on Final Reading.

LEGISLATIVE BILL 921. Placed on Final Reading.

[ST76](#)

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

1. In the E&R amendments, ER174, on page 1, line 6, "a term" has been struck and "terms" inserted; and in line 9 "at the Lincoln Regional Center" has been inserted after "patients".

LEGISLATIVE BILL 921A. Placed on Final Reading.

LEGISLATIVE BILL 922. Placed on Final Reading.

LEGISLATIVE BILL 922A. Placed on Final Reading.

LEGISLATIVE BILL 927. Placed on Final Reading.

[ST74](#)

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

1. In the E&R amendments, ER166, on page 28, line 20, "13-2605," has been struck.

LEGISLATIVE BILL 984. Placed on Final Reading.

LEGISLATIVE BILL 984A. Placed on Final Reading.

LEGISLATIVE BILL 1130. Placed on Final Reading.

LEGISLATIVE BILL 1144A. Placed on Final Reading.

LEGISLATIVE BILL 1150. Placed on Final Reading.

LEGISLATIVE BILL 1150A. Placed on Final Reading.

[ST77](#)

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

1. On page 1, line 3, "; and to appropriate funds for the purpose of acquiring economic modeling software" has been inserted after "2022".

LEGISLATIVE BILL 1173A. Placed on Final Reading.

LEGISLATIVE BILL 1218. Placed on Final Reading.

LEGISLATIVE BILL 1218A. Placed on Final Reading.

LEGISLATIVE BILL 1261. Placed on Final Reading.

[ST75](#)

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

1. In the E&R Amendments, ER173, on page 36, line 2, "section 77-2715.07" has been struck and "sections 77-2715.07, 77-6912, 77-6919, and 77-6920" inserted; and in line 6 "and the Urban Redevelopment Act" has been inserted after "Act".
2. Sections have been renumbered and internal references and the repealer corrected to incorporate all adopted amendments.

(Signed) Terrell McKinney, Chairperson

SELECT FILE

LEGISLATIVE BILL 121. Senator Slama renewed her amendment,

[FA215](#), found in this day's Journal.

Senator Hunt moved for a call of the house. The motion prevailed with 11 ayes, 8 nays, and 30 not voting.

SENATOR HUGHES PRESIDING

The Chair declared the call raised.

Pending.

AMENDMENT(S) - Print in Journal

Senator Slama filed the following amendment to [LB121](#):

[FA216](#)

On page 4 strike lines 23-24.

Senator Slama filed the following amendment to [LB121](#):

[FA217](#)

Strike line 31 on page 4 through line 5 on page 5

Senator Flood filed the following amendment to [LR263CA](#):

[AM2838](#)

- 1 1. On page 1, line 18, after "service" insert "or the Legislature
- 2 eliminates or reduces a political subdivision's duties and
- 3 responsibilities such that a corresponding fiscal offset renders the
- 4 imposed responsibility expenditure neutral".
- 5 2. On page 2, line 4, after "2022" insert "as prescribed".

Senator Dorn filed the following amendment to [LR263CA](#):

[AM2841](#)

- 1 1. On page 1, line 6, after "22" insert "and to add a new section 31
- 2 to Article III"; and after line 21 insert:
- 3 III-31 Beginning on January 1, 2023, if the Legislature by general
- 4 law imposes a program upon any political subdivision of the state, or
- 5 increased level of expenditure required under an existing program upon
- 6 any political subdivision of the state, as those terms are defined by the
- 7 Legislature, the costs of such programs or increased level of service
- 8 shall be reimbursed by the state in such manner as the Legislature may
- 9 prescribe.
- 10 2. On page 2, line 3, after "responsibilities" insert "or programs".

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Flood name added to LB873.

Senator Sanders name added to LR427.

Senator M. Hansen name added to LR427.

VISITOR(S)

Visitors to the Chamber were fourth-grade students from Emerson Elementary, Columbus; fourth-grade students from Holy Name School, Omaha; twelfth-grade students and their teachers from Wallace High School, Wallace; fourth- and fifth-grade students from Mead Elementary School, Mead; Senator Albrecht's granddaughter Greely Girmus; and fourth- and fifth-grade students from Oak Valley Elementary, Omaha.

The Doctor of the Day was Dr. George Voigtlander of Lincoln.

ADJOURNMENT

At 9:38 p.m., on a motion by Speaker Hilgers, the Legislature adjourned until 9:00 a.m., Tuesday, April 12, 2022.

Patrick J. O'Donnell
Clerk of the Legislature

FIFTY-EIGHTH DAY - APRIL 12, 2022**LEGISLATIVE JOURNAL****ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION****FIFTY-EIGHTH DAY**

Legislative Chamber, Lincoln, Nebraska
Tuesday, April 12, 2022

PRAYER

The prayer was offered by Senator Lowe.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Hilkemann.

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 Senator Pahls who was excused; and Senators Day, Friesen, B. Hansen, McCollister, Morfeld, Pansing Brooks, Walz, and Wayne who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

Page 1162, after line 31, insert the following:

"Senator Sanders requested a roll call vote on the motion to cease debate.

Voting in the affirmative, 29:

Aguilar	Clements	Halloran	Kolterman	Sanders
Albrecht	Erdman	Hansen, B.	Linehan	Slama
Arch	Flood	Hilgers	Lowe	Stinner
Bostelman	Friesen	Hilkemann	McDonnell	Walz
Brewer	Geist	Hughes	Moser	Williams
Briese	Gragert	Jacobson	Murman	

Voting in the negative, 14:

Blood	Cavanaugh, M.	Hansen, M.	McKinney	Vargas
Bostar	Day	Hunt	Morfeld	Wishart
Cavanaugh, J.	DeBoer	McCollister	Pansing Brooks	

Absent and not voting, 1:

Brandt

Excused and not voting, 5:

Dorn	Lathrop	Lindstrom	Pahls	Wayne
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The motion to cease debate prevailed with 29 ayes, 14 nays, 1 absent and not voting, and 5 excused and not voting.

Page 1162, line 32, and Page 1163, line 14, strike "cease debate" and insert "indefinitely postpone".

The Journal for the fifty-fourth day was approved as corrected.

Page 1230, line 2, strike "2786" and insert "2787".

The Journal for the fifty-sixth day was approved as corrected.

Page 1262, strike line 8.

The Journal for the fifty-seventh day was approved as corrected.

PROPOSED RULE CHANGE(S)

Senator Hughes filed the following proposed rule change:

Amend Rule 3, Sec. 2

Sec. 2. Appointment of Committees. (a) At the Commencement of each biennium, the Legislature shall elect a Committee on Committees to consist of thirteen members, one at large who shall be chairperson, and four from Districts Number 2, 3, 15, 16, 19, 21 through 29, 45, and 46; four from Districts Number 4 through 14, 18, 20, 31, 36, 39, and 49; and four from Districts Number 1, 17, 30, 32 through 35, 37, and 38; 40 through 44, 47, and 48. These twelve members of the Committee on Committees shall be filled by a majority vote of all members of the respective caucus from which the positions represent, subject to approval of the Legislature.

(b) Immediately following chairmanship and Committee on Committees membership elections, the committee shall meet and, by a majority vote of all its members, submit to the Legislature a preliminary report of appointments to the remaining standing and select committees, each with a number of members as hereinafter set forth, unless otherwise provided for by rule or by statute. On the following day the Committee on Committees shall meet and, by a majority vote of all its members, submit to the

Legislature a final report for its approval, appointments to the standing and select committees, each with a number of members as hereinafter set forth, unless otherwise provided for by rule or by statute. Once the final report is presented to the Legislature, no amendments shall be considered. If the Legislature, by majority of the elected members, fails to adopt the final report of the Committee on Committees, such report shall be returned to the committee for further action.

(c) The membership of all standing and select committees shall be appointed at the beginning of each session beginning in odd-numbered years and shall continue until the regular session in the next subsequent odd-numbered year.

(d) During session, all vacancies on standing or select committees created by the death or resignation of a member shall be filled by a majority vote of all members of the Committee on Committees unless otherwise provided for by rule or statute. A vacancy within the Committee on Committees shall be filled by a meeting of the caucus established pursuant to Rule 3, Section 2(a).

During the interim, all vacancies on standing or select committees created by the death or resignation of a member shall be filled by a majority vote of all members of the Executive Board.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 451. Introduced by Vargas, 7.

WHEREAS, the Commission on Latino-Americans has been a voice for the Hispanic-Latino community in the Nebraska state government for fifty years; and

WHEREAS, the Commission on Latino-Americans provides the Latino-American community service in education, employment, health, housing, welfare, and recreation; and

WHEREAS, the Commission on Latino-Americans works with organizations across the state to disseminate information, stimulate public awareness, and identify and solve issues that affect the Hispanic-Latino community; and

WHEREAS, the Commission on Latino-Americans supports the Nebraska Hispanic Latino Youth Summit which provides high school students education about their postgraduate opportunities; and

WHEREAS, the service of the Commission on Latino-Americans to the Hispanic-Latino community of Nebraska over the past fifty years deserves recognition by the Legislature.

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

1. That the Legislature celebrates the accomplishments and service to our state of the Commission on Latino-Americans.

2. That a copy of this resolution be sent to the Commission on Latino-Americans.

Laid over.

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LRs 428, 429, 430, 431, 432, 433, and 434 were adopted.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LRs 428, 429, 430, 431, 432, 433, and 434.

BILLS ON FINAL READING

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB450 with 38 ayes, 3 nays, 3 present and not voting, and 5 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 450.

A BILL FOR AN ACT relating to economic development; to adopt the Nebraska Innovation Hub Act and the Small Business Assistance Act.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 45:

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

Voting in the negative, 0.

Excused and not voting, 4:

Day Hansen, B. Pahls Wayne

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bill was read and put upon final passage:

LEGISLATIVE BILL 450A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 450, One Hundred Seventh Legislature, Second Session, 2022.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 45:

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

Voting in the negative, 0.

Excused and not voting, 4:

Day Hansen, B. Pahls Wayne

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB436 with 34 ayes, 5 nays, 6 present and not voting, and 4 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 436.

A BILL FOR AN ACT relating to the Athletic Training Practice Act; to amend sections 38-401, 38-402, 38-404, 38-408, 38-409, 38-410, and 38-411, Reissue Revised Statutes of Nebraska; to provide, change, and eliminate definitions; to change provisions relating to licensure and scope of practice; to harmonize provisions; to repeal the original sections; and to outright repeal sections 38-403, 38-405, and 38-407, Reissue Revised Statutes of Nebraska.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 45:

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

Voting in the negative, 0.

Excused and not voting, 4:

Day	Hansen, B.	Pahls	Wayne
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bills were read and put upon final passage:

LEGISLATIVE BILL 717.

A BILL FOR AN ACT relating to the In the Line of Duty Compensation Act; to amend sections 81-8,316 and 81-8,317, Revised Statutes Supplement, 2021; to redefine a term; to change the amount of compensation under the act; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 34:

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

Voting in the negative, 6:

Albrecht	Clements	Friesen
Bostelman	Erdman	Halloran

Present and not voting, 5:

Arch	Hughes	Lowe	Moser	Murman
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Excused and not voting, 4:

Day	Hansen, B.	Pahls	Wayne
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 769.

A BILL FOR AN ACT relating to state employees; to require certain state employees to submit to fingerprinting and criminal history record checks.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 43:

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

Voting in the negative, 0.

Present and not voting, 2:

Cavanaugh, M. Hunt

Excused and not voting, 4:

Day Hansen, B. Pahls Wayne

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 780.

A BILL FOR AN ACT relating to labor; to amend sections 14-1810, 48-302, 48-303, and 48-675, Reissue Revised Statutes of Nebraska, and section 18-819, Revised Statutes Cumulative Supplement, 2020; to provide for applicability of the Nebraska Workers' Compensation Act and the Employment Security Law to transit authorities; to change provisions relating to an employment certificate for the employment of a child; to change provisions relating to a short-time compensation plan; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 45:

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

Voting in the negative, 0.

Present and not voting, 1:

Hunt

Excused and not voting, 3:

Hansen, B. Pahls Wayne

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 820.

A BILL FOR AN ACT relating to municipalities; to amend sections 14-101, 14-101.01, 15-101, 19-415, and 31-508, Revised Statutes Cumulative Supplement, 2020; to change the population threshold for cities of the metropolitan class and cities of the primary class; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 42:

Aguilar	Clements	Hilgers	Lowe	Slama
Albrecht	Day	Hilkemann	McCollister	Stinner
Blood	DeBoer	Hughes	McDonnell	Vargas
Bostar	Dorn	Hunt	McKinney	Walz
Bostelman	Flood	Jacobson	Morfeld	Williams
Brandt	Friesen	Kolterman	Moser	Wishart
Briese	Geist	Lathrop	Murman	
Cavanaugh, J.	Gragert	Lindstrom	Pansing Brooks	
Cavanaugh, M.	Hansen, M.	Linehan	Sanders	

Voting in the negative, 2:

Brewer Erdman

Present and not voting, 2:

Arch Halloran

Excused and not voting, 3:

Hansen, B. Pahls Wayne

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB840 with 39 ayes, 2 nays, 6 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 840.

A BILL FOR AN ACT relating to legal notices; to amend sections 25-2228 and 33-141, Reissue Revised Statutes of Nebraska; to change provisions relating to publication and rates; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 47:

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

Voting in the negative, 0.

Excused and not voting, 2:

Pahls Wayne

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

WITHDRAW - Amendment to LB864

Senator M. Hansen withdrew his amendment, [FA185](#), found on page 1008, to LB864.

BILL ON FINAL READING**Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB864 with 39 ayes, 5 nays, 3 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 864.

A BILL FOR AN ACT relating to the Nebraska educational savings plan trust; to amend section 85-1812, Reissue Revised Statutes of Nebraska, sections 85-1804 and 85-1809, Revised Statutes Cumulative Supplement, 2020, and section 85-1802, Revised Statutes Supplement, 2021; to define and redefine terms; to authorize qualified education loan payments as prescribed; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 47:

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

Voting in the negative, 0.

Excused and not voting, 2:

Pahls Wayne

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

MOTION - Overrule Speaker's Agenda

Senator Blood moved to change the Speaker's agenda to allow LR263CA to be heard ahead of LB887.

Senator Blood withdrew her motion to overrule the Speaker's agenda.

BILLS ON FINAL READING**Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB887 with 36 ayes, 3 nays, 8 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 887.

A BILL FOR AN ACT relating to state colleges; to amend sections 85-302, 85-304, 85-304.03, 85-305, 85-306, 85-307, 85-308.01, 85-951, and 85-957, Reissue Revised Statutes of Nebraska, and sections 85-301 and 85-308, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to expenses and officers for the Board of Trustees of the Nebraska State Colleges; to update terminology; to eliminate references to sections not applicable to state colleges; to change provisions relating to meetings; to eliminate a fee; to change provisions relating to conferring degrees; to change provisions relating to the authorization for master's programs; to eliminate duties; to eliminate provisions relating to morals and prohibiting religious tests; to harmonize provisions; to repeal the original sections; and to outright repeal sections 85-303, 85-311, 85-312, and 85-954, Reissue Revised Statutes of Nebraska.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 47:

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

Voting in the negative, 0.

Excused and not voting, 2:

Pahls Wayne

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bills were read and put upon final passage:

LEGISLATIVE BILL 925.

A BILL FOR AN ACT relating to the Department of Natural Resources; to adopt the Resilient Soils and Water Quality Act; and to state legislative

intent for appropriations.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 42:

Aguilar	Cavanaugh, J.	Hansen, B.	Lindstrom	Sanders
Albrecht	Cavanaugh, M.	Hansen, M.	Linehan	Stinner
Arch	Day	Hilgers	Lowe	Vargas
Blood	DeBoer	Hilkemann	McCollister	Walz
Bostar	Dorn	Hughes	McDonnell	Williams
Bostelman	Erdman	Hunt	McKinney	Wishart
Brandt	Flood	Jacobson	Morfeld	
Brewer	Gragert	Kolterman	Murman	
Briese	Halloran	Lathrop	Pansing Brooks	

Voting in the negative, 5:

Clements	Friesen	Geist	Moser	Slama
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Excused and not voting, 2:

Pahls	Wayne
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 925A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 925, One Hundred Seventh Legislature, Second Session, 2022.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 36:

Aguilar	Cavanaugh, M.	Hansen, B.	Linehan	Vargas
Arch	Day	Hansen, M.	McCollister	Walz
Blood	DeBoer	Hilgers	McDonnell	Williams
Bostar	Dorn	Hilkemann	McKinney	Wishart
Brandt	Erdman	Hunt	Murman	
Brewer	Flood	Kolterman	Pansing Brooks	
Briese	Gragert	Lathrop	Sanders	
Cavanaugh, J.	Halloran	Lindstrom	Stinner	

Voting in the negative, 9:

Albrecht	Clements	Geist	Jacobson	Slama
Bostelman	Friesen	Hughes	Moser	

Present and not voting, 2:

Lowe	Morfeld
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Excused and not voting, 2:

Pahls	Wayne
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB964 with 34 ayes, 5 nays, 8 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 964.

A BILL FOR AN ACT relating to state employees; to amend section 81-1373, Reissue Revised Statutes of Nebraska, and section 81-1174, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to reimbursement for expenses as prescribed; to authorize collective bargaining on an administrative unit-wide basis as prescribed; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 47:

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

Voting in the negative, 0.

Excused and not voting, 2:

Pahls Wayne

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB1236 with 37 ayes, 4 nays, 6 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 1236.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend sections 53-123.14, 53-123.16, 53-124.11, 53-129, 53-169, and 53-171, Reissue Revised Statutes of Nebraska; to change provisions relating to certain sales, self-distribution, and storage by craft brewery licensees; to provide for rules and regulations; to change provisions relating to microdistillery licenses and special designated licenses; to change a fee; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

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

Voting in the negative, 0.

Present and not voting, 1:

Linehan

Excused and not voting, 2:

Pahls Wayne

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB1246 with 39 ayes, 4 nays, 4 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 1246.

A BILL FOR AN ACT relating to criminal procedure; to amend section 55-182, Reissue Revised Statutes of Nebraska, section 29-4003, Revised Statutes Cumulative Supplement, 2020, and sections 79-2,144 and 84-712.05, Revised Statutes Supplement, 2021; to provide for confidentiality of victims of sexual assault and sex trafficking prior to the filing of criminal charges; to define terms; to add a registrable offense and provide for applicability under the Sex Offender Registration Act; to change provisions relating to public records; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 47:

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

Voting in the negative, 0.

Excused and not voting, 2:

Pahls Wayne

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

WITHDRAW - Amendment to LR283CA

Senator M. Hansen withdrew his amendment, [FA184](#), found on page 1008, to LR283CA.

RESOLUTION ON FINAL READING

The following resolution was read and put upon final passage:

LEGISLATIVE RESOLUTION 283CA.

THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION, RESOLVE THAT:

Section 1. At the general election in November 2022, the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To add a new section 26 to Article XV:

XV-26 Notwithstanding restrictions imposed by any other provision in the Constitution, any city, county, or other political subdivision owning or operating an airport may expend or otherwise employ its revenues, from whatever source, for the public purpose of developing, or encouraging the development of, new or expanded regularly scheduled commercial passenger air service at such airport.

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

A constitutional amendment to authorize any city, county, or other political subdivision owning or operating an airport to expend its revenues for the public purpose of developing or encouraging the development of new or expanded regularly scheduled commercial passenger air service at such airport.

For

Against.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the resolution pass?' "

Voting in the affirmative, 47:

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

Voting in the negative, 0.

Excused and not voting, 2:

Pahls Wayne

A constitutional three-fifths majority having voted in the affirmative, the resolution was declared passed for the general election.

BILLS ON FINAL READING

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB519 with 37 ayes, 5 nays, 5 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 519.

A BILL FOR AN ACT relating to public safety; to amend section 53-180.05, Reissue Revised Statutes of Nebraska, and sections 25-21,271, 28-101, 28-416, and 28-441, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to notice for petitions to change a person's name; to provide immunity for certain alcohol and controlled substances violations by witnesses and victims of sexual assaults and persons cooperating with law enforcement; to define terms; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 37:

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

Voting in the negative, 7:

Albrecht	Brewer	Erdman	Moser
Bostelman	Clements	Halloran	

Present and not voting, 3:

Hughes	Lowe	Murman
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Excused and not voting, 2:

Pahls	Wayne
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB707 with 35 ayes, 5 nays, 7 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 707. With Emergency Clause.

A BILL FOR AN ACT relating to banking and finance; to amend sections 8-148.06, 8-1502, 30-3850, 45-736, 58-210.02, 58-219, 58-220, 58-221, 58-222, 58-239, 58-251, 59-1722, 76-2201, 76-2203, 76-2207.23, 76-2218, and 81-887.03, Reissue Revised Statutes of Nebraska, sections 1-162.01, 8-108, 8-124, 8-148.07, 8-148.08, 30-3881, 62-301, 76-2233.01, 76-2236, and 77-2387, Revised Statutes Cumulative Supplement, 2020, sections 8-101.03, 8-135, 8-141, 8-143.01, 8-157.01, 8-183.04, 8-1,140, 8-318, 8-355, 8-1101, 8-1101.01, 8-1704, 8-1707, 8-2724, 8-2903, 8-3005, 8-3007, 8-3009, 8-3024, 21-17,115, 69-2103, 69-2104, 69-2112, 76-2207.30, 76-2221, 76-2230, 76-2231.01, and 76-2232, Revised Statutes Supplement, 2021, and section 4A-108, Uniform Commercial Code, Revised Statutes Supplement, 2021; to adopt the LIBOR Transition Act; to change provisions relating to firm ownership under the Public Accountancy Act; to define and

redefine terms; to change provisions relating to banks, financial institutions, bank subsidiaries, and residential mortgage loans; to adopt updates to federal law relating to banks, financial institutions, securities, money transmitters, commodities, financial exploitation of vulnerable adults, digital asset depository institutions, credit unions, transactions involving franchises, consumer rental purchase agreements, and funds transfers; to provide for a limitation under the Nebraska Financial Innovation Act on digital asset and cryptocurrency custody services and change provisions related to liquid assets; to change provisions relating to creditors' claims against settlors and powers of trustees under the Nebraska Uniform Trust Code; to change definitions under the Nebraska Investment Finance Authority Act and change provisions relating to the powers of the authority; to recognize Juneteenth National Independence Day as a bank holiday; to change provisions relating to continuing education, experience, educational requirements, and credentials for real property appraisers and public funds; to change and eliminate provisions regarding auctioneers and licensure under the Nebraska Real Estate License Act; to harmonize provisions; to provide operative dates; to provide severability; to repeal the original sections; to outright repeal sections 81-887.01 and 81-887.02, Reissue Revised Statutes of Nebraska; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 44:

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

Voting in the negative, 0.

Present and not voting, 3:

Albrecht	Cavanaugh, M.	Halloran
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Excused and not voting, 2:

Pahls	Wayne
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A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

WITHDRAW - Motion to LB809

Senator M. Cavanaugh withdrew her motion, [MO210](#), found on page 1152, to bracket until April 20, 2022, to LB809.

WITHDRAW - Amendment to LB809

Senator M. Cavanaugh withdrew her amendment, [AM2749](#), found on page 1164, to LB809.

BILLS ON FINAL READING**Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB809 with 38 ayes, 5 nays, 4 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 809.

A BILL FOR AN ACT relating to natural resources; to amend sections 71-5322, 81-1508.01, and 81-1511, Reissue Revised Statutes of Nebraska, and sections 37-455, 71-5318, 81-1504, 81-1505, 81-1532, 81-15,153, and 81-15,160, Revised Statutes Cumulative Supplement, 2020; to redefine a term and to change provisions relating to certain hunting permits under the Game Law; to change provisions relating to a fund and powers and duties of the Department of Environment and Energy under the Drinking Water State Revolving Fund Act; to provide for powers and duties of the department relating to the treatment of dredged and fill material under the Environmental Protection Act; to establish a fund; to provide a penalty; to change powers of the department under the Wastewater Treatment Facilities Construction Assistance Act; to include cities of the first class as grant recipients for certain reimbursement costs under the Waste Reduction and Recycling Incentive Act; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

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

Voting in the negative, 0.

Present and not voting, 1:

Cavanaugh, M.

Excused and not voting, 2:

Pahls Wayne

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bill was read and put upon final passage:

LEGISLATIVE BILL 809A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 809, One Hundred Seventh Legislature, Second Session, 2022.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

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

Voting in the negative, 0.

Present and not voting, 1:

Cavanaugh, M.

Excused and not voting, 2:

Pahls Wayne

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB863 with 35 ayes, 5 nays, 7 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 863.

A BILL FOR AN ACT relating to insurance; to amend sections 44-361, 44-7,102, 44-2121, 44-2132, 44-2138, 44-4052, 44-5103, 44-5105, 44-5120, 44-5120.01, 44-5132, 44-5137, 44-5139, 44-5141, 44-5143, 44-5144, 44-5149, 44-5153, and 44-9004, Reissue Revised Statutes of Nebraska; to adopt the Travel Insurance Act and the Primary Care Investment Act; to prohibit certain insurance practices relating to a person's status as a living organ donor; to change provisions regarding premium rebates; to provide requirements regarding value-added products and services; to provide, change, and eliminate definitions; to change the requirement for screening coverage for colorectal cancer; to require the filing of annual group capital calculations and liquidity stress tests as prescribed and provide for confidentiality and recognize trade secrets under the Insurance Holding Company System Act as prescribed; to provide powers and duties; to change provisions relating to the Insurers Investment Act; to eliminate travel insurance provisions; to harmonize provisions; to provide operative dates; to repeal the original sections; and to outright repeal section 44-4068, Reissue Revised Statutes of Nebraska.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

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

Voting in the negative, 0.

Present and not voting, 1:

Cavanaugh, M.

Excused and not voting, 2:

Pahls Wayne

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

WITHDRAW - Motion to LB1015

Senator M. Cavanaugh withdrew her motion, [MO208](#), found on page 1152, to bracket until April 20, 2022, to LB1015.

WITHDRAW - Amendments to LB1015

Senator M. Cavanaugh withdrew her amendment, [AM2725](#), found on page 1164, to LB1015.

Senator M. Cavanaugh withdrew her amendment, [AM2726](#), found on page 1164, to LB1015.

BILL ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 1015.

A BILL FOR AN ACT relating to natural resources; to adopt the Perkins County Canal Project Act.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 42:

Aguilar	Clements	Hansen, B.	Lowe	Slama
Albrecht	Day	Hilgers	McCollister	Stinner
Arch	Dorn	Hilkemann	McDonnell	Vargas
Blood	Erdman	Hughes	McKinney	Walz
Bostar	Flood	Jacobson	Morfeld	Williams
Bostelman	Friesen	Kolterman	Moser	Wishart
Brandt	Geist	Lathrop	Murman	
Brewer	Gragert	Lindstrom	Pansing Brooks	
Briese	Halloran	Linehan	Sanders	

Voting in the negative, 4:

Cavanaugh, J. Cavanaugh, M. Hansen, M. Hunt

Present and not voting, 1:

DeBoer

Excused and not voting, 2:

Pahls Wayne

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

WITHDRAW - Motion to LB1023

Senator M. Cavanaugh withdrew her motion, [MO207](#), found on page 1152, to bracket until April 20, 2022, to LB1023.

MOTION(S) - Return LB1023 to Select File

Senator M. Cavanaugh moved to return LB1023 to Select File for her specific amendment, [AM2691](#), found on page 1157.

The M. Cavanaugh motion to return failed with 6 ayes, 30 nays, 11 present and not voting, and 2 excused and not voting.

The M. Cavanaugh amendment, AM2691, was not considered.

BILL ON FINAL READING

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB1023 with 31 ayes, 2 nays, 14 present and not voting,

and 2 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 1023. With Emergency Clause.

A BILL FOR AN ACT relating to state government; to amend section 50-802, Reissue Revised Statutes of Nebraska; to adopt the Jobs and Economic Development Initiative Act and the Water Recreation Enhancement Act; to change provisions relating to the Statewide Tourism And Recreational Water Access and Resource Sustainability Special Committee of the Legislature; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 38:

Aguilar	Clements	Hilgers	Lowe	Slama
Arch	Dorn	Hilkemann	McCollister	Stinner
Blood	Erdman	Hughes	McDonnell	Vargas
Bostar	Flood	Jacobson	McKinney	Walz
Bostelman	Geist	Kolterman	Morfeld	Williams
Brandt	Gragert	Lathrop	Murman	Wishart
Brewer	Halloran	Lindstrom	Pansing Brooks	
Briese	Hansen, B.	Linehan	Sanders	

Voting in the negative, 6:

Albrecht	Friesen	Hunt
Cavanaugh, M.	Hansen, M.	Moser

Present and not voting, 3:

Cavanaugh, J.	Day	DeBoer
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Excused and not voting, 2:

Pahls	Wayne
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A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

MOTION(S) - Return LB1112 to Select File

Senator Hughes moved to return LB1112 to Select File for his specific amendment, [AM2836](#), found on page 1266.

Senator Hughes withdrew his motion to return.

The Hughes amendment, AM2836, was not considered.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 1112.

A BILL FOR AN ACT relating to schools; to amend sections 79-729, 79-760.01, and 79-3003, Revised Statutes Supplement, 2021; to adopt the Computer Science and Technology Education Act; to provide and change graduation requirements; to change duties relating to academic content standards; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 33:

Aguilar	DeBoer	Hunt	McCollister	Stinner
Arch	Dorn	Jacobson	McDonnell	Vargas
Blood	Flood	Kolterman	McKinney	Walz
Bostar	Geist	Lathrop	Morfeld	Williams
Cavanaugh, J.	Hansen, M.	Lindstrom	Pansing Brooks	Wishart
Cavanaugh, M.	Hilgers	Linehan	Sanders	
Day	Hilkemann	Lowe	Slama	

Voting in the negative, 11:

Albrecht	Briese	Friesen	Hughes
Bostelman	Clements	Halloran	Moser
Brandt	Erdman	Hansen, B.	

Present and not voting, 3:

Brewer	Gragert	Murman
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Excused and not voting, 2:

Pahls	Wayne
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 1112A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1112, One Hundred Seventh Legislature, Second Session, 2022.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 33:

Aguilar	DeBoer	Hunt	McDonnell	Stinner
Arch	Dorn	Kolterman	McKinney	Vargas
Blood	Flood	Lathrop	Morfeld	Walz
Bostar	Geist	Lindstrom	Murman	Williams
Cavanaugh, J.	Hansen, M.	Linehan	Pansing Brooks	Wishart
Cavanaugh, M.	Hilgers	Lowe	Sanders	
Day	Hilkemann	McCollister	Slama	

Voting in the negative, 11:

Albrecht	Clements	Halloran	Jacobson
Bostelman	Erdman	Hansen, B.	Moser
Brandt	Friesen	Hughes	

Present and not voting, 3:

Brewer	Briese	Gragert
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Excused and not voting, 2:

Pahls	Wayne
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

WITHDRAW - Amendment to LB1273

Senator M. Hansen withdrew his amendment, [FA187](#), found on page 1008, to LB1273.

BILLS ON FINAL READING**Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB1273 with 38 ayes, 4 nays, 5 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 1273.

A BILL FOR AN ACT relating to law enforcement officers; to amend section 85-2603, Revised Statutes Cumulative Supplement, 2020, and section 77-2716, Revised Statutes Supplement, 2021; to provide an income tax deduction to retired law enforcement officers for health insurance premiums; to change provisions relating to a waiver of tuition for law enforcement officers; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 47:

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

Voting in the negative, 0.

Excused and not voting, 2:

Pahls Wayne

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bill was read and put upon final passage:

LEGISLATIVE BILL 1273A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1273, One Hundred Seventh Legislature, Second Session, 2022.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 47:

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

Voting in the negative, 0.

Excused and not voting, 2:

Pahls Wayne

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

WITHDRAW - Motion to LB698

Senator M. Cavanaugh withdrew her motion, [MO212](#), found on page 1152, to bracket until April 20, 2022, to LB698.

WITHDRAW - Amendment to LB698

Senator M. Cavanaugh withdrew her amendment, [AM2748](#), found on page 1164, to LB698.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 698.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend section 68-911, Reissue Revised Statutes of Nebraska; to provide requirements regarding coverage; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

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

Voting in the negative, 0.

Excused and not voting, 3:

Lindstrom Pahls Wayne

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 698A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 698, One Hundred Seventh Legislature, Second Session, 2022.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

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

Voting in the negative, 0.

Excused and not voting, 3:

Lindstrom Pahls Wayne

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LBs 450, 450A, 436, 717, 769, 780, 820, 840, 864, 887, 925, 925A, 964, 1236, 1246, 519, 707e, 809, 809A, 863, 1015, 1023e, 1112, 1112A, 1273, 1273A, 698, 698A, and LR283CA.

SPEAKER HILGERS PRESIDING

BILLS ON FINAL READING

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB741 with 37 ayes, 5 nays, 4 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 741.

A BILL FOR AN ACT relating to children and families; to amend sections 25-309, 43-101, 43-104, 43-104.01, 43-104.02, 43-104.03, 43-104.04, 43-104.05, 43-104.08, 43-104.09, 43-104.12, 43-104.13, 43-104.14, 43-104.16, 43-104.17, 43-104.18, 43-104.22, 43-104.23, 43-105, 43-106, 43-108, 43-109, 43-111, 43-111.01, 43-112, 43-115, 43-146.01, 43-166, 43-906, 71-3404, 71-3407, 71-3408, 71-3409, 71-3410, and 71-3411, Reissue Revised Statutes of Nebraska, and sections 25-307, 43-102, 43-1411, 71-3405, and 71-3406, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to adoption; to provide for cytomegalovirus public education and prevention; to adopt the Domestic Abuse Death Review Act; to change provisions relating to the Child and Maternal Death Review Act and provide for the review of stillbirths under such act; to define and redefine terms; to harmonize provisions; to repeal the original sections; and to outright repeal sections 43-104.19, 43.104.20, 43-104.21, and 43-104.25, Reissue Revised Statutes of Nebraska.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

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

Voting in the negative, 0.

Excused and not voting, 3:

Lindstrom Pahls Wayne

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bill was read and put upon final passage:

LEGISLATIVE BILL 741A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 741, One Hundred Seventh Legislature, Second Session, 2022.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 45:

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

Voting in the negative, 0.

Present and not voting, 1:

Friesen

Excused and not voting, 3:

Lindstrom Pahls Wayne

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB750 with 38 ayes, 5 nays, 3 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 750. With Emergency Clause.

A BILL FOR AN ACT relating to transportation; to amend sections 39-1337, 60-107, 60-119.01, 60-142.11, 60-144, 60-149, 60-151, 60-169, 60-302.01, 60-336.01, 60-386, 60-392, 60-3,101, 60-3,102, 60-3,113.04, 60-3,119, 60-3,122, 60-3,122.02, 60-3,122.03, 60-3,123, 60-3,124, 60-3,125, 60-3,126, 60-3,128, 60-3,130.02, 60-3,135.01, 60-3,193.01, 60-3,198, 60-3,203, 60-3,221, 60-3,226, 60-3,232, 60-3,233, 60-3,237, 60-3,241, 60-3,243, 60-3,245, 60-3,247, 60-3,249, 60-3,251, 60-3,253, 60-462, 60-462.01, 60-463, 60-479.01, 60-481, 60-490, 60-4,111.01, 60-4,115, 60-4,122, 60-4,124, 60-4,130.03, 60-4,130.04, 60-4,132, 60-4,134, 60-4,138, 60-4,139.01, 60-4,147.02, 60-4,149.01, 60-4,168, 60-4,174, 60-4,183, 60-4,188, 60-501, 60-628.01, 60-699, 60-6,265, 60-1515, 60-2705, 60-2909.01, 66-1401, 66-1421, and 75-126, Reissue Revised Statutes of Nebraska, sections 30-2715.01, 39-1302, 39-1320, and 75-369.03, Revised Statutes Cumulative Supplement, 2020, and sections 75-363, 75-364, 75-366, 75-392, and 75-393, Revised Statutes Supplement, 2021; to change provisions relating to transfer-on-death certificates of title as prescribed, state highways and the Department of Transportation as prescribed, the Motor Vehicle Certificate of Title Act, the Motor Vehicle Registration Act, the Motor Vehicle Operator's License Act, the Motor Vehicle Safety Responsibility Act, the Nebraska Rules of the Road, the Department of Motor Vehicles Cash Fund, the International Fuel Tax Agreement Act, and motor carriers and civil penalties as prescribed; to provide for a postage and handling fee as prescribed; to define terms; to adopt certain updates to federal laws and regulations; to eliminate obsolete provisions; to harmonize provisions; to provide operative dates; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 46:

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

Voting in the negative, 0.

Excused and not voting, 3:

Lindstrom Pahls Wayne

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

The following bill was read and put upon final passage:

LEGISLATIVE BILL 750A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 750, One Hundred Seventh Legislature, Second Session, 2022.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

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

Voting in the negative, 0.

Excused and not voting, 3:

Lindstrom Pahls Wayne

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB752 with 39 ayes, 3 nays, 4 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 752.

A BILL FOR AN ACT relating to public health; to amend sections 38-318, 38-2101, 38-2116, 38-2121, 38-2136, 38-2137, 38-2138, 38-2139, 38-2516, 38-3205, 43-281, 44-513, 44-792, 48-101.01, and 71-8402, Reissue Revised Statutes of Nebraska, sections 28-327, 29-2261, 38-131, 38-178, 38-2112, 38-2115, 38-2124, 38-2125, and 38-2894, Revised Statutes Cumulative Supplement, 2020, and section 38-101, Revised Statutes Supplement, 2021; to adopt the Licensed Professional Counselors Interstate Compact, the Occupational Therapy Practice Interstate Compact, and the Alzheimer's Disease and Other Dementia Support Act; to provide requirements for criminal background checks; to define terms; to require notification regarding stem cell therapy as prescribed; to provide for disciplinary action; to redefine respiratory care under the Respiratory Care Practice Act; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

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

Voting in the negative, 0.

Excused and not voting, 3:

Lindstrom Pahls Wayne

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bills were read and put upon final passage:

LEGISLATIVE BILL 752A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 752, One Hundred Seventh Legislature, Second Session, 2022.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

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

Voting in the negative, 0.

Excused and not voting, 3:

Lindstrom Pahls Wayne

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 804.

A BILL FOR AN ACT relating to the Nebraska Power Review Board; to amend section 70-1003, Revised Statutes Cumulative Supplement, 2020; to change the compensation for certain board members as prescribed; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 45:

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

Voting in the negative, 0.

Present and not voting, 1:

Stinner

Excused and not voting, 3:

Lindstrom Pahls Wayne

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 804A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 804, One Hundred Seventh Legislature, Second Session, 2022.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 44:

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

Voting in the negative, 0.

Present and not voting, 2:

DeBoer Wishart

Excused and not voting, 3:

Lindstrom Pahls Wayne

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

WITHDRAW - Motion to LB848

Senator M. Cavanaugh withdrew her motion, [MO209](#), found on page 1152, to bracket until April 20, 2022, to LB848.

BILLS ON FINAL READING

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB848 with 34 ayes, 6 nays, 6 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 848.

A BILL FOR AN ACT relating to the Animal Health and Disease Control Act; to amend sections 54-2940 and 54-2946, Reissue Revised Statutes of Nebraska; to change powers of the Department of Agriculture and duties of owners or custodians of dead animals relating to catastrophic livestock mortality or euthanization; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 44:

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

Voting in the negative, 0.

Present and not voting, 2:

Cavanaugh, M. Dorn

Excused and not voting, 3:

Lindstrom Pahls Wayne

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bills were read and put upon final passage:

LEGISLATIVE BILL 848A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 848, One Hundred Seventh Legislature, Second Session, 2022.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 45:

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

Voting in the negative, 0.

Present and not voting, 1:

Cavanaugh, M.

Excused and not voting, 3:

Lindstrom Pahls Wayne

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 1037. With Emergency Clause.

A BILL FOR AN ACT relating to the Department of Administrative Services; to amend sections 81-153 and 81-1120, Reissue Revised Statutes of Nebraska; to require an evaluation of the state's procurement practices; to change powers and duties of the materiel division and provisions relating to the Materiel Division Revolving Fund; to provide operative dates; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 46:

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

Voting in the negative, 0.

Excused and not voting, 3:

Lindstrom Pahls Wayne

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 1037A. With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1037, One Hundred Seventh Legislature, Second Session, 2022; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 46:

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

Voting in the negative, 0.

Excused and not voting, 3:

Lindstrom Pahls Wayne

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB1241 with 35 ayes, 5 nays, 6 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 1241. With Emergency Clause.

A BILL FOR AN ACT relating to law enforcement training; to amend sections 81-1401, 81-1414, 81-1414.07, and 81-1414.13, Revised Statutes Supplement, 2021; to change provisions relating to law enforcement officer training and certification; to provide duties for the Nebraska Police Standards Advisory Council; to redefine a term; to adopt the Law Enforcement Attraction and Retention Act; to harmonize provisions; to provide operative dates; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 46:

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

Voting in the negative, 0.

Present and not voting, 1:

McKinney

Excused and not voting, 2:

Pahls Wayne

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

The following bill was read and put upon final passage:

LEGISLATIVE BILL 1241A. With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1241, One Hundred Seventh Legislature, Second Session, 2022; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 44:

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

Voting in the negative, 0.

Present and not voting, 3:

Day Hunt McKinney

Excused and not voting, 2:

Pahls Wayne

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB800 with 35 ayes, 5 nays, 7 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 800. With Emergency Clause.

A BILL FOR AN ACT relating to government; to amend sections 13-2706, 14-102.01, 14-102.02, 14-104, 14-106, 14-107, 14-108, 14-110, 14-111, 14-112, 14-113, 14-115, 14-116, 14-118, 14-120, 14-121, 14-122, 14-123, 14-124, 14-125, 14-136, 14-201, 14-201.03, 14-202, 14-204, 14-205, 14-206, 14-207, 14-210, 14-211, 14-212, 14-213, 14-214, 14-215, 14-216, 14-217.02, 14-218, 14-219, 14-220, 14-221, 14-224, 14-225, 14-226, 14-227, 14-228, 14-229, 14-230, 14-360, 14-361, 14-362, 14-365, 14-365.01, 14-365.02, 14-365.03, 14-365.04, 14-365.05, 14-365.06, 14-365.07, 14-365.08, 14-365.09, 14-365.10, 14-365.11, 14-365.12, 14-365.13, 14-366, 14-367, 14-372, 14-373, 14-373.01, 14-373.02, 14-374, 14-375, 14-376, 14-383, 14-384, 14-385, 14-386, 14-387, 14-388, 14-389, 14-390, 14-391, 14-393, 14-394, 14-395, 14-396, 14-397, 14-399, 14-3,100, 14-3,101, 14-3,105, 14-3,108, 14-3,109, 14-3,111, 14-3,112, 14-3,113, 14-3,114, 14-3,115, 14-3,116, 14-3,117, 14-3,118, 14-3,119, 14-3,120, 14-3,121, 14-3,122, 14-3,123, 14-3,124, 14-3,125, 14-3,126, 14-3,128, 14-401, 14-402, 14-404, 14-405, 14-406, 14-408, 14-409, 14-410, 14-411, 14-412, 14-413, 14-414, 14-416, 14-417, 14-418, 14-501, 14-501.01, 14-503, 14-504, 14-505, 14-506, 14-507, 14-508, 14-509, 14-510, 14-511, 14-512, 14-513, 14-514, 14-515, 14-516, 14-517, 14-518, 14-519, 14-520, 14-521, 14-522, 14-523, 14-524, 14-525, 14-526, 14-527, 14-528, 14-529, 14-530, 14-531, 14-532, 14-533, 14-534, 14-535, 14-536, 14-538, 14-539, 14-540, 14-541, 14-542, 14-543, 14-544, 14-545, 14-546, 14-547, 14-548, 14-549, 14-550, 14-556, 14-557, 14-558, 14-559, 14-560, 14-562, 14-563, 14-564, 14-565, 14-566, 14-568, 14-601, 14-602, 14-603, 14-604, 14-605, 14-606, 14-609, 14-702, 14-704, 14-709, 14-804, 14-805, 14-806, 14-807, 14-808, 14-809, 14-810, 14-811, 14-812, 14-813, 14-814, 14-816, 14-817, 14-818, 14-1201, 14-1202, 14-1203, 14-1204, 14-1205, 14-1206, 14-1207, 14-1211, 14-1212, 14-1215, 14-1216, 14-1217, 14-1218, 14-1219, 14-1220, 14-1221, 14-1222, 14-1223, 14-1224, 14-1225, 14-1226, 14-1227, 14-1228, 14-1229, 14-1230, 14-1231, 14-1232, 14-1233, 14-1234, 14-1235, 14-1236, 14-1237, 14-1238, 14-1239, 14-1240, 14-1241, 14-1242, 14-1243, 14-1244, 14-1245, 14-1246, 14-1247, 14-1248, 14-1249, 14-1250, 14-1251, 14-1252, 14-1702, 14-1703, 14-1704, 14-1705, 14-1706, 14-1707, 14-1708, 14-1709, 14-1710, 14-1711, 14-1712, 14-1713, 14-1714, 14-1715, 14-1716, 14-1717, 14-1718, 14-1719, 14-1721, 14-1722, 14-1723, 14-1724, 14-1725, 14-1726, 14-1727, 14-1728, 14-1729, 14-1730, 14-1731, 14-1732, 14-1734, 14-1735, 14-1737, 14-1738, 14-1739, 14-2001, 14-2002, 14-2003, 14-2004, 31-538, 31-539, 31-540, 31-541, 31-735, 77-2501, 77-2502, 77-2503, 77-2505, 77-2704.15, and 81-523, Reissue Revised Statutes of Nebraska, sections 13-2703, 13-2705, 13-2707, 13-2707.01, 13-2709, 14-101, 14-101.01, 14-102, 14-103, 14-105, 14-109, 14-117, 14-363, 14-364, 14-392, 14-398, 14-3,102, 14-3,103, 14-3,106, 14-3,107, 14-403, 14-415, 14-419, 14-420, 14-502, 14-553, 14-567, 14-607, 14-1733, 16-6,109, 19-414, 19-415, 19-5503, and 19-5504, Revised Statutes Cumulative Supplement, 2020, and sections 14-137, 18-2705, and 77-3523, Revised Statutes Supplement, 2021;

to define and redefine terms and authorize grants of assistance to tribal governments as prescribed under the Civic and Community Center Financing Act; to change provisions relating to city officers, elections, powers, duties, public improvements, subdividing and platting, consolidation of cities and villages, ordinances, planning and zoning, fiscal management, city departments, claims and awards, bridges, parking facilities, and landmark heritage preservation districts; to provide certain funding for the development and implementation of an affordable housing action plan as part of an economic development program under the Local Option Municipal Economic Development Act; to update a federal reference and change the contents of a report under the Municipal Density and Missing Middle Housing Act; to provide for distribution of funds and property and provide liability for debts and obligations upon discontinuance of certain sanitary drainage districts; to change the procedure for election of the board of trustees of a sanitary and improvement district as prescribed; to change provisions of the Affordable Housing Tax Credit Act; to eliminate provisions relating to municipal coal yards, boards of public welfare, superintendency of departments, and taxes and assessments; to harmonize provisions; to provide operative dates; to repeal the original sections; to outright repeal sections 14-114, 14-126, 14-223, and 14-554, Reissue Revised Statutes of Nebraska; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 48:

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

Voting in the negative, 0.

Excused and not voting, 1:

Pahls

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB852 with 40 ayes, 6 nays, 2 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 852.

A BILL FOR AN ACT relating to education; to amend section 79-1054, Revised Statutes Cumulative Supplement, 2020; to provide for behavioral health points of contact; to provide duties for the State Department of Education, the Division of Behavioral Health of the Department of Health and Human Services, and school districts; to provide for mental health first aid training; to change provisions relating to education innovation grants; to harmonize provisions; to provide operative dates; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 36:

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

Voting in the negative, 10:

Albrecht	Clements	Friesen	Hughes	Moser
Brewer	Erdman	Halloran	Lowe	Slama

Present and not voting, 2:

Hansen, B. Wayne

Excused and not voting, 1:

Pahls

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB902 with 38 ayes, 5 nays, 5 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 902.

A BILL FOR AN ACT relating to postsecondary education; to adopt the Nebraska Career Scholarship Act; to state legislative intent relating to appropriations; and to provide operative dates.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 48:

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

Voting in the negative, 0.

Excused and not voting, 1:

Pahls

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bill was read and put upon final passage:

LEGISLATIVE BILL 902A.

A BILL FOR AN ACT relating to appropriations; to amend Laws 2021, LB380, section 167; to appropriate funds to carry out the provisions of Legislative Bill 902, One Hundred Seventh Legislature, Second Session, 2022; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure

having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 48:

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

Voting in the negative, 0.

Excused and not voting, 1:

Pahls

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB917 with 36 ayes, 5 nays, 7 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 917.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2717 and 77-2734.03, Revised Statutes Cumulative Supplement, 2020, and sections 77-2701 and 77-2715.07, Revised Statutes Supplement, 2021; to provide an income tax credit for certain wages paid to individuals convicted of a felony; to provide duties for the Department of Revenue; to define a term; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 47:

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

Voting in the negative, 0.

Present and not voting, 1:

DeBoer

Excused and not voting, 1:

Pahls

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bills were read and put upon final passage:

LEGISLATIVE BILL 917A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 917, One Hundred Seventh Legislature, Second Session, 2022.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 44:

Aguilar	Cavanaugh, M.	Hansen, B.	Lindstrom	Pansing Brooks
Albrecht	Clements	Hansen, M.	Linehan	Sanders
Blood	Day	Hilgers	Lowe	Slama
Bostar	Dorn	Hilkemann	McCollister	Stinner
Bostelman	Erdman	Hughes	McDonnell	Vargas
Brandt	Friesen	Hunt	McKinney	Walz
Brewer	Geist	Jacobson	Morfeld	Wayne
Briese	Gragert	Kolterman	Moser	Williams
Cavanaugh, J.	Halloran	Lathrop	Murman	

Voting in the negative, 0.

Present and not voting, 3:

Arch DeBoer Flood

Excused and not voting, 2:

Pahls Wishart

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 977. With Emergency Clause.

A BILL FOR AN ACT relating to infrastructure; to amend sections 81-12,147 and 84-612, Revised Statutes Supplement, 2021; to provide for grants from the Site and Building Development Fund; to provide for a transfer from the Cash Reserve Fund; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 42:

Aguilar	Cavanaugh, J.	Halloran	Linehan	Sanders
Albrecht	Clements	Hansen, B.	Lowe	Slama
Arch	Day	Hansen, M.	McCollister	Stinner
Blood	Dorn	Hilgers	McDonnell	Vargas
Bostar	Erdman	Hilkemann	McKinney	Wayne
Bostelman	Flood	Hughes	Morfeld	Williams
Brandt	Friesen	Jacobson	Moser	
Brewer	Geist	Kolterman	Murman	
Briese	Gragert	Lindstrom	Pansing Brooks	

Voting in the negative, 0.

Present and not voting, 5:

Cavanaugh, M. DeBoer Hunt Lathrop Walz

Excused and not voting, 2:

Pahls Wishart

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 977A. With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 977, One Hundred Seventh Legislature, Second Session, 2022; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 44:

Aguilar	Cavanaugh, J.	Halloran	Lindstrom	Pansing Brooks
Albrecht	Clements	Hansen, B.	Linehan	Sanders
Arch	Day	Hansen, M.	Lowe	Slama
Blood	Dorn	Hilgers	McCollister	Stinner
Bostar	Erdman	Hilkemann	McDonnell	Vargas
Bostelman	Flood	Hughes	McKinney	Walz
Brandt	Friesen	Jacobson	Morfeld	Wayne
Brewer	Geist	Kolterman	Moser	Williams
Briese	Gragert	Lathrop	Murman	

Voting in the negative, 0.

Present and not voting, 3:

Cavanaugh, M. DeBoer Hunt

Excused and not voting, 2:

Pahls Wishart

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB1016 with 36 ayes, 5 nays, 6 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 1016.

A BILL FOR AN ACT relating to the Transportation Innovation Act; to amend sections 39-2801 and 39-2812, Reissue Revised Statutes of Nebraska, and sections 39-2802, 39-2808, 39-2809, 39-2811, 39-2813,

39-2814, 39-2816, 39-2821, and 39-2822, Revised Statutes Cumulative Supplement, 2020; to define and redefine terms; to provide for public-private partnerships and progressive design-build; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 44:

Aguilar	Cavanaugh, M.	Halloran	Lindstrom	Pansing Brooks
Arch	Clements	Hansen, B.	Linehan	Sanders
Blood	Day	Hansen, M.	Lowe	Slama
Bostar	Dorn	Hilgers	McCollister	Stinner
Bostelman	Erdman	Hilkemann	McDonnell	Vargas
Brandt	Flood	Hunt	McKinney	Walz
Brewer	Friesen	Jacobson	Morfeld	Wayne
Briese	Geist	Kolterman	Moser	Williams
Cavanaugh, J.	Gragert	Lathrop	Murman	

Voting in the negative, 0.

Present and not voting, 3:

Albrecht	DeBoer	Hughes
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Excused and not voting, 2:

Pahls	Wishart
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB998 with 35 ayes, 5 nays, 7 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 998. With Emergency Clause.

A BILL FOR AN ACT relating to the Municipal Inland Port Authority Act; to amend sections 13-3301, 13-3303, 13-3304, 13-3305, 13-3307, and 81-12,150, Revised Statutes Supplement, 2021; to define a term; to change certification provisions; to provide for prioritization of inland port authority proposals by the Department of Economic Development; to provide for creation of an inland port authority upon application by a nonprofit

economic development corporation; to change provisions relating to inland port districts and rules and regulations relating to inland port authority proposals; to harmonize provisions; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 46:

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

Voting in the negative, 0.

Present and not voting, 1:

DeBoer

Excused and not voting, 2:

Pahls Wishart

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

The following bills were read and put upon final passage:

LEGISLATIVE BILL 1068. With Emergency Clause.

A BILL FOR AN ACT relating to public health; to amend sections 71-829 and 71-830, Reissue Revised Statutes of Nebraska; to change provisions of the Behavioral Health Workforce Act relating to legislative intent and the Behavioral Health Education Center; to require the University of Nebraska to conduct an assessment; to harmonize provisions; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 35:

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

Voting in the negative, 8:

Albrecht	Erdman	Halloran	Murman
Clements	Friesen	Low	Slama

Present and not voting, 4:

Hansen, B.	Hughes	Linehan	McKinney
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Excused and not voting, 2:

Pahls	Wishart
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A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 1068A. With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1068, One Hundred Seventh Legislature, Second Session, 2022; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 34:

Aguilar	Briese	Geist	Kolterman	Pansing Brooks
Arch	Cavanaugh, J.	Gragert	Lathrop	Sanders
Blood	Cavanaugh, M.	Hansen, M.	Lindstrom	Stinner
Bostar	Day	Hilgers	McCollister	Vargas
Bostelman	DeBoer	Hilkemann	McDonnell	Walz
Brandt	Dorn	Hunt	Morfeld	Williams
Brewer	Flood	Jacobson	Moser	

Voting in the negative, 7:

Albrecht Erdman Halloran Slama
 Clements Friesen Linehan

Present and not voting, 6:

Hansen, B. Lowe Murman
 Hughes McKinney Wayne

Excused and not voting, 2:

Pahls Wishart

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LBs 741, 741A, 750e, 750A, 752, 752A, 804, 804A, 848, 848A, 1037e, 1037Ae, 1241e, 1241Ae, 800e, 852, 902, 902A, 917, 917A, 977e, 977Ae, 1016, 998e, 1068e, and 1068Ae.

PRESENTED TO THE GOVERNOR

Presented to the Governor on April 12, 2022, at 11:05 a.m. were the following: LBs 450, 450A, 436, 717, 769, 780, 820, 840, 864, 887, 925, 925A, 964, 1236, 1246, 519, 707e, 809, 809A, 863, 1015, 1023e, 1112, 1112A, 1273, 1273A, 698, and 698A.

(Signed) Jamie Leishman
 Clerk of the Legislature's Office

PRESENTED TO THE SECRETARY OF STATE

Presented to the Secretary of State on April 12, 2022, at 11:10 a.m. was the following: LR283CA.

(Signed) Jamie Leishman
 Clerk of the Legislature's Office

NOTICE OF COMMITTEE HEARING(S)

Rules
 Room 1113 9:00 AM

Wednesday, April 13, 2022
 Proposed Rules Change to Rule 3, Section 2 - Adjust Membership of Committees on Committees

(Signed) Robert Clements, Chairperson

COMMITTEE REPORT(S)

Natural Resources

LEGISLATIVE BILL 190. Indefinitely postponed.
LEGISLATIVE BILL 191. Indefinitely postponed.
LEGISLATIVE BILL 223. Indefinitely postponed.
LEGISLATIVE BILL 266. Indefinitely postponed.
LEGISLATIVE BILL 305. Indefinitely postponed.
LEGISLATIVE BILL 395. Indefinitely postponed.
LEGISLATIVE BILL 399. Indefinitely postponed.
LEGISLATIVE BILL 468. Indefinitely postponed.
LEGISLATIVE BILL 483. Indefinitely postponed.
LEGISLATIVE BILL 506. Indefinitely postponed.
LEGISLATIVE BILL 513. Indefinitely postponed.
LEGISLATIVE BILL 562. Indefinitely postponed.
LEGISLATIVE BILL 573. Indefinitely postponed.
LEGISLATIVE BILL 589. Indefinitely postponed.
LEGISLATIVE BILL 591. Indefinitely postponed.
LEGISLATIVE BILL 606. Indefinitely postponed.
LEGISLATIVE BILL 615. Indefinitely postponed.
LEGISLATIVE BILL 617. Indefinitely postponed.
LEGISLATIVE BILL 618. Indefinitely postponed.
LEGISLATIVE BILL 627. Indefinitely postponed.
LEGISLATIVE BILL 668. Indefinitely postponed.
LEGISLATIVE BILL 683. Indefinitely postponed.
LEGISLATIVE BILL 736. Indefinitely postponed.
LEGISLATIVE BILL 746. Indefinitely postponed.
LEGISLATIVE BILL 775. Indefinitely postponed.
LEGISLATIVE BILL 803. Indefinitely postponed.
LEGISLATIVE BILL 924. Indefinitely postponed.
LEGISLATIVE BILL 978. Indefinitely postponed.
LEGISLATIVE BILL 1046. Indefinitely postponed.
LEGISLATIVE BILL 1081. Indefinitely postponed.
LEGISLATIVE BILL 1185. Indefinitely postponed.
LEGISLATIVE BILL 1186. Indefinitely postponed.

(Signed) Bruce Bostelman, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 452. Introduced by Walz, 15.

WHEREAS, the month of April is Community College Month and celebrates the significant contributions Nebraska community colleges make to the State of Nebraska. Community colleges are hubs of communities and partner with area businesses to create academic and workforce training programs designed specifically to meet the needs of local employers. Community colleges provide general education and other courses that lead to industry certifications and associate degrees, many of which can transfer

to four-year universities for the completion of bachelor's degrees, saving students significant amounts of money. Community colleges also provide classes specifically designed to address needs and interests of local communities that are not offered at any other institution; and

WHEREAS, Nebraska community colleges play a critical role in building Nebraska's skilled workforce. Nebraska community colleges grant more than seventy-eight thousand degrees and certificates every decade, many in high-demand, high-skill, and high-wage jobs. Eighty-six percent of students attending Nebraska community colleges remain in Nebraska upon completing their educational goals; and

WHEREAS, Nebraska community colleges are a sound investment for the state. For every dollar invested in Nebraska's community colleges, the return to Nebraska taxpayers is two dollars and twenty cents; and

WHEREAS, Nebraska community colleges play a vital role in making postsecondary education accessible to low-income, minority, first generation, and nontraditional college students. These students may not otherwise be able to pursue higher education but for the open access policy, low tuition cost, and flexible student oriented scheduling of Nebraska community colleges; and

WHEREAS, in recognition of the important contribution of community and technical colleges to our educational system, in 1985 Congress authorized and requested President Ronald Reagan to issue Proclamation 5418 which established a National Community College Month.

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

1. That the Legislature recognizes April 2022 as Community College Month and calls upon the people of Nebraska to unite in support of the success of community colleges in the state.

Laid over.

LEGISLATIVE RESOLUTION 453. Introduced by McDonnell, 5.

WHEREAS, Daniel Patterson devoted his life to serving his community and nation; and

WHEREAS, Daniel was, is, and shall forever be a United States Marine who served his nation in the Vietnam War and served his community as an Omaha professional firefighter; and

WHEREAS, Daniel left his community better than he found it and inspired his friends and all those who served with him; and

WHEREAS, Daniel passed away on March 23, 2022, at the age of seventy-three and will be greatly missed by his friends and family, most especially his wife Barb, children Jason, Matt, Jessica with husband Daniel Lohr, and Jacqueline with husband Justin O'Connor, grandchildren Lucas and Deklan O'Connor, and brother Doug.

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

1. That the Legislature honors Daniel Patterson for his lifelong devotion to his nation, community, and family.
2. That the Legislature offers its condolences to the family of Daniel Patterson.
3. That a copy of this resolution be sent to the family of Daniel Patterson.

Laid over.

LEGISLATIVE RESOLUTION 454. Introduced by Hilgers, 21; Arch, 14; Blood, 3; Cavanaugh, J., 9; Cavanaugh, M., 6; Day, 49; DeBoer, 10; Flood, 19; Hansen, M., 26; Hilkemann, 4; Hunt, 8; Kolterman, 24; Lathrop, 12; Lindstrom, 18; Linehan, 39; McDonnell, 5; McKinney, 11; Sanders, 45; Slama, 1; Stinner, 48; Vargas, 7; Williams, 36; Wishart, 27.

WHEREAS, David G. Brown has led the Greater Omaha Chamber as President and chief executive officer since 2003; and

WHEREAS, after leading economic development efforts in Michigan, Indiana, and South Carolina, David, his wife Maggie, and sons Greg and Elijah found their true Nebraska roots; and

WHEREAS, David's efforts have grown the chamber to over three-thousand-member businesses and institutions; and

WHEREAS, under David's leadership and his belief that "we accomplish more together", the chamber has developed an economic partnership that includes eight counties in Nebraska and Iowa; and

WHEREAS, during David's tenure, the partnership has produced more than nine hundred twenty projects, forty-seven thousand jobs, twelve billion dollars in capital investment, and an eighty-eight percent increase in average gross domestic product for the region; and

WHEREAS, under David's guidance, the chamber established Greater Omaha 2040, a community enhancement vision centered on people, place, and prosperity; and

WHEREAS, David has championed innovative approaches to transportation infrastructure development that includes expansion and enhancement of Nebraska's expressways, neighborhood streets, and modern transit systems; and

WHEREAS, David has led initiatives to expand the state's workforce through a close collaboration between early childhood, kindergarten through twelfth grade, and higher education institutions, businesses, and state and local government; and

WHEREAS, David fostered the creation of the chamber's Young Professionals Council and the annual YP Summit; and

WHEREAS, David's collaborative efforts have strengthened Nebraska's support for Offutt Air Force Base and the state's other defense installations and the defense personnel serving in the state; and

WHEREAS, under David's leadership the chamber has launched community-wide diversity, equity, and inclusion initiatives, including the establishment of the Commitment to Opportunity, Diversity, and Equity; and

WHEREAS, David's commitment to addressing poverty and lack of opportunity is reflected in endeavors such as the chamber's North Omaha, South Omaha, and Midtown projects; and

WHEREAS, in 2015, the chamber was named Chamber of the Year by the Association of Chamber of Commerce Executives; and

WHEREAS, David has volunteered his time for numerous Omaha and state community service organizations; and

WHEREAS, in 2020, David was honored as a Distinguished NEBRASKAlander by the NEBRASKAland Foundation; and

WHEREAS, David has led the chamber to strengthen a truly collaborative and productive relationship with the Legislature; and

WHEREAS, David has announced his retirement from the chamber.

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

1. That the Legislature offers its sincere appreciation to David G. Brown for his service and looks forward to continuing to work with him on his inspired efforts to make Nebraska a great place to live, work, and play.

2. That a copy of this resolution be sent to David G. Brown.

Laid over.

LEGISLATIVE RESOLUTION 455. Introduced by Hansen, B., 16; McDonnell, 5.

WHEREAS, Robert "Bob" Tichota was born on April 8, 1931, in Lincoln, Nebraska, and adopted on November 18, 1931, by Raymond and Mildred (Schneider) Tichota; and

WHEREAS, Mr. Tichota was raised in Dodge, Nebraska, attended Craig High School, later met the love of his life, Jennie McMullin, and married her on June 10, 1951; and

WHEREAS, in addition to his full-time employment, Mr. Tichota was dedicated to serving his community with his time, talents, and willingness to help others; and

WHEREAS, Mr. Tichota was a member of the Blair Jaycees, Blair Police Reserves, Blair Planning Commission, and a fifty-five-year member of the Blair Volunteer Fire and Rescue Department; and

WHEREAS, in working tirelessly as a member of the Blair Volunteer Fire and Rescue Department, Mr. Tichota served in the positions of president, second assistant captain, first assistant captain, and captain; and

WHEREAS, as a leader in the fire service for the State of Nebraska, Mr. Tichota served as a member and chairperson of the Fire Prevention Committee and as a member of the Legislative Committee of the Nebraska State Volunteer Firefighters Association; and

WHEREAS, Mr. Tichota also served as President of the Nebraska State Volunteer Firefighters Association from 1994 through 1995, as a member of the Nebraska State Volunteer Firefighters Association board of directors for six years, as a member of the Nebraska State Volunteer Firefighters Association's sergeant of arms of the EMS House of Delegates, and as vice

president and president of the Nebraska State Volunteer Firefighters Association's Old Timers Firefighters; and

WHEREAS, Mr. Tichota positively influenced hundreds of Blair students while educating them about fire prevention and fire safety; and

WHEREAS, Mr. Tichota passed away on February 15, 2022.

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

1. That the Legislature honors Robert Tichota for his contributions as a volunteer firefighter and dedicated leader in fire prevention.

2. That the Legislature offers its condolences to the family of Robert Tichota.

3. That a copy of this resolution be sent to the family of Robert Tichota.

Laid over.

LEGISLATIVE RESOLUTION 456. Introduced by Vargas, 7.

WHEREAS, Leah Litz is one of the recipients of the Presidential Awards for Excellence in Mathematics and Science Teaching for her work in the Robert B. Daugherty Education Center at the Henry Doorly Zoo and Aquarium in partnership with Bancroft Elementary School; and

WHEREAS, Leah shares her knowledge and passion for conservation, wildlife, science, technology, engineering, and mathematics with her students; and

WHEREAS, Leah has contributed to expanding access to students and increasing enrollment; and

WHEREAS, Leah's service to students sets the groundwork for successful science, technology, engineering, and mathematics career pathways; and

WHEREAS, Leah's work and accomplishments are worthy of recognition by the Legislature.

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

1. That the Legislature congratulates Leah Litz as one of the recipients of the Presidential Awards for Excellence in Mathematics and Science Teaching.

2. That a copy of this resolution be sent to Leah Litz.

Laid over.

LEGISLATIVE RESOLUTION 457. Introduced by Vargas, 7.

WHEREAS, Jonathan Benjamin-Alvarado will retire from the University of Nebraska at Omaha after more than twenty years, where he served as a political science professor since 2000 and as an assistant chancellor for student success since 2014; and

WHEREAS, Jonathan Benjamin-Alvarado has performed extensive research on Cuba, Latin America, foreign policy, international development,

and national security and intelligence which he shared through his position as a professor as well as numerous publications, including scholarly articles and policy journals, and speeches in Washington D.C. and across the nation; and

WHEREAS, Jonathan Benjamin-Alvarado has traveled to Cuba numerous times to do field research on energy and economic development and served as a technical advisor to many United States delegations to Cuba and Latin America; and

WHEREAS, Jonathan Benjamin-Alvarado was instrumental in the development of scholarship and pathway programs for first generation college students and other underrepresented groups at the University of Nebraska at Omaha; and

WHEREAS, Jonathan Benjamin-Alvarado was essential in the creation of the University of Nebraska at Omaha's Office of Latino/Latin American Studies and the Underserved Law Opportunity Program; and

WHEREAS, Jonathan shared his expansive and internationally recognized expertise with students and the communities of Nebraska, and the Legislature celebrates his contributions to the State of Nebraska.

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

1. That the Legislature honors Jonathan Benjamin-Alvarado for his time at the University of Nebraska at Omaha and wishes him success in his new role as senior adviser to the chancellor and chief inclusion officer at Texas Christian University.

2. That a copy of this resolution be sent to Jonathan Benjamin-Alvarado.

Laid over.

LEGISLATIVE RESOLUTION 458. Introduced by Vargas, 7.

WHEREAS, Lee Perez was named the Nebraska 2022 Teacher of the Year for his work as an English as a second language teacher at Alice Buffett Magnet Middle School in Omaha; and

WHEREAS, Lee has been a teacher in Omaha for thirteen years; and

WHEREAS, Lee empowers his students by celebrating their cultures and backgrounds as they learn a new language and culture; and

WHEREAS, Lee encourages other educators to be kind and culturally aware; and

WHEREAS, Lee's accomplishments in schools and in the community deserve recognition by the Legislature.

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

1. That the Legislature congratulate the 2022 Nebraska Teacher of the Year, Lee Perez.

2. That a copy of this resolution be sent to Lee Perez.

Laid over.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator M. Hansen name added to LB888.
Senator M. Hansen name added to LB1024.
Senator M. Hansen name added to LB1130.
Senator M. Hansen name added to LR263CA.

RECESS

At 12:06 p.m., on a motion by Senator Lindstrom, the Legislature recessed until 1:00 p.m.

AFTER RECESS

The Legislature reconvened at 1:00 p.m., Speaker Hilgers presiding.

ROLL CALL

The roll was called and all members were present except Senator Pahls who was excused; and Senators Aguilar and Stinner who were excused until they arrive.

PRESENTED TO THE GOVERNOR

Presented to the Governor on April 12, 2022, at 12:15 p.m. were the following: LBs 741, 741A, 750e, 750A, 752, 752A, 804, 804A, 848, 848A, 1037e, 1037Ae, 1241e, 1241Ae, 800e, 852, 902, 902A, 917, 917A, 977e, 977Ae, 1016, 998e, 1068e, and 1068Ae.

(Signed) Jamie Leishman
Clerk of the Legislature's Office

RESOLUTION(S)

LEGISLATIVE RESOLUTION 459. Introduced by Day, 49.

WHEREAS, many people with serious, chronic mental illnesses, such as schizophrenia, bipolar disorder, severe depression, or gastrointestinal disorders, including gastroparesis, nausea, and vomiting, require treatment with medications, including antipsychotics, that work as dopamine receptor blocking agents; and

WHEREAS, while ongoing treatment with these medications can be very helpful and even lifesaving, for many people, it can also lead to Tardive Dyskinesia; and

WHEREAS, Tardive Dyskinesia is a movement disorder that is characterized by random, involuntary, and uncontrolled movements of different muscles in the face, trunk, and extremities; and

WHEREAS, Tardive Dyskinesia can develop months, years, or decades after a person starts taking dopamine receptor blocking agents and even after they have discontinued use of those medications. Not everyone who takes a dopamine receptor blocking agent develops Tardive Dyskinesia, but if it develops it is often permanent; and

WHEREAS, it is estimated that over 600,000 Americans suffer from Tardive Dyskinesia. According to the National Alliance for Mental Illness, one in every four patients receiving long-term treatment with an antipsychotic medication will experience Tardive Dyskinesia; and

WHEREAS, years of difficult and challenging research have resulted in recent scientific breakthroughs, with two new treatments for Tardive Dyskinesia approved by the United States Food and Drug Administration; and

WHEREAS, Tardive Dyskinesia is often unrecognized and patients suffering from the illness are commonly misdiagnosed; and

WHEREAS, regular screening for Tardive Dykinsea in patients taking dopamine receptor blocking agents is recommended by the American Psychiatric Association; and

WHEREAS, the Nebraska Legislature can raise awareness of Tardive Dyskinesia in the public and medical community.

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

1. That the Legislature recognizes the week of May 1 through May 8, 2022, as Tardive Dyskinesia Awareness Week in Nebraska.

Laid over.

BILLS ON FINAL READING

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB1024 with 34 ayes, 7 nays, 5 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 1024. With Emergency Clause.

A BILL FOR AN ACT relating to economic development; to amend section 81-1201.07, Reissue Revised Statutes of Nebraska, sections 81-1237, 81-1238, 81-1239, and 81-1240, Revised Statutes Cumulative Supplement, 2020, and section 84-612, Revised Statutes Supplement, 2021; to adopt the Economic Recovery Act; to create divisions within the Department of Economic Development; to define and redefine terms; to change provisions

of the Middle Income Workforce Housing Investment Act; to provide for grants as prescribed; to state legislative intent for appropriations; to transfer funds from the Cash Reserve Fund; to harmonize provisions; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 45:

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

Voting in the negative, 1:

Bostelman

Present and not voting, 1:

Hughes

Excused and not voting, 2:

Aguilar Pahls

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

The following bill was read and put upon final passage:

LEGISLATIVE BILL 1024A. With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1024, One Hundred Seventh Legislature, Second Session, 2022; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 44:

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

Voting in the negative, 1:

Bostelman

Present and not voting, 2:

Hughes Lowe

Excused and not voting, 2:

Aguilar Pahls

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB1065 with 39 ayes, 2 nays, 6 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 1065.

A BILL FOR AN ACT relating to the Community Development Law; to amend sections 18-2109 and 18-2155, Revised Statutes Cumulative Supplement, 2020, and sections 18-2101.02 and 18-2147, Revised Statutes Supplement, 2021; to change and eliminate provisions relating to declarations of substandard and blighted areas and redevelopment plans receiving an expedited review; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

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

Voting in the negative, 1:

Erdman

Excused and not voting, 2:

Aguilar Pahls

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB1069 with 38 ayes, 6 nays, 3 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 1069. With Emergency Clause.

A BILL FOR AN ACT relating to workforce housing; to amend sections 81-1228, 81-1229, 81-1230, 81-1231, 81-1238, 81-1239, and 81-1240, Revised Statutes Cumulative Supplement, 2020; to redefine terms; to change provisions relating to grant programs, investment funds, nonprofit development organizations, and the return, credit, and transfer of funds under the Rural Workforce Housing Investment Act and Middle Income Workforce Housing Investment Act; to harmonize provisions; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 42:

Aguilar	Cavanaugh, M.	Hansen, M.	Linehan	Slama
Arch	Day	Hilgers	McCollister	Stinner
Blood	DeBoer	Hilkemann	McDonnell	Vargas
Bostar	Dorn	Hughes	McKinney	Walz
Bostelman	Flood	Hunt	Morfeld	Williams
Brandt	Friesen	Jacobson	Moser	Wishart
Brewer	Geist	Kolterman	Murman	
Briese	Gragert	Lathrop	Pansing Brooks	
Cavanaugh, J.	Hansen, B.	Lindstrom	Sanders	

Voting in the negative, 4:

Albrecht Clements Erdman Halloran

Present and not voting, 2:

Lowe Wayne

Excused and not voting, 1:

Pahls

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB1102 with 39 ayes, 5 nays, 4 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 1102.

A BILL FOR AN ACT relating to environmental protection; to amend sections 81-1507 and 81-1508, Reissue Revised Statutes of Nebraska; to adopt the Nebraska Environmental Response Act; to change provisions relating to enforcement of environmental protection provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

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

Voting in the negative, 0.

Present and not voting, 2:

McKinney Wayne

Excused and not voting, 1:

Pahls

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bills were read and put upon final passage:

LEGISLATIVE BILL 1102A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1102, One Hundred Seventh Legislature, Second Session, 2022.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 48:

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

Voting in the negative, 0.

Excused and not voting, 1:

Pahls

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 29. With Emergency Clause.

A BILL FOR AN ACT relating to holidays; to amend sections 25-2221 and 62-301, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to holidays; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 48:

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

Voting in the negative, 0.

Excused and not voting, 1:

Pahls

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 59.

A BILL FOR AN ACT relating to the Nebraska Tourism Commission; to amend sections 81-3728, 81-3729, and 81-3730, Revised Statutes Cumulative Supplement, 2020; to provide powers and duties regarding tourism promotional products; to provide and change provisions regarding revenue received by the commission; to harmonize provisions; and to repeal

the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 47:

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

Voting in the negative, 0.

Excused and not voting, 2:

DeBoer Pahls

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 75.

A BILL FOR AN ACT relating to county government; to amend section 23-299, Reissue Revised Statutes of Nebraska; to change provisions relating to the discontinuance of township organization in any county with a township library; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

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

Voting in the negative, 0.

Present and not voting, 1:

Wayne

Excused and not voting, 2:

DeBoer Pahls

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB91 with 35 ayes, 4 nays, 8 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 91.

A BILL FOR AN ACT relating to the Nebraska Seed Law; to amend sections 81-2,147.02, 81-2,147.03, and 81-2,147.06, Reissue Revised Statutes of Nebraska, and section 81-2,147.01, Revised Statutes Cumulative Supplement, 2020; to define terms; to change provisions for seed relating to labeling, germination testing, and tetrazolium (TZ) testing; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 47:

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

Voting in the negative, 0.

Excused and not voting, 2:

DeBoer Pahls

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bills were read and put upon final passage:

LEGISLATIVE BILL 691.

A BILL FOR AN ACT relating to the Address Confidentiality Act; to amend section 42-1202, Reissue Revised Statutes of Nebraska, and sections 42-1203, 42-1204, and 42-1209, Revised Statutes Cumulative Supplement, 2020; to provide enrollment eligibility to kidnapping survivors; to define a term; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 47:

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

Voting in the negative, 0.

Excused and not voting, 2:

DeBoer Pahls

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 697.

A BILL FOR AN ACT relating to health care facilities; to amend sections 71-401 and 71-403, Revised Statutes Cumulative Supplement, 2020; to define terms; to provide for licensure of rural emergency hospitals; to require coverage for rural emergency hospital services; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

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

Voting in the negative, 0.

Excused and not voting, 3:

DeBoer Hansen, M. Pahls

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 697A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 697, One Hundred Seventh Legislature, Second Session, 2022.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 45:

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

Voting in the negative, 0.

Present and not voting, 1:

Flood

Excused and not voting, 3:

DeBoer Hansen, M. Pahls

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB705 with 30 ayes, 6 nays, 10 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 705. With Emergency Clause.

A BILL FOR AN ACT relating to the Barber Act; to amend sections 71-201, 71-208.02, and 71-219, Reissue Revised Statutes of Nebraska; to eliminate provisions relating to booth rental permits; to change requirements for registration as a barber instructor or assistant barber instructor; to harmonize provisions; to repeal the original sections; to outright repeal section 71-219.05, Reissue Revised Statutes of Nebraska; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 46:

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

Voting in the negative, 0.

Excused and not voting, 3:

DeBoer Hansen, M. Pahls

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB742 with 35 ayes, 4 nays, 6 present and not voting, and 4 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 742.

A BILL FOR AN ACT relating to the Open Meetings Act; to amend sections 84-1411 and 84-1413, Revised Statutes Supplement, 2021; to change provisions relating to minutes kept as an electronic record; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 42:

Aguilar	Cavanaugh, M.	Halloran	Linehan	Stinner
Albrecht	Clements	Hansen, B.	McCollister	Vargas
Arch	Day	Hilgers	McDonnell	Walz
Blood	Dorn	Hilkemann	McKinney	Wayne
Bostar	Erdman	Hughes	Morfeld	Williams
Bostelman	Flood	Hunt	Murman	Wishart
Brandt	Friesen	Jacobson	Pansing Brooks	
Brewer	Geist	Kolterman	Sanders	
Cavanaugh, J.	Gragert	Lathrop	Slama	

Voting in the negative, 0.

Present and not voting, 3:

Briese Lowe Moser

Excused and not voting, 4:

DeBoer Hansen, M. Lindstrom Pahls

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bills were read and put upon final passage:

LEGISLATIVE BILL 779.

A BILL FOR AN ACT relating to the Nebraska National Guard; to amend section 85-505.01, Revised Statutes Cumulative Supplement, 2020, and section 85-505, Revised Statutes Supplement, 2021; to eliminate an entitlement period relating to tuition assistance; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

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

Voting in the negative, 0.

Excused and not voting, 3:

DeBoer Lindstrom Pahls

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 795.

A BILL FOR AN ACT relating to the Nebraska Uniform Prudent Management of Institutional Funds Act; to amend section 58-615, Reissue Revised Statutes of Nebraska; to change provisions relating to the release or modification of restrictions on the management, investment, or purpose of an institutional fund; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

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

Voting in the negative, 0.

Excused and not voting, 3:

DeBoer Lindstrom Pahls

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

MOTION(S) - Bracket LB807

Senator Lowe offered the following motion to LB807:

[MO234](#)

Bracket until April 13, 2022.

Senator Lowe withdrew his motion to bracket.

BILLS ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 807.

A BILL FOR AN ACT relating to county government; to amend section 23-355.01, Reissue Revised Statutes of Nebraska; to change provisions relating to a tax levy and county funding for a nonprofit county historical association or society; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

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

Voting in the negative, 0.

Excused and not voting, 3:

DeBoer Lindstrom Pahls

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB808 with 33 ayes, 4 nays, 9 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 808.

A BILL FOR AN ACT relating to the Uniform Controlled Substances Act; to amend section 28-416, Revised Statutes Cumulative Supplement, 2020, and section 28-405, Revised Statutes Supplement, 2021; to change provisions relating to the schedules of controlled substances; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 44:

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

Voting in the negative, 2:

Brewer Erdman

Excused and not voting, 3:

DeBoer Lindstrom Pahls

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bill was read and put upon final passage:

LEGISLATIVE BILL 824.

A BILL FOR AN ACT relating to personal care services; to amend sections 71-6501 and 71-6602, Reissue Revised Statutes of Nebraska; to include bathing as an activity of daily living; to redefine terms; and to repeal the

original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

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

Voting in the negative, 0.

Excused and not voting, 3:

DeBoer Lindstrom Pahls

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB829 with 32 ayes, 6 nays, 8 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 829.

A BILL FOR AN ACT relating to offenses against animals; to amend sections 28-1009, 28-1012.01, and 28-1019, Reissue Revised Statutes of Nebraska; to change penalty and sentencing provisions as prescribed; to change a deadline for filing a hearing application relating to seized animals; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 40:

Aguilar	Cavanaugh, M.	Hansen, M.	Linehan	Sanders
Arch	Day	Hilgers	McCollister	Slama
Blood	Dorn	Hilkemann	McDonnell	Stinner
Bostar	Flood	Hughes	McKinney	Vargas
Bostelman	Friesen	Hunt	Morfeld	Walz
Brandt	Geist	Jacobson	Moser	Wayne
Briese	Gragert	Kolterman	Murman	Williams
Cavanaugh, J.	Hansen, B.	Lathrop	Pansing Brooks	Wishart

Voting in the negative, 5:

Albrecht	Brewer	Clements	Erdman	Halloran
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Present and not voting, 1:

Lowe

Excused and not voting, 3:

DeBoer	Lindstrom	Pahls
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bills were read and put upon final passage:

LEGISLATIVE BILL 851.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-1008 and 28-1012, Reissue Revised Statutes of Nebraska; to redefine terms; to change enforcement procedures related to certain crimes involving animals; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 39:

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

Voting in the negative, 5:

Albrecht Bostelman Clements Erdman Halloran

Present and not voting, 2:

Jacobson Lowe

Excused and not voting, 3:

DeBoer Lindstrom Pahls

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 855.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend section 68-911, Reissue Revised Statutes of Nebraska; to harmonize coverage provisions with federal law; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

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

Voting in the negative, 0.

Excused and not voting, 3:

DeBoer Lindstrom Pahls

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 856.

A BILL FOR AN ACT relating to the Aging and Disability Resource Center Act; to amend sections 68-1114, 68-1117, and 68-1119, Reissue Revised

Statutes of Nebraska; to define a term; to provide for partnering organizations as prescribed; to change provisions relating to reimbursement for services; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 40:

Aguilar	Cavanaugh, J.	Hansen, B.	Lathrop	Pansing Brooks
Arch	Cavanaugh, M.	Hansen, M.	Linehan	Sanders
Blood	Day	Hilgers	McCollister	Slama
Bostar	Dorn	Hilkemann	McDonnell	Stinner
Bostelman	Flood	Hughes	McKinney	Vargas
Brandt	Friesen	Hunt	Morfeld	Walz
Brewer	Geist	Jacobson	Moser	Williams
Briese	Gragert	Kolterman	Murman	Wishart

Voting in the negative, 3:

Clements Erdman Halloran

Present and not voting, 3:

Albrecht Lowe Wayne

Excused and not voting, 3:

DeBoer Lindstrom Pahls

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 905.

A BILL FOR AN ACT relating to health care; to amend sections 38-201 and 38-203, Reissue Revised Statutes of Nebraska, and sections 38-2001 and 38-2002, Revised Statutes Cumulative Supplement, 2020; to provide for perinatal mental health screenings under the Advanced Practice Registered Nurse Practice Act and the Medicine and Surgery Practice Act; to define terms; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 44:

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

Voting in the negative, 0.

Present and not voting, 2:

Albrecht Dorn

Excused and not voting, 3:

DeBoer Lindstrom Pahls

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB908 with 36 ayes, 4 nays, 6 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 908.

A BILL FOR AN ACT relating to the Open Meetings Act; to amend section 84-1411, Revised Statutes Supplement, 2021; to provide additional requirements for virtual conferencing; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 44:

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

Voting in the negative, 1:

Albrecht

Present and not voting, 1:

Lowe

Excused and not voting, 3:

DeBoer Lindstrom Pahls

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bills were read and put upon final passage:

LEGISLATIVE BILL 971.

A BILL FOR AN ACT relating to public health and welfare; to amend sections 71-3701, 71-3702, 71-3704, 71-3705, and 71-3706, Revised Statutes Cumulative Supplement, 2020; to change the name of the Brain Injury Trust Fund Act to the Brain Injury Assistance Act; to change provisions relating to the Brain Injury Trust Fund and to change the name of the Brain Injury Trust Fund to the Brain Injury Assistance Program; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 45:

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

Voting in the negative, 0.

Present and not voting, 1:

Morfeld

Excused and not voting, 3:

DeBoer Lindstrom Pahls

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 983.

A BILL FOR AN ACT relating to political subdivisions; to amend sections 13-1111 and 13-1121, Reissue Revised Statutes of Nebraska; to redefine a term and change review, notice, hearing, and designation provisions relating to industrial areas; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

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

Voting in the negative, 0.

Excused and not voting, 3:

DeBoer Lindstrom Pahls

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 1007.

A BILL FOR AN ACT relating to the Rural Health Systems and Professional Incentive Act; to amend section 71-5668, Reissue Revised Statutes of Nebraska; to require the use of federal funds for repaying qualified educational debts as prescribed; to harmonize provisions; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

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

Voting in the negative, 0.

Excused and not voting, 3:

DeBoer Lindstrom Pahls

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB1057 with 35 ayes, 4 nays, 7 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 1057.

A BILL FOR AN ACT relating to schools; to amend section 79-848, Reissue Revised Statutes of Nebraska, and section 79-499, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to Class III school district membership and under what conditions such school may continue to operate; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

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

Voting in the negative, 0.

Excused and not voting, 3:

DeBoer Lindstrom Pahls

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bills were read and put upon final passage:

LEGISLATIVE BILL 1082.

A BILL FOR AN ACT relating to organ and tissue donation; to amend section 71-4822, Reissue Revised Statutes of Nebraska, and section 37-201, Revised Statutes Supplement, 2021; to provide powers and duties to the Game and Parks Commission; to require the Game and Parks Commission to provide certain information relating to organ and tissue donation on applications for certain hunting and fishing permits; to require the Game and Parks Commission to transfer certain hunting and fishing permit information relating to organ and tissue donation; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 45:

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

Voting in the negative, 1:

Clements

Excused and not voting, 3:

DeBoer Lindstrom Pahls

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 1092.

A BILL FOR AN ACT relating to Nebraska state colleges; to authorize establishment of risk-loss trusts; to provide requirements for use of risk-loss trusts; to provide for applicability; and to provide a duty for the Attorney General and the State Claims Board.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 45:

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

Voting in the negative, 0.

Present and not voting, 1:

Briese

Excused and not voting, 3:

DeBoer Lindstrom Pahls

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 1124.

A BILL FOR AN ACT relating to decedents' estates; to amend section 30-24,125, Reissue Revised Statutes of Nebraska; to change a personal property value threshold for collection of personal property by affidavit for small estates; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 44:

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

Voting in the negative, 0.

Present and not voting, 2:

Cavanaugh, J. Cavanaugh, M.

Excused and not voting, 3:

DeBoer Lindstrom Pahls

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB1137 with 34 ayes, 5 nays, 7 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 1137.

A BILL FOR AN ACT relating to the Nebraska Fair Pay to Play Act; to amend sections 48-3601, 48-3602, 48-3603, 48-3604, 48-3605, 48-3606, 48-3607, 48-3608, and 48-3609, Reissue Revised Statutes of Nebraska; to rename the act; to change provisions relating to name, image, or likeness rights of a student-athlete; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 34:

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

Voting in the negative, 8:

Albrecht	Brewer	Erdman	Halloran
Bostelman	Clements	Geist	Jacobson

Present and not voting, 4:

Arch	Friesen	Hughes	Lowe
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Excused and not voting, 3:

DeBoer	Lindstrom	Pahls
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB1147 with 34 ayes, 4 nays, 8 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 1147. With Emergency Clause.

A BILL FOR AN ACT relating to the Uniform Standard Code for Manufactured Homes and Recreational Vehicles; to amend section 71-4603, Reissue Revised Statutes of Nebraska; to redefine terms; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 46:

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

Voting in the negative, 0.

Excused and not voting, 3:

DeBoer Lindstrom Pahls

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

MOTION(S) - Return LB1148 to Committee

Senator Hunt offered the following motion to LB1148:

[MO235](#)

Recommit to Committee.

Senator Hunt withdrew her motion to recommit to committee.

BILLS ON FINAL READING

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the

reading at large of LB1148 with 36 ayes, 3 nays, 7 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 1148.

A BILL FOR AN ACT relating to the Nebraska Motor Vehicle Industry Licensing Board; to amend sections 60-1403, 60-1413, 60-1414, 60-1417.02, 60-1427, 60-1428, and 60-1435, Reissue Revised Statutes of Nebraska; to provide for the employment of a hearing officer; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 45:

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

Voting in the negative, 0.

Present and not voting, 1:

Wayne

Excused and not voting, 3:

DeBoer Lindstrom Pahls

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB1165 with 34 ayes, 4 nays, 7 present and not voting, and 4 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 1165.

A BILL FOR AN ACT relating to the Nebraska Budget Act; to amend section 13-504, Revised Statutes Cumulative Supplement, 2020, and sections 13-506 and 13-508, Revised Statutes Supplement, 2021; to change provisions relating to proposed budget statement contents, certification, and an adopted budget statement; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 44:

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

Voting in the negative, 0.

Present and not voting, 1:

Wayne

Excused and not voting, 4:

DeBoer	Lindstrom	Pahls	Slama
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bills were read and put upon final passage:

LEGISLATIVE BILL 1178.

A BILL FOR AN ACT relating to county records; to amend section 23-3211, Revised Statutes Cumulative Supplement, 2020; to provide for withholding the residential address of a judge from the public; to define a term; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 44:

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

Voting in the negative, 0.

Present and not voting, 1:

Arch

Excused and not voting, 4:

DeBoer Lindstrom Pahls Slama

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 1184.

A BILL FOR AN ACT relating to law enforcement; to amend section 81-2009, Reissue Revised Statutes of Nebraska; to change provisions relating to the duty of the Attorney General to defend the Nebraska State Patrol; to provide procedures for agency counsel; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 45:

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

Voting in the negative, 0.

Excused and not voting, 4:

DeBoer Lindstrom Pahls Slama

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB1204 with 34 ayes, 4 nays, 7 present and not voting, and 4 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 1204.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend sections 53-101, 53-123.12, 53-124.12, 53-131.01, 53-132, 53-135, 53-148.01, and 53-180.04, Reissue Revised Statutes of Nebraska; to change provisions relating to application forms and delivery methods for licenses and warning signs; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 44:

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

Voting in the negative, 0.

Present and not voting, 1:

Wayne

Excused and not voting, 4:

DeBoer Lindstrom Pahls Slama

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LBs 1024e, 1024Ae, 1065, 1069e, 1102, 1102A, 29e, 59, 75, 91, 691, 697, 697A, 705e, 742, 779, 795, 807, 808, 824, 829, 851, 855, 856, 905, 908, 971, 983, 1007, 1057, 1082, 1092, 1124, 1137, 1147e, 1148, 1165, 1178, 1184, and 1204.

MOTION(S) - Confirmation Report(s)

Senator Arch moved the adoption of the Health and Human Services Committee report for the confirmation of the following appointment(s) found on page 742:

Nebraska Rural Health Advisory Commission
 Jeffrey D. Harrison
 Cherlyn Hunt
 Rebecca A. Schroeder
 Roger D. Wells

Voting in the affirmative, 37:

Albrecht	Cavanaugh, J.	Hansen, B.	Lowe	Sanders
Arch	Cavanaugh, M.	Hilkemann	McCollister	Stinner
Blood	Clements	Hughes	McDonnell	Walz
Bostar	Day	Hunt	McKinney	Wayne
Bostelman	Dorn	Jacobson	Morfeld	Williams
Brandt	Friesen	Kolterman	Moser	
Brewer	Geist	Lathrop	Murman	
Briese	Gragert	Linehan	Pansing Brooks	

Voting in the negative, 0.

Present and not voting, 7:

Aguilar	Flood	Hansen, M.	Vargas
Erdman	Halloran	Hilgers	

Excused and not voting, 5:

DeBoer	Lindstrom	Pahls	Slama	Wishart
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The appointments were confirmed with 37 ayes, 0 nays, 7 present and not voting, and 5 excused and not voting.

Senator Arch moved the adoption of the Health and Human Services Committee report for the confirmation of the following appointment(s)

found on page 742:

Nebraska Child Abuse Prevention Fund Board
Claire C. Bazata

Voting in the affirmative, 37:

Aguilar	Cavanaugh, J.	Hansen, B.	Linehan	Pansing Brooks
Albrecht	Cavanaugh, M.	Hilgers	Lowe	Sanders
Arch	Clements	Hilkemann	McCollister	Stinner
Blood	Day	Hughes	McDonnell	Walz
Bostar	Friesen	Hunt	McKinney	Williams
Brandt	Geist	Jacobson	Morfeld	
Brewer	Gragert	Kolterman	Moser	
Briese	Halloran	Lathrop	Murman	

Voting in the negative, 0.

Present and not voting, 7:

Bostelman	Erdman	Hansen, M.	Wayne
Dorn	Flood	Vargas	

Excused and not voting, 5:

DeBoer	Lindstrom	Pahls	Slama	Wishart
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The appointment was confirmed with 37 ayes, 0 nays, 7 present and not voting, and 5 excused and not voting.

Senator Arch moved the adoption of the Health and Human Services Committee report for the confirmation of the following appointment(s) found on page 743:

Stem Cell Research Advisory Committee
Alysson Muotri

Voting in the affirmative, 35:

Aguilar	Cavanaugh, J.	Halloran	Kolterman	Murman
Albrecht	Clements	Hansen, B.	Lathrop	Pansing Brooks
Arch	Day	Hansen, M.	Linehan	Sanders
Blood	Dorn	Hilgers	Lowe	Stinner
Bostar	Friesen	Hilkemann	McCollister	Vargas
Brewer	Geist	Hughes	McKinney	Walz
Briese	Gragert	Jacobson	Moser	Williams

Voting in the negative, 0.

Present and not voting, 9:

Bostelman	Cavanaugh, M.	Flood	McDonnell	Wayne
Brandt	Erdman	Hunt	Morfeld	

Excused and not voting, 5:

DeBoer	Lindstrom	Pahls	Slama	Wishart
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The appointment was confirmed with 35 ayes, 0 nays, 9 present and not voting, and 5 excused and not voting.

SENATOR HUGHES PRESIDING

Senator Arch moved the adoption of the Health and Human Services Committee report for the confirmation of the following appointment(s) found on page 924:

Commission for the Deaf and Hard of Hearing
 Brooke J. Fitzpatrick
 Sandra Shaw

Voting in the affirmative, 33:

Aguilar	Clements	Gragert	Lathrop	Sanders
Albrecht	Day	Hansen, B.	Linehan	Stinner
Arch	Dorn	Hilgers	McCollister	Vargas
Blood	Erdman	Hilkemann	McKinney	Walz
Bostar	Flood	Hughes	Morfeld	Williams
Brewer	Friesen	Jacobson	Moser	
Cavanaugh, J.	Geist	Kolterman	Murman	

Voting in the negative, 0.

Present and not voting, 11:

Bostelman	Cavanaugh, M.	Hunt	Pansing Brooks
Brandt	Halloran	Lowe	Wayne
Briese	Hansen, M.	McDonnell	

Excused and not voting, 5:

DeBoer	Lindstrom	Pahls	Slama	Wishart
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The appointments were confirmed with 33 ayes, 0 nays, 11 present and not voting, and 5 excused and not voting.

Senator Arch moved the adoption of the Health and Human Services Committee report for the confirmation of the following appointment(s) found on page 924:

State Board of Health
 Douglas A. Bauer

Douglas Vander Broek
Joshua M. Vest

Voting in the affirmative, 33:

Aguilar	Brewer	Halloran	Kolterman	Sanders
Albrecht	Clements	Hansen, B.	Linehan	Stinner
Arch	Day	Hilgers	McCollister	Vargas
Blood	Dorn	Hilkemann	McDonnell	Walz
Bostar	Friesen	Hughes	McKinney	Williams
Bostelman	Geist	Hunt	Moser	
Brandt	Gragert	Jacobson	Murman	

Voting in the negative, 1:

Cavanaugh, M.

Present and not voting, 10:

Briese	Erdman	Hansen, M.	Lowe	Pansing Brooks
Cavanaugh, J.	Flood	Lathrop	Morfeld	Wayne

Excused and not voting, 5:

DeBoer	Lindstrom	Pahls	Slama	Wishart
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The appointments were confirmed with 33 ayes, 1 nay, 10 present and not voting, and 5 excused and not voting.

Senator Arch moved the adoption of the Health and Human Services Committee report for the confirmation of the following appointment(s) found on page 924:

Nebraska Rural Health Advisory Commission
Michael A. Greene
Jeffrey Wallman

Voting in the affirmative, 41:

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

Voting in the negative, 0.

Present and not voting, 3:

Hansen, M. Vargas Wayne

Excused and not voting, 5:

DeBoer Lindstrom Pahls Slama Wishart

The appointments were confirmed with 41 ayes, 0 nays, 3 present and not voting, and 5 excused and not voting.

Senator Arch moved the adoption of the Health and Human Services Committee report for the confirmation of the following appointment(s) found on page 1247:

Commission for the Deaf and Hard of Hearing
Frances Beurivage

Voting in the affirmative, 37:

Aguilar	Cavanaugh, M.	Halloran	Lathrop	Sanders
Albrecht	Clements	Hansen, B.	Lowe	Stinner
Arch	Day	Hilgers	McCollister	Vargas
Blood	Dorn	Hilkemann	McDonnell	Walz
Bostar	Flood	Hughes	Morfeld	Williams
Bostelman	Friesen	Hunt	Moser	
Brandt	Geist	Jacobson	Murman	
Cavanaugh, J.	Gragert	Kolterman	Pansing Brooks	

Voting in the negative, 0.

Present and not voting, 7:

Brewer Erdman Linehan Wayne
Briese Hansen, M. McKinney

Excused and not voting, 5:

DeBoer Lindstrom Pahls Slama Wishart

The appointment was confirmed with 37 ayes, 0 nays, 7 present and not voting, and 5 excused and not voting.

Senator Kolterman moved the adoption of the Nebraska Retirement Systems Committee report for the confirmation of the following appointment(s) found on page 1095:

Nebraska Investment Council
Richard A. DeFusco

Voting in the affirmative, 40:

Aguilar	Cavanaugh, J.	Geist	Jacobson	Moser
Albrecht	Cavanaugh, M.	Gragert	Kolterman	Murman
Arch	Clements	Halloran	Lathrop	Pansing Brooks
Blood	Day	Hansen, B.	Linehan	Sanders
Bostar	Dorn	Hilgers	Lowe	Stinner
Bostelman	Erdman	Hilkemann	McCollister	Vargas
Brandt	Flood	Hughes	McDonnell	Walz
Brewer	Friesen	Hunt	Morfeld	Williams

Voting in the negative, 0.

Present and not voting, 4:

Briese	Hansen, M.	McKinney	Wayne
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Excused and not voting, 5:

DeBoer	Lindstrom	Pahls	Slama	Wishart
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The appointment was confirmed with 40 ayes, 0 nays, 4 present and not voting, and 5 excused and not voting.

Senator Kolterman moved the adoption of the Nebraska Retirement Systems Committee report for the confirmation of the following appointment(s) found on page 1095:

Public Employees Retirement Board
James Schulz

Voting in the affirmative, 40:

Aguilar	Cavanaugh, J.	Geist	Jacobson	Moser
Albrecht	Cavanaugh, M.	Gragert	Kolterman	Murman
Arch	Clements	Halloran	Lathrop	Pansing Brooks
Bostar	Day	Hansen, B.	Linehan	Sanders
Bostelman	Dorn	Hilgers	Lowe	Stinner
Brandt	Erdman	Hilkemann	McCollister	Vargas
Brewer	Flood	Hughes	McDonnell	Walz
Briese	Friesen	Hunt	Morfeld	Williams

Voting in the negative, 0.

Present and not voting, 4:

Blood	Hansen, M.	McKinney	Wayne
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Excused and not voting, 5:

DeBoer Lindstrom Pahls Slama Wishart

The appointment was confirmed with 40 ayes, 0 nays, 4 present and not voting, and 5 excused and not voting.

Senator Friesen moved the adoption of the Transportation and Telecommunications Committee report for the confirmation of the following appointment(s) found on page 1108:

Board of Public Roads Classifications and Standards

Barbara J. Keegan
James A. Litchfield
Brandie S. Neemann
Edward R. Wootton, Sr.

Voting in the affirmative, 37:

Aguilar	Cavanaugh, J.	Hansen, B.	Linehan	Sanders
Albrecht	Clements	Hilgers	Lowe	Stinner
Arch	Dorn	Hilkemann	McCollister	Vargas
Blood	Flood	Hughes	McDonnell	Walz
Bostelman	Friesen	Hunt	Morfeld	Williams
Brandt	Geist	Jacobson	Moser	
Brewer	Gragert	Kolterman	Murman	
Briese	Halloran	Lathrop	Pansing Brooks	

Voting in the negative, 0.

Present and not voting, 7:

Bostar	Day	Hansen, M.	Wayne
Cavanaugh, M.	Erdman	McKinney	

Excused and not voting, 5:

DeBoer Lindstrom Pahls Slama Wishart

The appointments were confirmed with 37 ayes, 0 nays, 7 present and not voting, and 5 excused and not voting.

Senator Friesen moved the adoption of the Transportation and Telecommunications Committee report for the confirmation of the following appointment(s) found on page 1109:

Nebraska Motor Vehicle Industry Licensing Board

Thomas R. McCaslin
Chad J. Tessman

Voting in the affirmative, 39:

Aguilar	Briese	Friesen	Hughes	Morfeld
Albrecht	Cavanaugh, J.	Geist	Hunt	Moser
Arch	Cavanaugh, M.	Gragert	Jacobson	Murman
Blood	Clements	Halloran	Kolterman	Pansing Brooks
Bostar	Day	Hansen, B.	Lathrop	Sanders
Bostelman	Dorn	Hansen, M.	Linehan	Vargas
Brandt	Erdman	Hilgers	McCollister	Walz
Brewer	Flood	Hilkemann	McDonnell	

Voting in the negative, 0.

Present and not voting, 5:

Lowe	McKinney	Stinner	Wayne	Williams
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Excused and not voting, 5:

DeBoer	Lindstrom	Pahls	Slama	Wishart
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The appointments were confirmed with 39 ayes, 0 nays, 5 present and not voting, and 5 excused and not voting.

Senator Briese moved the adoption of the General Affairs Committee report for the confirmation of the following appointment(s) found on page 1238:

Nebraska Arts Council

Jana Goranson
 Alec Gorynski
 Amy M. Haddad
 Ellen L. Hornady
 Sarah G. Peetz
 Clark Roush
 Walter A. Seiler

Voting in the affirmative, 37:

Aguilar	Cavanaugh, J.	Gragert	Kolterman	Murman
Albrecht	Clements	Halloran	Lathrop	Pansing Brooks
Blood	Day	Hansen, B.	Linehan	Sanders
Bostar	Dorn	Hansen, M.	Lowe	Vargas
Bostelman	Erdman	Hilkemann	McCollister	Walz
Brandt	Flood	Hughes	McDonnell	
Brewer	Friesen	Hunt	Morfeld	
Briese	Geist	Jacobson	Moser	

Voting in the negative, 0.

Present and not voting, 7:

Arch	Hilgers	Stinner	Williams
Cavanaugh, M.	McKinney	Wayne	

Excused and not voting, 5:

DeBoer	Lindstrom	Pahls	Slama	Wishart
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The appointments were confirmed with 37 ayes, 0 nays, 7 present and not voting, and 5 excused and not voting.

Senator Halloran moved the adoption of the Agriculture Committee report to not confirm the appointment listed below, found on page 665, and suggests the appointment be rejected by the Legislature:

Nebraska Brand Committee
Terry L. Cone

Voting in the affirmative, 35:

Aguilar	Cavanaugh, J.	Geist	Hunt	Moser
Albrecht	Cavanaugh, M.	Gragert	Jacobson	Murman
Arch	Clements	Halloran	Kolterman	Pansing Brooks
Blood	Day	Hansen, B.	Linehan	Sanders
Bostelman	Dorn	Hansen, M.	McCollister	Vargas
Brandt	Erdman	Hilkemann	McDonnell	Walz
Brewer	Friesen	Hughes	Morfeld	Wayne

Voting in the negative, 0.

Present and not voting, 9:

Bostar	Flood	Lathrop	McKinney	Williams
Briese	Hilgers	Lowe	Stinner	

Excused and not voting, 5:

DeBoer	Lindstrom	Pahls	Slama	Wishart
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The report was adopted with 35 ayes, 0 nays, 9 present and not voting, and 5 excused and not voting. The appointment was not confirmed.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 271. Read. Considered.

LR271 was adopted with 34 ayes, 0 nays, 10 present and not voting, and 5 excused and not voting.

LEGISLATIVE RESOLUTION 284. Read. Considered.

LR284 was adopted with 35 ayes, 0 nays, 9 present and not voting, and 5 excused and not voting.

LEGISLATIVE RESOLUTION 335. Read. Considered.

LR335 was adopted with 32 ayes, 1 nay, 11 present and not voting, and 5 excused and not voting.

LEGISLATIVE RESOLUTION 346. Read. Considered.

LR346 was adopted with 37 ayes, 0 nays, 6 present and not voting, and 6 excused and not voting.

PRESENTED TO THE GOVERNOR

Presented to the Governor on April 12, 2022, at 3:15 p.m. were the following: LBs 1024e, 1024Ae, 1065, 1069e, 1102, 1102A, 29e, 59, 75, 91, 691, 697, 697A, 705e, 742, 779, 795, 807, 808, 824, 829, 851, 855, 856, 905, 908, 971, 983, 1007, 1057, 1082, 1092, 1124, 1137, 1147e, 1148, 1165, 1178, 1184, and 1204.

(Signed) Jamie Leishman
Clerk of the Legislature's Office

RESOLUTION(S)

LEGISLATIVE RESOLUTION 460. Introduced by Stinner, 48.

WHEREAS, Jim K. Lawson began his distinguished career in the fire service as a volunteer with the Gering Volunteer Fire Department on May 11, 1971, and has honorably served the city of Gering, its citizens, and the region; and

WHEREAS, throughout Mr. Lawson's career as a volunteer firefighter he has served as vice president, president, trustee, captain, and assistant chief with the Gering Volunteer Fire Department; and

WHEREAS, Mr. Lawson has also served as President of the Nebraska State Volunteer Firefighters Association, President of the North Platte Valley Firemen's Association, and Secretary and Treasurer of the Scottsbluff County Mutual Aid Association; and

WHEREAS, during his career, Mr. Lawson has received the following awards: Outstanding Young Fireman from the Gering Jaycees in 1977, Outstanding Firemanship from the Knights of Aksarben Foundation in 1981, Outstanding Fireman from the Moose Lodge in 1981, Firefighter of the Year from the Gering Volunteer Fire Department in 1983, and the Dr. Kenneth Kimball Award from EMS Excellence in 1985; and

WHEREAS, Mr. Lawson was appointed to the North Platte Valley Firemen's Association in 1982 and to the Nebraska Board of Ambulance Advisors in 1981 and 1982; and

WHEREAS, throughout Mr. Lawson's career as a volunteer firefighter, he has provided training to other volunteer firefighters to become better at their positions and served as an instructor for the Nebraska State Fire School, the South Dakota State Fire School, and North Dakota State Fire School; and

WHEREAS, Mr. Lawson has served as a mentor for countless individuals who have chosen careers as volunteer first responders; and

WHEREAS, Mr. Lawson has responded to thousands of calls throughout his career, some exceptionally dangerous, in every conceivable condition during both day and night.

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

1. That the Legislature congratulates Jim K. Lawson for his many years of service to the city of Gering, the surrounding region, and the State of Nebraska.

2. That a copy of this resolution be sent to Jim K. Lawson.

Laid over.

LEGISLATIVE RESOLUTION 461. Introduced by Vargas, 7.

WHEREAS, the Omaha Latino Peace Officers Association was founded in 2005; and

WHEREAS, the Omaha Latino Peace Officers Association has been recognized nationally for its work in communities across the city of Omaha promoting education and equal opportunity; and

WHEREAS, the Omaha Latino Peace Officers Association prevents and reduces juvenile delinquency, works to eliminate prejudice and discrimination in the criminal justice system, lessens neighborhood tension in Latino communities through awareness and role modeling, provides bilingual assistance, and bridges the gap between the Latino community and the police; and

WHEREAS, the Omaha Latino Peace Officers Association provides scholarships, mentoring, and information on gang and drug prevention within the South Omaha community; and

WHEREAS, the Omaha Latino Peace Officers Association, in conjunction with the Police Athletic League, started South Omaha Athletic League which is dedicated to preventing at risk youth from becoming involved in gangs, crime, and drug use.

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

1. That the Legislature honors the work that the Omaha Latino Peace Officers Association does in the communities of Omaha.

2. That a copy of this resolution be sent to the Omaha Latino Peace Officers Association.

Laid over.

VISITOR(S)

Visitors to the Chamber were Kim Widner, Bellevue; Tricia Ridder, Kearney; Mary Ridder, member of Public Service Commission, Dist.5, Callaway; fourth-grade students from Fort Calhoun Community Schools, Fort Calhoun; fourth-grade students from Saint Michael School, Lincoln; fourth-grade students from Bennington Elementary, Bennington; fourth-grade students, their teachers, and sponsors from Emmanuel-Faith Lutheran, York; fourth- and fifth-grade students from St. Bonaventure School, Columbus; Senator Machaela Cavanaugh's children and her husband, Della, Hattie, Barrett, and Nick, and her father, John; fifth- and sixth-grade students and their teachers from the Soundsational Singers, O'Neill; and sixth-grade students from Ravenna Middle and High School, Ravenna.

The Doctor of the Day was Dr. Steven M. Williams of Omaha.

ADJOURNMENT

At 4:00 p.m., on a motion by Senator B. Hansen, the Legislature adjourned until 10:00 a.m., Wednesday, April 13, 2022.

Patrick J. O'Donnell
Clerk of the Legislature

FIFTY-NINTH DAY - APRIL 13, 2022

LEGISLATIVE JOURNAL

**ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION**

FIFTY-NINTH DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, April 13, 2022

PRAYER

The prayer was offered by Senator Hilkemann.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Wayne.

ROLL CALL

Pursuant to adjournment, the Legislature met at 10:00 a.m., Speaker Hilgers presiding.

The roll was called and all members were present except Senators Briese, Lindstrom, and Pahls who were excused.

CORRECTIONS FOR THE JOURNAL

The Journal for the fifty-eighth day was approved.

REPORTS

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

COMMITTEE REPORT(S)
Rules

The Rules Committee reports favorably on the proposed rules change to Rule 3, Section 2 found on journal pages 1276 and 1277.

(Signed) Robert Clements, Chairperson

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LRs 271, 284, 335, and 346.

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LR435 was adopted.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LR435.

SENATOR ARCH PRESIDING**BILLS ON FINAL READING****Dispense With Reading at Large****SPEAKER HILGERS PRESIDING**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB376 with 34 ayes, 6 nays, 6 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 376.

A BILL FOR AN ACT relating to developmental disabilities; to amend sections 83-1201 and 83-1212.01, Revised Statutes Cumulative Supplement, 2020; to state findings and declarations; to require application for and implementation of services and supports for children with disabilities and their families as prescribed; to require reports and evaluations; to provide powers and duties; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 42:

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

Voting in the negative, 0.

Present and not voting, 4:

Hughes	Low	Wayne	Wishart
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Excused and not voting, 3:

Briese	Lindstrom	Pahls
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bill was read and put upon final passage:

LEGISLATIVE BILL 376A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 376, One Hundred Seventh Legislature, Second Session, 2022.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 43:

Aguilar	Cavanaugh, M.	Gragert	Lathrop	Sanders
Albrecht	Clements	Halloran	Linehan	Slama
Arch	Day	Hansen, B.	McCollister	Stinner
Blood	DeBoer	Hansen, M.	McDonnell	Vargas
Bostar	Dorn	Hilgers	McKinney	Walz
Bostelman	Erdman	Hilkemann	Morfeld	Wayne
Brandt	Flood	Hunt	Moser	Williams
Brewer	Friesen	Jacobson	Murman	
Cavanaugh, J.	Geist	Kolterman	Pansing Brooks	

Voting in the negative, 0.

Present and not voting, 3:

Hughes Lowe Wishart

Excused and not voting, 3:

Briese Lindstrom Pahls

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB598 with 35 ayes, 5 nays, 6 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 598. With Emergency Clause.

A BILL FOR AN ACT relating to economic development; to amend sections 81-12,153, 81-12,157, 81-12,158, 81-12,159, 81-12,160, 81-12,161, and 81-12,162, Revised Statutes Cumulative Supplement, 2020; to adopt the Small Business Stabilization Grant Program Act; to change provisions of the Business Innovation Act; to harmonize provisions; to define terms; to provide operative dates; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 45:

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

Voting in the negative, 0.

Present and not voting, 1:

Wishart

Excused and not voting, 3:

Briese Lindstrom Pahls

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

The following bills were read and put upon final passage:

LEGISLATIVE BILL 686.

A BILL FOR AN ACT relating to the Legislature; to amend section 50-401.01, Reissue Revised Statutes of Nebraska; to change the composition of the Executive Board of the Legislative Council; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 40:

Aguilar	Clements	Gragert	Kolterman	Murman
Albrecht	Day	Halloran	Lathrop	Pansing Brooks
Arch	DeBoer	Hansen, B.	Linehan	Sanders
Bostar	Dorn	Hilgers	Lowe	Slama
Bostelman	Erdman	Hilkemann	McCollister	Stinner
Brandt	Flood	Hughes	McDonnell	Vargas
Brewer	Friesen	Hunt	Morfeld	Walz
Cavanaugh, M.	Geist	Jacobson	Moser	Williams

Voting in the negative, 5:

Blood Cavanaugh, J. Hansen, M. McKinney Wayne

Present and not voting, 1:

Wishart

Excused and not voting, 3:

Briese Lindstrom Pahls

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 792.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the University of Nebraska.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 45:

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

Voting in the negative, 0.

Present and not voting, 1:

Wishart

Excused and not voting, 3:

Briese Lindstrom Pahls

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

WITHDRAW - Motion to LB805

Senator M. Cavanaugh withdrew her motion, [MO211](#), found on page 1152, to LB805.

BILLS ON FINAL READING**Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB805 with 37 ayes, 3 nays, 6 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 805.

A BILL FOR AN ACT relating to agriculture; to amend sections 2-2303, 2-2309, 2-2311, 2-2312, 2-2315, 2-2318, 23-3803, 23-3804, 23-3805, 23-3806, and 23-3808, Reissue Revised Statutes of Nebraska, and section 2-958.02, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to the Noxious Weed Control Act, the Nebraska Wheat Resources Act, and the Black-Tailed Prairie Dog Management Act; to harmonize provisions; to provide severability; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 39:

Aguilar	Clements	Halloran	Lowe	Sanders
Albrecht	Day	Hansen, B.	McCollister	Slama
Arch	Dorn	Hansen, M.	McDonnell	Stinner
Blood	Erdman	Hilgers	McKinney	Vargas
Bostar	Flood	Hilkemann	Morfeld	Walz
Bostelman	Friesen	Hughes	Moser	Wayne
Brandt	Geist	Jacobson	Murman	Williams
Cavanaugh, J.	Gragert	Linehan	Pansing Brooks	

Voting in the negative, 1:

Hunt

Present and not voting, 6:

Brewer	DeBoer	Lathrop
Cavanaugh, M.	Kolterman	Wishart

Excused and not voting, 3:

Briese	Lindstrom	Pahls
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bill was read and put upon final passage:

LEGISLATIVE BILL 805A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 805, One Hundred Seventh Legislature, Second Session, 2022.

Whereupon the President stated: "All provisions of law relative to procedure

having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 40:

Aguilar	Cavanaugh, J.	Gragert	Linehan	Pansing Brooks
Albrecht	Clements	Halloran	Lowe	Sanders
Arch	Day	Hansen, B.	McCollister	Slama
Blood	Dorn	Hansen, M.	McDonnell	Stinner
Bostar	Erdman	Hilgers	McKinney	Vargas
Bostelman	Flood	Hilkemann	Morfeld	Walz
Brandt	Friesen	Hughes	Moser	Wayne
Brewer	Geist	Jacobson	Murman	Williams

Voting in the negative, 0.

Present and not voting, 6:

Cavanaugh, M.	Hunt	Lathrop
DeBoer	Kolterman	Wishart

Excused and not voting, 3:

Briese	Lindstrom	Pahls
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB843 with 32 ayes, 3 nays, 11 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 843.

A BILL FOR AN ACT relating to elections; to amend sections 32-118, 32-119.01, 32-203, 32-207, 32-217, 32-235, 32-318.01, 32-326, 32-331, 32-559, 32-615, 32-623, 32-809, 32-905, 32-908, 32-918, 32-949.01, 32-1031, 32-1033, 32-1049, 32-1518, 42-1207, 49-1401, 49-1494, and 77-3444, Reissue Revised Statutes of Nebraska, sections 17-503, 32-101, 32-103, 32-202, 32-221, 32-223, 32-230, 32-231, 32-312, 32-607, 32-939, 32-956, 32-960, 32-962, 32-1121, 32-1203, 32-1306, 32-1405, and 32-1524, Revised Statutes Cumulative Supplement, 2020, and section 32-330, Revised Statutes Supplement, 2021; to define and redefine terms; to change provisions relating to powers and duties of the Secretary of State, election commissioners, and county clerks, petitions, deadlines, appointment of election workers, voter registration, registered voter lists, confidential

records, filing forms, primary election ballots, assistance for voting, replacement ballots, poll watchers, county canvassing boards, election costs, recall elections, initiative and referendum petitions, and electioneering; to eliminate certain filing requirements; to provide for canceling elections as prescribed; to provide requirements for distribution of applications for voter registration, canceling elections, withdrawing issues from the ballot, use of buildings for election-related purposes, and requests for ballots for early voting; to provide for registration to vote and application for ballots for National Guard members and emergency response providers as prescribed; to provide for use of secure ballot drop-boxes as prescribed; to restrict funding for elections; to provide a penalty; to provide requirements for certain campaign advertisements; to regulate ballot question contributions and expenditures by foreign nationals; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 45:

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

Voting in the negative, 0.

Present and not voting, 1:

Wishart

Excused and not voting, 3:

Briese Lindstrom Pahls

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB876 with 37 ayes, 4 nays, 5 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 876. With Emergency Clause.

A BILL FOR AN ACT relating to gambling; to amend sections 2-1205, 2-1218, and 2-1220, Reissue Revised Statutes of Nebraska, and sections 2-1201, 2-1202, 2-1203, 2-1203.02, 2-1208, 2-1211, 2-1213, 2-1215, 2-1219, 2-1222, 9-1101, 9-1104, 9-1106, 9-1107, 9-1110, 9-1114, 9-1205, 9-1206, 9-1207, and 84-712.05, Revised Statutes Supplement, 2021; to change provisions relating to membership, powers, and duties of the State Racing and Gaming Commission and racing and gaming licensees, fines, penalties, and taxes; to eliminate a provision relating to conducting horseracing on Sunday; to rename funds; to change provisions of the Nebraska Racetrack Gaming Act relating to operation of games of chance, fees, powers and duties of the commission, applications for licensure, fines and penalties, and taxes; to provide for an annual review fee, market analyses, a socioeconomic-impact study, relocation of licensed racetrack enclosures, voluntary self-exclusion from wagering, and parimutuel wagers; to change provisions relating to documents which may be withheld from the public; to harmonize provisions; to repeal the original sections; to outright repeal section 2-1213.01, Reissue Revised Statutes of Nebraska; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 38:

Aguilar	Clements	Gragert	Linehan	Pansing Brooks
Albrecht	Day	Halloran	Lowe	Sanders
Arch	DeBoer	Hansen, B.	McCollister	Slama
Bostar	Dorn	Hilgers	McDonnell	Vargas
Bostelman	Erdman	Hilkemann	McKinney	Walz
Brandt	Flood	Hughes	Morfeld	Wayne
Brewer	Friesen	Jacobson	Moser	
Cavanaugh, J.	Geist	Lathrop	Murman	

Voting in the negative, 3:

Blood	Hansen, M.	Stinner
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Present and not voting, 5:

Cavanaugh, M.	Hunt	Kolterman	Williams	Wishart
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Excused and not voting, 3:

Briese Lindstrom Pahls

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

The following bills were read and put upon final passage:

LEGISLATIVE BILL 896.

A BILL FOR AN ACT relating to the Nebraska Treatment and Corrections Act; to amend section 83-182.01, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to structured programming and program evaluations; to define terms; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

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

Voting in the negative, 0.

Excused and not voting, 3:

Briese Lindstrom Pahls

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 896A.

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.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 45:

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

Voting in the negative, 0.

Present and not voting, 1:

Day

Excused and not voting, 3:

Briese Lindstrom Pahls

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB921 with 38 ayes, 5 nays, 3 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 921.

A BILL FOR AN ACT relating to public health and welfare; to amend sections 47-706 and 83-338, Reissue Revised Statutes of Nebraska, and section 29-1823, Revised Statutes Cumulative Supplement, 2020; to require the Department of Health and Human Services to reimburse counties for lodging certain defendants; to define terms; to provide for enrollment of inmates in the medical assistance program prior to release from incarceration; to change priorities for admission to state hospitals for the mentally ill and require minimum numbers of beds for certain patients at the Lincoln Regional Center; to provide duties for the department; to create the Legislative Mental Health Care Capacity Strategic Planning Committee and provide for its duties and termination; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

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

Voting in the negative, 0.

Excused and not voting, 3:

Briese Lindstrom Pahls

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bill was read and put upon final passage:

LEGISLATIVE BILL 921A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 921, One Hundred Seventh Legislature, Second Session, 2022.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 44:

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

Voting in the negative, 0.

Present and not voting, 2:

Erdman Lowe

Excused and not voting, 3:

Briese Lindstrom Pahls

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB922 with 38 ayes, 4 nays, 4 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 922.

A BILL FOR AN ACT relating to law; to amend sections 28-521, 81-8,239.05, and 81-8,239.11, Reissue Revised Statutes of Nebraska, sections 24-301.02, 25-1647, 25-1648, 25-1678, 28-101, 42-369, and 81-8,239.02, Revised Statutes Cumulative Supplement, 2020, and sections 84-1409 and 84-1411, Revised Statutes Supplement, 2021; to increase the number of district judges in the fourth judicial district; to make the clerk of the district court ex officio jury commissioner in all counties; to change provisions relating to compensation of the jury commissioner in certain counties; to prohibit criminal trespass by means of an electronic device; to prohibit criminal impersonation by stolen valor; to provide a penalty; to change provisions relating to child support; to provide for payment of attorney's fees from the State Self-Insured Indemnification Fund and the State Self-Insured Liability Fund; to change provisions relating to notifying the Risk Manager of insufficient funds; to exempt the Judicial Resources Commission and its subcommittees or subgroups from the Open Meetings Act; to harmonize provisions; to provide operative dates; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 43:

Aguilar	Cavanaugh, M.	Hansen, B.	Linehan	Slama
Albrecht	Day	Hansen, M.	McCollister	Stinner
Arch	DeBoer	Hilgers	McDonnell	Vargas
Blood	Dorn	Hilkemann	McKinney	Walz
Bostar	Flood	Hughes	Morfeld	Wayne
Bostelman	Friesen	Hunt	Moser	Williams
Brandt	Geist	Jacobson	Murman	Wishart
Brewer	Gragert	Kolterman	Pansing Brooks	
Cavanaugh, J.	Halloran	Lathrop	Sanders	

Voting in the negative, 1:

Clements

Present and not voting, 2:

Erdman Lowe

Excused and not voting, 3:

Briese Lindstrom Pahls

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bill was read and put upon final passage:

LEGISLATIVE BILL 922A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 922, One Hundred Seventh Legislature, Second Session, 2022.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 41:

Aguilar	Cavanaugh, M.	Hansen, M.	McCollister	Vargas
Albrecht	Day	Hilgers	McDonnell	Walz
Arch	DeBoer	Hilkemann	McKinney	Wayne
Blood	Dorn	Hughes	Morfeld	Williams
Bostar	Flood	Hunt	Moser	Wishart
Bostelman	Friesen	Jacobson	Pansing Brooks	
Brandt	Geist	Kolterman	Sanders	
Brewer	Gragert	Lathrop	Slama	
Cavanaugh, J.	Hansen, B.	Linehan	Stinner	

Voting in the negative, 1:

Erdman

Present and not voting, 4:

Clements Halloran Lowe Murman

Excused and not voting, 3:

Briese Lindstrom Pahls

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

WITHDRAW - Amendment to LB927

Senator M. Hansen withdrew his amendment, [FA174](#), found on page 1007, to LB927.

BILL ON FINAL READING

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB927 with 37 ayes, 4 nays, 5 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 927.

A BILL FOR AN ACT relating to political subdivisions; to amend section 13-2706, Reissue Revised Statutes of Nebraska, sections 13-2603, 13-2604, and 13-2705, Revised Statutes Cumulative Supplement, 2020, and sections 13-2610, 13-3102, 13-3103, 13-3104, 13-3108, 77-1633, and 77-1634, Revised Statutes Supplement, 2021; to define and redefine terms and change provisions relating to state assistance under the Convention Center Facility Financing Assistance Act and the Sports Arena Facility Financing Assistance Act; to change committee member and report provisions of the Convention Center Support Fund; to change provisions relating to grants of assistance and define a term under the Civic and Community Center Financing Act; to change provisions relating to joint public hearings, postcards, and compliance under the Property Tax Request Act; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 38:

Aguilar	Cavanaugh, J.	Hansen, B.	McCollister	Stinner
Albrecht	Cavanaugh, M.	Hansen, M.	McDonnell	Vargas
Arch	Day	Hilgers	McKinney	Walz
Blood	DeBoer	Hilkemann	Morfeld	Wayne
Bostar	Dorn	Jacobson	Moser	Williams
Bostelman	Flood	Kolterman	Pansing Brooks	Wishart
Brandt	Geist	Lathrop	Sanders	
Brewer	Gragert	Linehan	Slama	

Voting in the negative, 2:

Clements Erdman

Present and not voting, 6:

Friesen	Hughes	Lowe
Halloran	Hunt	Murman

Excused and not voting, 3:

Briese Lindstrom Pahls

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

WITHDRAW - Amendment to LB984

Senator M. Hansen withdrew his amendment, [FA177](#), found on page 1007, to LB984.

BILLS ON FINAL READING

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB984 with 37 ayes, 4 nays, 5 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 984.

A BILL FOR AN ACT relating to government; to amend sections 77-2703 and 77-2708, Revised Statutes Cumulative Supplement, 2020, and sections 77-2701, 77-2701.04, 77-2701.41, 77-2704.36, 77-2711, 77-2713, and 77-27,223, Revised Statutes Supplement, 2021; to change sales and use tax collection fees; to define terms; to provide sales and use tax exemptions for

net wrap and feminine hygiene products; to require detention facilities to provide feminine hygiene products to female prisoners free of charge; to harmonize provisions; to provide an operative date; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 45:

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

Voting in the negative, 0.

Present and not voting, 1:

Friesen

Excused and not voting, 3:

Briese Lindstrom Pahls

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bills were read and put upon final passage:

LEGISLATIVE BILL 984A.

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.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 44:

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

Voting in the negative, 0.

Present and not voting, 2:

Stinner Walz

Excused and not voting, 3:

Briese Lindstrom Pahls

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 1130.

A BILL FOR AN ACT relating to the Nebraska Statewide Workforce and Education Reporting System Act; to amend section 48-3704, Reissue Revised Statutes of Nebraska; to change reporting requirements; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 37:

Aguilar	Day	Hansen, M.	Linehan	Vargas
Arch	DeBoer	Hilgers	McCollister	Walz
Blood	Dorn	Hilkemann	McDonnell	Wayne
Bostar	Flood	Hughes	McKinney	Williams
Bostelman	Friesen	Hunt	Morfeld	Wishart
Brandt	Geist	Jacobson	Pansing Brooks	
Cavanaugh, J.	Gragert	Kolterman	Sanders	
Cavanaugh, M.	Hansen, B.	Lathrop	Slama	

Voting in the negative, 2:

Erdman Halloran

Present and not voting, 7:

Albrecht	Clements	Moser	Stinner
Brewer	Lowe	Murman	

Excused and not voting, 3:

Briese	Lindstrom	Pahls
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB1144 with 36 ayes, 5 nays, 5 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 1144. With Emergency Clause.

A BILL FOR AN ACT relating to telecommunications; to amend sections 86-134 and 86-164, Reissue Revised Statutes of Nebraska, section 75-109.01, Revised Statutes Cumulative Supplement, 2020, and sections 86-1301, 86-1304, 86-1306, 86-1307, and 86-1308, Revised Statutes Supplement, 2021; to provide certain jurisdiction for the Public Service Commission; to provide for an official Nebraska location fabric broadband access map; to change discontinuance of service provisions under the Nebraska Telecommunications Regulation Act; to provide for an expedited wire crossing permit; to define terms; to change provisions of the Nebraska Broadband Bridge Act; to adopt the Precision Agriculture Infrastructure Grant Act; to harmonize provisions; to provide operative dates; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 46:

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

Voting in the negative, 0.

Excused and not voting, 3:

Briese Lindstrom Pahls

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

The following bill was read and put upon final passage:

LEGISLATIVE BILL 1144A. With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1144, One Hundred Seventh Legislature, Second Session, 2022; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 46:

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

Voting in the negative, 0.

Excused and not voting, 3:

Briese Lindstrom Pahls

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

WITHDRAW - Amendment to LB1150

Senator M. Hansen withdrew his amendment, [FA190](#), found on page 1008, to LB1150.

BILLS ON FINAL READING

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB1150 with 38 ayes, 5 nays, 3 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 1150. With Emergency Clause.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-376, 77-27,195, 77-4110, 77-4933, 77-5705, 77-5723, 77-5727, 77-5731, 77-5735, and 77-5807, Reissue Revised Statutes of Nebraska, sections 77-2708, 77-5725, 77-5726, 77-6805, 77-6811, 77-6815, 77-6828, 77-6831, 77-6832, 77-6837, and 77-6839, Revised Statutes Cumulative Supplement, 2020, and sections 77-27,144 and 77-5907, Revised Statutes Supplement, 2021; to change provisions relating to examination of financial records, sales and use tax refund deductions, certain reporting requirements, the Nebraska Advantage Act, and the ImagiNE Nebraska Act; to redefine terms; to harmonize provisions; to provide operative dates; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 44:

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

Voting in the negative, 1:

Erdman

Present and not voting, 1:

Halloran

Excused and not voting, 3:

Briese Lindstrom Pahls

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

The following bill was read and put upon final passage:

LEGISLATIVE BILL 1150A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1150, One Hundred Seventh Legislature, Second Session, 2022; and to appropriate funds for the purpose of acquiring economic modeling software.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 44:

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

Voting in the negative, 1:

Erdman

Present and not voting, 1:

Halloran

Excused and not voting, 3:

Briese Lindstrom Pahls

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB1173 with 38 ayes, 5 nays, 3 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 1173. With Emergency Clause.

A BILL FOR AN ACT relating to children and families; to amend sections 43-907, 43-2204, 43-4215, 43-4401, 43-4402, 43-4403, 43-4407, 68-1207, 68-1210, and 68-1214, Reissue Revised Statutes of Nebraska, and sections 28-713, 43-4406, and 68-1212, Revised Statutes Cumulative Supplement, 2020; to state findings and intent; to create a work group and strategic leadership group for child welfare system reform; to provide duties for the Department of Health and Human Services; to define terms; to change provisions relating to reports of child abuse or neglect; to provide duties for the Division of Children and Family Services and the Division of Medicaid and Long-Term Care of the Department of Health and Human Services to implement services and reimbursement rates as prescribed; to change and eliminate provisions regarding lead agencies and a pilot project; to harmonize provisions; to provide operative dates; to repeal the original

sections; to outright repeal sections 43-4408, 43-4409, and 81-3135, Reissue Revised Statutes of Nebraska, and section 68-1213, Revised Statutes Supplement, 2021; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 46:

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

Voting in the negative, 0.

Excused and not voting, 3:

Briese Lindstrom Pahls

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

The following bill was read and put upon final passage:

LEGISLATIVE BILL 1173A. With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1173, One Hundred Seventh Legislature, Second Session, 2022; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 46:

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

Voting in the negative, 0.

Excused and not voting, 3:

Briese Lindstrom Pahls

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB1218 with 37 ayes, 4 nays, 5 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 1218.

A BILL FOR AN ACT relating to education; to amend sections 79-806, 79-810, and 79-811, Reissue Revised Statutes of Nebraska, sections 79-318, 79-807, and 79-8,137, Revised Statutes Cumulative Supplement, 2020, and sections 77-2716 and 79-813, Revised Statutes Supplement, 2021; to adopt the Teach in Nebraska Today Act; to provide for income tax adjustments; to change provisions relating to certification of qualified educators and the Attracting Excellence to Teaching Program; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

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

Voting in the negative, 0.

Excused and not voting, 3:

Briese Lindstrom Pahls

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bill was read and put upon final passage:

LEGISLATIVE BILL 1218A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1218, One Hundred Seventh Legislature, Second Session, 2022.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

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

Voting in the negative, 0.

Excused and not voting, 3:

Briese Lindstrom Pahls

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

WITHDRAW - Amendment to LB1261

Senator M. Hansen withdrew his amendment, [FA180](#), found on page 1007, to LB1261.

BILLS ON FINAL READING

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB1261 with 38 ayes, 3 nays, 5 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 1261. With Emergency Clause.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-908, 77-27,187.02, and 77-27,188, Reissue Revised Statutes of Nebraska, sections 77-2717, 77-2734.03, 77-3806, and 77-6831, Revised Statutes Cumulative Supplement, 2020, and sections 77-2715.07, 77-6912, 77-6919, and 77-6920, Revised Statutes Supplement, 2021; to adopt the Nebraska Higher Blend Tax Credit Act; to change a sunset date and tax credit provisions under the Nebraska Advantage Rural Development Act; to change provisions relating to qualifications for certain tax credits under the Imagine Nebraska Act and the Urban Redevelopment Act; to harmonize provisions; to appropriate funds to carry out this legislative bill; to provide operative dates; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 46:

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

Voting in the negative, 0.

Excused and not voting, 3:

Briese Lindstrom Pahls

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LBs 376, 376A, 598e, 686, 792, 805, 805A, 843, 876e, 896, 896A, 921, 921A, 922, 922A, 927, 984, 984A, 1130, 1144e, 1144Ae, 1150e, 1150A, 1173e, 1173Ae, 1218, 1218A, and 1261e.

MOTION(S) - Return LB888 to Select File

Senator Wayne moved to return LB888 to Select File for the following specific amendment:

[AM2845](#)

(Amendments to Final Reading copy)

- 1 1. On page 2, strike lines 11 through 14 and insert the following
- 2 new subdivisions:
- 3 "(a) Financial literacy;
- 4 (b) Education on the Holocaust and other acts of genocide as
- 5 recognized by the Congress of the United States or the United Nations as
- 6 of January 1, 2022;
- 7 (c) Education on slavery in America; and
- 8 (d) Education on massacres of Native Americans."

Senator Wayne requested a roll call vote, in reverse order, on the motion to return.

SENATOR HUGHES PRESIDING

SENATOR WLLIAMS PRESIDING

Voting in the affirmative, 12:

Brandt	Geist	Linehan	Slama
Brewer	Hansen, B.	McKinney	Vargas
Friesen	Kolterman	Pansing Brooks	Wayne

Voting in the negative, 23:

Albrecht	Day	Hansen, M.	Jacobson	Sanders
Arch	DeBoer	Hilgers	Lowe	Stinner
Blood	Dorn	Hilkemann	McCollister	Williams
Bostelman	Flood	Hughes	McDonnell	
Clements	Gragert	Hunt	Moser	

Present and not voting, 8:

Aguilar	Cavanaugh, J.	Lathrop	Murman
Bostar	Cavanaugh, M.	Morfeld	Walz

Excused and not voting, 6:

Briese	Halloran	Pahls
Erdman	Lindstrom	Wishart

The Wayne motion to return failed with 12 ayes, 23 nays, 8 present and not voting, and 6 excused and not voting.

The Wayne amendment, [AM2845](#), was not considered.

SPEAKER HILGERS PRESIDING

BILL ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 888.

A BILL FOR AN ACT relating to education; to amend section 79-760.01, Revised Statutes Supplement, 2021; to change a requirement relating to academic standards for social studies; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 40:

Aguilar	Cavanaugh, J.	Gragert	Kolterman	Murman
Albrecht	Cavanaugh, M.	Hansen, B.	Lathrop	Pansing Brooks
Arch	Clements	Hansen, M.	Linehan	Sanders
Blood	Day	Hilgers	Lowe	Slama
Bostar	DeBoer	Hilkemann	McCollister	Stinner
Bostelman	Dorn	Hughes	McDonnell	Vargas
Brandt	Flood	Hunt	Morfeld	Walz
Brewer	Geist	Jacobson	Moser	Williams

Voting in the negative, 1:

Friesen

Present and not voting, 2:

McKinney Wayne

Excused and not voting, 6:

Briese	Halloran	Pahls
Erdman	Lindstrom	Wishart

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

PRESENTED TO THE GOVERNOR

Presented to the Governor on April 13, 2022, at 11:45 a.m. were the following: LBs 376, 376A, 598e, 686, 792, 805, 805A, 843, 876e, 896, 896A, 921, 921A, 922, 922A, 927, 984, 984A, 1130, 1144e, 1144Ae, 1150e, 1150A, 1173e, 1173Ae, 1218, 1218A, and 1261e.

(Signed) Jamie Leishman
Clerk of the Legislature's Office

MESSAGE(S) FROM THE GOVERNOR

April 13, 2022

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

Dear Mr. O'Donnell:

Engrossed Legislative Bills 873, 1014e, 1083e, and 1084 were received in my office on April 7, 2022.

These bills were signed and delivered to the Secretary of State on April 13, 2022.

Sincerely,
(Signed) Pete Ricketts
Governor

COMMITTEE REPORT(S)
Transportation and Telecommunications

LEGISLATIVE BILL 520. Placed on General File with amendment.
[AM2844](#)

1 1. Strike the original section and insert the following new section:

2 Section 1. (1) For purposes of this section:

3 (a) Authority means any county, city of the first class, city of the
4 second class, or village whose authorization is necessary prior to the
5 deployment of a wireless facility;

6 (b)(i) Base station means a structure or equipment at a fixed
7 location that enables Federal Communications Commission-licensed or
8 authorized wireless communications between user equipment and a
9 communications network. The term does not encompass a tower as defined in
10 this section or any equipment associated with a tower. The term includes,
11 but is not limited to:

12 (A) Equipment associated with wireless communications services such
13 as private, broadcast, and public safety services, as well as unlicensed
14 wireless services and fixed wireless services such as microwave backhaul;
15 (B) Radio transceivers, antennas, coaxial or fiber-optic cable,
16 regular and backup power supplies, and comparable equipment, regardless
17 of technological configuration, including distributed antenna systems and
18 small-cell networks; and

19 (C) Any structure other than a tower that, at the time the relevant
20 application is filed with the authority, supports or houses equipment
21 described in subdivision (1)(b)(i)(A) or (B) of this section that has
22 been reviewed and approved under the applicable zoning or siting process,
23 or under another state or local regulatory review process, even if the
24 structure was not built for the sole or primary purpose of providing such
25 support.

26 (ii) Base station does not include any structure that, at the time
27 the relevant application is filed with the authority, does not support or
1 house equipment described in subdivision (1)(b)(i)(A) or (B) of this
2 section;

3 (c) Collocate or collocation means the mounting or installation of
4 transmission equipment on an eligible support structure for the purpose
5 of transmitting or receiving radio frequency signals for communications
6 purposes;

7 (d) Eligible facilities request means any request for modification
8 of an existing tower or base station that does not substantially change
9 the physical dimensions of such tower or base station involving (i)
10 collocation of new transmission equipment, (ii) removal of transmission
11 equipment, or (iii) replacement of transmission equipment;

12 (e) Eligible support structure means any tower or base station as
13 defined in this section that is existing at the time the relevant
14 application is filed with the authority;

15 (f) Site means for towers other than towers in the public rights-of-
16 way, the current boundaries of the leased or owned property surrounding
17 the tower and any access or utility easements currently related to the
18 site, and, for other eligible support structures, further restricted to
19 that area in proximity to the structure and to other transmission

20 equipment already deployed on the ground. The current boundaries of a
21 site are the boundaries that existed as of the date that the original
22 support structure or a modification to that structure was last reviewed
23 and approved by a state or local government, if the approval of the
24 modification occurred prior to the passage of the federal Middle Class
25 Tax Relief and Job Creation Act of 2012 or otherwise outside of the
26 process provided in section 6409(a) of such act;
27 (g) Small wireless facility has the same meaning as in section
28 86-1226;
29 (h) Substantially change means a modification that substantially
30 changes the physical dimensions of an eligible support structure if such
31 modification meets any of the following criteria:
1 (i) For towers other than towers in the public rights-of-way, it
2 increases the height of the tower by more than ten percent or by the
3 height of one additional antenna array with separation from the nearest
4 existing antenna not to exceed twenty feet, whichever is greater. For
5 other eligible support structures, it increases the height of the
6 structure by more than ten percent or more than ten feet, whichever is
7 greater. Changes in height should be measured from the original support
8 structure in cases where deployments are or will be separated
9 horizontally, such as on building rooftops. In other circumstances,
10 changes in height should be measured from the dimensions of the tower or
11 base station, inclusive of originally approved appurtenances and any
12 modifications that were approved prior to the passage of the federal
13 Middle Class Tax Relief and Job Creation Act of 2012;
14 (ii) For towers other than towers in the public rights-of-way, it
15 involves adding an appurtenance to the body of the tower that would
16 protrude from the edge of the tower more than twenty feet, or more than
17 the width of the tower structure at the level of the appurtenance,
18 whichever is greater. For other eligible support structures, it involves
19 adding an appurtenance to the body of the structure that would protrude
20 from the edge of the structure by more than six feet;
21 (iii) For any eligible support structure, it involves installation
22 of more than the standard number of new equipment cabinets for the
23 technology involved, but not to exceed four cabinets, or, for towers in
24 the public rights-of-way and base stations, it involves installation of
25 any new equipment cabinets on the ground if there are no pre-existing
26 ground cabinets associated with the structure, or involves installation
27 of ground cabinets that are more than ten percent larger in height or
28 overall volume than any other ground cabinets associated with the
29 structure;
30 (iv) It entails any excavation or deployment outside the current
31 site, except that for towers other than towers in the public rights-of-
1 way, it entails any excavation or deployment of transmission equipment
2 outside of the current site by more than thirty feet in any direction.
3 The site boundary from which the thirty feet is measured excludes any
4 access or utility easements currently related to the site;
5 (v) It would defeat the concealment elements of the eligible support
6 structure; or
7 (vi) It does not comply with conditions associated with the siting
8 approval of the construction or modification of the eligible support
9 structure or base station equipment, except that this limitation does not
10 apply to any modification that is noncompliant only in a manner that
11 would not exceed the thresholds identified in subdivisions (1)(h)(i)
12 through (iv) of this section;
13 (i) Tower means any structure built for the sole or primary purpose
14 of supporting any Federal Communications Commission-licensed or
15 authorized antennas and their associated facilities, including structures
16 that are constructed for wireless communications services, including, but
17 not limited to, private, broadcast, and public safety services, as well

18 as unlicensed wireless services and fixed wireless services such as
19 microwave backhaul, and the associated site;
20 (j) Transmission equipment means equipment that facilitates
21 transmission for any Federal Communications Commission-licensed or
22 authorized wireless communication service, including, but not limited to,
23 radio transceivers, antennas, coaxial or fiber-optic cable, and regular
24 and backup power supply. The term includes equipment associated with
25 wireless communications services, including, but not limited to, private,
26 broadcast, and public safety services, as well as unlicensed wireless
27 services and fixed wireless services such as microwave backhaul;
28 (k)(i) Wireless facility means equipment at a fixed location that
29 enables wireless communications between user equipment and a
30 communications network including (A) equipment associated with wireless
31 communications and (B) radio transceivers, antennas, coaxial or fiber-
1 optic cable, regular power supply, and small back-up battery, regardless
2 of technological configuration.
3 (ii) Wireless facility does not include a small wireless facility.
4 Wireless facility does not include (A) the structure or improvements on,
5 under, or within the equipment which is collocated, (B) coaxial or fiber-
6 optic cable that is between wireless structures or utility poles or that
7 is otherwise not immediately adjacent to, or directly associated with, a
8 particular antenna, or (C) a wireline backhaul facility;
9 (l) Wireless support structure means a structure, such as a tower or
10 other existing or proposed structure, designed to support or capable of
11 supporting wireless facilities other than a structure designed solely for
12 the collocation of a small wireless facility; and
13 (m) Wireline backhaul facility has the same meaning as in section
14 86-1235.
15 (2)(a) Subject to the limitations in this section, an authority may
16 fix and charge an application fee for the submission, processing, and
17 review of an eligible facilities request to collocate a new wireless
18 facility, site a new wireless support structure, or substantially change
19 an existing wireless facility or wireless support structure. The
20 application fee shall be based on the authority's actual, direct, and
21 objectively reasonable costs as determined by the authority incurred for
22 all aspects of an application review process. Any costs incurred by an
23 authority for review by an outside consultant shall be included in the
24 application fee, be based on objectively reasonable costs as determined
25 by the authority, and not exceed the usual and customary fee charged for
26 the services provided. The charges included in the application fee or
27 amended application fee shall be itemized and separately identified and
28 disclosed to the applicant.
29 (b) In lieu of an application fee, an authority may require an
30 escrow account to support the authority's objectively reasonable costs
31 incurred. For either the escrow account or fee payment method, a final
1 inspection of the project shall be required. After the final inspection
2 is completed and all punch list items have been resolved, the authority
3 shall return any funds in an escrow account to the applicant that are not
4 needed to support the authority's objectively reasonable costs incurred.
5 As part of the application, the applicant shall provide the name of the
6 person or entity to whom any escrow funds shall be returned.
7 (c) The application fee or escrow account imposed by an authority
8 shall not be used for (i) travel time or expenses, meals, or overnight
9 accommodations incurred in the review of an application by an outside
10 consultant or (ii) reimbursement for a consultant that is based on a
11 contingent fee or a results-based arrangement.
12 (3) Nothing in this section shall be construed to otherwise limit,
13 alter, or expand an authority's ability to charge an applicant a rate or
14 fee for the use of or access to a public right-of-way for the
15 construction, installation, maintenance, modification, or operation of

16 fiber-optic cables, coaxial cables, or conduit facilities to support
 17 personal wireless service radio receivers, antennas, or any comparable
 18 equipment, regardless of technological configuration, including, but not
 19 limited to, antenna systems and small-cell networks.
 20 (4) Nothing in this section shall be construed to apply to an
 21 application submitted to an authority pursuant to the Small Wireless
 22 Facilities Deployment Act.
 23 (5) A reviewing authority shall be subject to a sixty-day shot clock
 24 to review and approve or deny an application for an eligible facilities
 25 request or modification. For purposes of this subsection, the authority
 26 shall follow the guidelines set by the Federal Communications Commission
 27 in its decisions issued in FCC 14-153, 29 FCC Record 12865 (16), and FCC
 28 20-75, 35 FCC Record 5977 (7), as guidance for compliance with section
 29 6409(a) of the federal Middle Class Tax Relief and Job Creation Act of
 30 2012, 47 U.S.C. 1455, and 47 C.F.R. 1.6100(c)(2), as such order, ruling,
 31 section, act, and regulations existed on January 1, 2022.
 1 (6) This section shall terminate on September 30, 2026, unless
 2 extended by the Legislature.

(Signed) Curt Friesen, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 462. Introduced by Briese, 41.

WHEREAS, on Thursday, April 7, 2022, Elwood Fire Chief Darren D. Krull was killed in a motor vehicle collision on Nebraska Highway 283, approximately eight miles north of Arapahoe, Nebraska, while responding to a large wildfire, which burned over thirty-five thousand acres; and

WHEREAS, Chief Krull was born to Gary and Glenda Krull on December 19, 1967, in Hastings, Nebraska. Chief Krull grew up in Glenville, graduated from Sandy Creek High School in 1986, and subsequently joined the Glenville fire department; and

WHEREAS, Chief Krull married Cheryl Stolley on March 9, 1990. The couple was blessed with three beautiful daughters, Tessa, Christina, and Roxann. Chief Krull also served the military and for a portion of his duty was stationed in Oklahoma; and

WHEREAS, Chief Krull and his family later moved to southwest Nebraska where he worked for the Aurora Coop; and

WHEREAS, Chief Krull dedicated thirty-six years to serving others as a firefighter and EMS provider. Chief Krull served as fire chief in the Nebraska communities of Overton and Elwood for a combined eighteen years. Chief Krull lived his life fully dedicated to helping, teaching, and serving others. Chief Krull was summoned to countless emergencies where he had to drop everything he was doing in his personal life to become an extraordinary volunteer first responder who ran towards danger, not away. Chief Krull was tough enough and selfless enough to put in a full day's work and then be ready for more; and

WHEREAS, Chief Krull is survived by his wife, Cheryl Krull of Elwood, daughters, Christina with husband Christopher Davison of Bertrand, Nebraska, Roxann with husband Brad Bieck of Aurora, several grandchildren, parents, Gary and Glenda Krull of Glenville, Nebraska,

sisters, Michelle Harm and Amy Krull of Glenville, Nebraska, and numerous other family members and friends; and

WHEREAS, Chief Krull was preceded in death by his daughter, Tessa Sadd, and grandparents.

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

1. That the Legislature honors Darren D. Krull for making the ultimate sacrifice while serving as a volunteer first responder.
2. That the Legislature offers its condolences to the family of Darren D. Krull.
3. That a copy of this resolution be sent to the family of Darren D. Krull.

Laid over.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Vargas name added to LB921.

Senator Pansing Brooks name added to LB960.

Senator Lathrop name added to LR427.

Senator Pansing Brooks name added to LR451.

Senator Pansing Brooks name added to LR458.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LB888.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 463. Introduced by Linehan, 39.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the structure and administration of and compliance with:

- (1) Individual and corporate income taxes;
- (2) Financial institution and insurance premiums taxes;
- (3) State and local sales and use taxes;
- (4) Real and personal property taxes; and
- (5) Any other taxes.

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

1. That the Revenue 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.

VISITOR(S)

Visitors to the Chamber were fourth-grade students from Malcolm Elementary, Malcolm; high school students from Lincoln Northeast, Lincoln; members of the Jobs for America's Graduates (JAG) Nebraska from across the state; fourth-grade students from Plainview Elementary, Plainview; Senator Friesen's wife, Nancy, from Henderson, and his son Neal, from Lincoln; and fourth-grade students from North Platte Public School, North Platte.

ADJOURNMENT

At 2:41 p.m., on a motion by Senator Aguilar, the Legislature adjourned until 10:00 a.m., Wednesday, April 20, 2022.

Patrick J. O'Donnell
Clerk of the Legislature

SIXTIETH DAY - APRIL 20, 2022**LEGISLATIVE JOURNAL****ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION****SIXTIETH DAY**

Legislative Chamber, Lincoln, Nebraska
Wednesday, April 20, 2022

PRAYER

The prayer was offered by Senator Williams.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Hilgers.

ROLL CALL

Pursuant to adjournment, the Legislature met at 10:00 a.m., President Foley presiding.

The roll was called and all members were present except Senators Briese, Erdman, and Pahls who were excused; and Senators Hunt and Pansing Brooks who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the fifty-ninth day was approved.

PRESENTED TO THE GOVERNOR

Presented to the Governor on April 13, 2022, at 2:40 p.m. was the following: LB888.

(Signed) Jamie Leishman
Clerk of the Legislature's Office

REFERENCE COMMITTEE REPORT

2022 Resolution calling for an Interim Study

LR438	Interim study to identify policy changes for improving communication and sharing	Health and Human Services
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	of case-specific information among state and local government agencies responsible for care, custody, treatment, and rehabilitation or youth	
LR463	Interim study to examine the structure and administration of an compliance with certain taxes	Revenue
LR415	Rereferred from Health and Human Services to Banking, Commerce and Insurance	

(Signed) Dan Hughes, Chairperson
Executive Board

EXECUTIVE BOARD COMMUNICATION

April 19, 2022

Patrick O'Donnell
Clerk of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. O'Donnell:

Rule 4, Sec. 3(d) authorizes the Executive Board, on its own behalf, to conduct interim studies or create a select interim committee to do so. Pursuant to this rule, the Executive Board has appointed a Select Interim Committee to be known as the Select Interim Ethics Committee of the Legislature. The members of the committee are:

Senator Wishart and Speaker Hilgers, representing the first district.
Senator DeBoer and Senator Linehan, representing the second district.
Senator Slama and Senator Lowe, representing the third district.

A copy of the interim study creating the Select Interim Committee is enclosed.

Sincerely,
Senator Dan Hughes
Chair, Executive Board

MESSAGE(S) FROM THE GOVERNOR

April 18, 2022

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

Dear Clerk O'Donnell:

Engrossed Legislative Bills 436, 450, 450A, 519, 698, 698A, 707e, 717, 769, 780, 809, 809A, 820, 840, 863, 864, 887, 925, 925A, 964, 1015, 1023e, 1112, 1112A, 1236, 1246, 1273, and 1273A were received in my office on April 12, 2022.

Engrossed Legislative Bills 741, 741A, 750e, 750A, 752, 752A, 800e, 804, 804A, 848, 848A, 852, 902, 902A, 917, 917A, 977e, 977Ae, 998e, 1016, 1037e, 1037Ae, 1068e, 1068Ae, 1241e, and 1241Ae were received in my office on April 12, 2022.

Engrossed Legislative Bills 29e, 59, 75, 91, 691, 697, 697A, 705e, 742, 779, 795, 807, 808, 824, 829, 851, 855, 856, 905, 908, 971, 983, 1007, 1024e, 1024Ae, 1057, 1065, 1069e, 1082, 1092, 1102, 1102A, 1124, 1137, 1147e, 1148, 1165, 1178, 1184, and 1204 were received in my office on April 12, 2022.

These bills were signed and delivered to the Secretary of State on April 18, 2022

Sincerely,
(Signed) Pete Ricketts
Governor

April 19, 2022

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

Dear Clerk O'Donnell:

Engrossed Legislative Bills 376, 376A, 598e, 686, 792, 805, 805A, 843, 876e, 888, 896, 896A, 921, 921A, 922, 922A, 927, 984, 984A, 1130, 1144e, 1144Ae, 1150e, 1150A, 1173e, 1173Ae, 1218, and 1218A were received in my office on April 13, 2022.

These bills were signed and delivered to the Secretary of State on April 19, 2022.

Sincerely,
(Signed) Pete Ricketts
Governor

April 19, 2022

Mr. President, Mr. Speaker, and
Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President and Members of the Legislature:

I have signed LB 376 and LB 376A; however I am sharing a structural concern that occurs in LB 376A in order to document and preserve the issue for the 2023 legislative session.

Section 1 of LB 376A appropriates \$500,000 of Home and Community Based Services ARPA federal funds for Fiscal Year 2022-23. To be correct, the appropriation should have been \$500,000 of cash funds.

There are two references in Section 2 of LB 376A that appropriate and earmark \$6,055,913 of federal funds from the same source. These should also have been appropriations of cash funds. These occur in Fiscal Year 2023-24.

Finally, the personal services limitation contained in Section 4 was placed in the Medicaid aid program. It should be properly placed in the agency's administration program.

The appropriation in Section 1 will necessitate a deficit appropriation to the Department of Health and Human Services in the 2023 legislative session. This issue will not slow the agency's ability to comply with the requirements of LB 376.

The other items in LB 376A also need to be corrected but those changes can be made in the 2023 legislative session prior to the July 1, 2023, start of the next biennium budget.

Sincerely,
(Signed) Pete Ricketts
Governor

April 19, 2022

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

Dear Clerk O'Donnell:

Engrossed Legislative Bill 1261e was received in my office on April 13, 2022.

This bill was signed and delivered to the Secretary of State on April 19, 2022.

Sincerely,
(Signed) Pete Ricketts
Governor

REPORTS

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

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LRs 436, 437, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, and 461 were adopted.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LRs 436, 437, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, and 461.

MOTION - Proposed Rule Change

Senator Hughes offered his proposed rule change, found on page 1276.

The Hughes proposed rule change was adopted with 45 ayes, 0 nays, and 4 excused and not voting.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 462. Read. Considered.

LR462 was adopted with 44 ayes, 0 nays, 1 present and not voting, and 4 excused and not voting.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LR 462.

MOTION - Notify Governor

Senator Pansing Brooks moved that a committee of five be appointed to notify the Governor that the One Hundred Seventh Legislature, Second Session of the Nebraska Legislature, is about to complete its work, and to return with any message the Governor may have for the Legislature.

The motion prevailed.

The Chair appointed Senators Friesen, Kolterman, McCollister, Stinner, and Williams to serve on said committee.

The committee returned and escorted Governor Pete Ricketts to the rostrum where he delivered a message to the members.

The committee escorted Governor Pete Ricketts from the Chamber.

EXECUTIVE BOARD COMMUNICATION

April 19, 2022

Patrick O'Donnell
Clerk of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. O'Donnell:

Pursuant to LB1024, I am appointing the following four senators to the Economic Recovery Special Committee of the Legislature: Senator Mike McDonnell, Senator Tony Vargas, Senator Brett Lindstrom, and Senator Terrell McKinney. Each of these senators represent legislative districts with one or more qualified census tracts within a city of the metropolitan class.

Sincerely,
Senator Dan Hughes
Chair, Executive Board

SPEAKER HILGERS PRESIDING

SENATOR HUGHES PRESIDING

SENATOR ARCH PRESIDING

MOTION - Disposition of Bills

Senator Hilkemann moved that all bills not otherwise disposed of, excluding bills on Final Reading and vetoed or line-item vetoed bills on this date, be indefinitely postponed.

The motion prevailed.

MOTION - Committee Records

Senator M. Hansen moved that the chairpersons of all standing committees file with the Clerk of the Legislature all standing committee records so that a proper record may be made of the final disposition of all bills.

The motion prevailed.

MOTION - Printing of Journal, Session Laws, and Indexes

Senator Lathrop moved that the Legislature approve the preparation and printing of the permanent Legislative Journal, Session Laws, and Indexes by Patrick J. O'Donnell and that he be directed to send to each member of the Legislature a copy of the permanent Legislative Journal and Session Laws, and that the Journal for the Sixtieth Day, as prepared by the Clerk of the Legislature, be approved.

The motion prevailed.

VISITOR(S)

Visitors to the Chamber were high school students, teachers, and sponsor from Minden High School, Minden; fourth- and fifth-grade students from St. Paul's Lutheran Church, West Point; Senator Albrecht's grandchildren Keegan and Kylie Fischer, and their mother Laura Fischer; fourth-grade students from Overton Elementary, Overton.

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

MOTION - Adjourn Sine Die

Senator Hughes moved that the One Hundred Seventh Legislature, Second Session of the Nebraska Legislature, having finished all business before it, now at 1:53 p.m., adjourn sine die.

Senator Wayne requested a record vote on the motion to adjourn sine die.

Voting in the affirmative, 44:

Aguilar	Cavanaugh, M.	Hansen, B.	Linehan	Sanders
Albrecht	Clements	Hansen, M.	Lowe	Slama
Arch	DeBoer	Hilgers	McCollister	Stinner
Blood	Dorn	Hilkemann	McDonnell	Vargas
Bostar	Flood	Hughes	McKinney	Walz
Bostelman	Friesen	Jacobson	Morfeld	Wayne
Brandt	Geist	Kolterman	Moser	Williams
Brewer	Gragert	Lathrop	Murman	Wishart
Cavanaugh, J.	Halloran	Lindstrom	Pansing Brooks	

Voting in the negative, 0.

Present and not voting, 1:

Day

Excused and not voting, 4:

Briese Erdman Hunt Pahls

The Hughes motion to adjourn sine die prevailed with 44 ayes, 0 nays, 1 present and not voting, and 4 excused and not voting.

Patrick J. O'Donnell
Clerk of the Legislature