

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate January 7, 2022

**HILGERS:** Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the third day of the One Hundred Seventh Legislature, Second Session. Our chaplain for today is Senator Lowe. Please rise.

**LOWE:** Please attain an attitude of prayer. Father in heaven, we look to you today and every day, and we ask you for your guidance today as we continue to do your work that you placed us here to do. We ask you to look over our state and our country as it seems that people have forgotten-- have forgotten you and your teachings. Guide them back to your ways. Please remember those in Kentucky and Colorado that are victims. Protect the innocent and the poor. Allow your servants to do humble-- to humble themselves and bend a knee to you so that we will all benefit from your grace. And always keep our military and first responders and veterans close to you and allow us to serve them for a change. In your name we pray, amen.

**HILGERS:** Thank you, Senator Lowe. Senator Albrecht, you're recognized for the Pledge of Allegiance.

**ALBRECHT:** Please join me in the pledge. I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

**HILGERS:** Thank you, Senator Albrecht. I call to order the third day of the One Hundred Seventh Legislature, Second Session. Senators, please record your presence. Roll call.

**WILLIAMS:** Members, if I could have your attention. We've had a malfunction of the equipment this morning so if all the members could check in again, we would appreciate it. Thank you very much. Mr. Clerk, please record.

**CLERK:** I have a quorum present, Mr. President.

**WILLIAMS:** Thank you, Mr. Clerk. Members, Senator Albrecht would like to recognize Dr. David Hoelting from Pender, who is serving as the family physician of the day on behalf of the Nebraska Academy of Family Physicians. Doctor, would you please stand to be recognized? Mr. Clerk, are there any corrections for the Journal?

**CLERK:** I have no corrections, Mr. President.

**WILLIAMS:** Thank you, Mr. Clerk. Senator Stinner, you are recognized.

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**STINNER:** Thank you, Mr. President. As of yesterday, I don't know if everybody knows this, but we got 400 pages from the U.S. Treasury with a final ruling on ARPA funds and how we spend it. So if you really want to tune into that and want to help me a little bit, I'm going to try to read all 400 pages this week, but-- or weekend. It'll be informative, let's put it that way. But in-- in the spirit of making sure that everybody understands what ARPA is about, or at least what a lot of the content is about, we are going to have a briefing on Tuesday, January 11, at 9:00 a.m. in 15-- Room 1524 and I will have Fiscal there and they will-- actually, Fiscal will make the presentation. So if you can make it, I would appreciate it. It's-- it is going to be open to both the Legislature and the staff. So thank you.

**WILLIAMS:** Thank you, Senator Stinner. Speaker Hilgers, you're recognized.

**HILGERS:** Thank you, Mr. President. Good morning, colleagues. I wanted to give you just an update on next week. I appreciate Senator Stinner's announcement this morning. I think next week the schedule every day is going to be different in terms of our start time in order to accommodate these various briefings and tutorials that we have. So as a reminder, on Monday, we will be here at 11:00. At 10:00, there is the tutorial on the comment system. I hope you can attend or your staff can attend. That's an important opportunity to learn about our new-- the expansion of our electronic comment system. On Tuesday, as Senator Stinner just mentioned, there's a really important ARPA briefing. I encourage everyone to be able to attend that. We've moved the start back-- the start time on Tuesday to accommodate for that. On Wednesday, we actually will have a normal start time at 9:00 on Wednesday for full-day debate. Then on-- and then on Thursday, to accommodate the Governor's briefing on his budget proposal on Thursday, in advance of the State of the State, we will start at 9:45 on Thursday for this and then the State of the State will be at 10:00. In terms of what we're going to debate next week, we are going to be in full-day debate, although some of those days will be a little bit shorter. I have received four priority bill designations for 2022-- five in total, I'm sorry, four that are on the floor already, and we're just going to go, at least starting next week, in the order in which I receive them. So the first one that we'll start on Monday will be LR14, which is Senator Halloran's convention of states resolution; the second one is LB310, which is Senator Clements' bill relating to inheritance tax rates; the third is LB364, Senator Linehan's Opportunity Scholarship; and the fourth is LB376, which is on Select File currently from last year, which is Senator Machaela Cavanaugh's

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developmental disability bill. Those are the four that I have currently and those are-- that's what the agenda will show on Monday. After Monday, we'll see how much-- how much progress we make, and then I'll try to give some updates throughout the week as to what we will be addressing from there. With that, everyone have a wonderful weekend. I look forward to seeing you on Monday. Thank you, Mr. President.

**WILLIAMS:** Thank you. Speaker Hilgers. Mr. Clerk, are there any other messages, reports, or announcements?

**CLERK:** There are, Mr. President. I have a appointment letter to the Accountability and Disclosure Commission from the Secretary of State; gubernatorial appointments to the Commission for the Blind and Visually Impaired, to the Rural Health Advisory Commission, to the Nebraska Games [SIC] and Parks Commission, the Coordinating Commission for Postsecondary Education, and to the Nebraska Oil and Gas Conservation Commission. The other item, Mr. President, is acknowledgment of a series of agency reports received and available to the membership on the legislative website. That's all that I have.

**WILLIAMS:** Thank you, Mr. Clerk. Returning to introduction of bills.

**CLERK:** Mr. President, LB860, by Senator Pahls. It's a bill for an act relating to revenue and taxation. It changes provisions relating to sewer tax levies; it changes the valuation of certain real property; changes provisions relating to historically significant real property. LB861, Senator McCollister, relating to elections. It requires email address on all candidate filing forms. LB862, Senator McCollister, relating to the Medical Assistance Act, requires coverage of dialysis and kidney transplants. LB863, Senator Williams, a bill for an act relating to the Insurance Holiday [SIC] Company System Act. It requires the funding of annual group capital calculations and liquidity stress test as prescribed. LB864, Senator Gragert. It's a bill for an act relating to the Nebraska Educational Savings Plan. It defines and redefines terms; it authorizes qualified educational loan payments. LB865, Senator DeBoer. It's a bill for an act relating to childcare; changes provisions relating to market survey. LB866, Senator Brandt. It's a bill for an act relating to the State Electrical Act; it changes a fee. LB867, Senator Morfeld. It's a bill for an act relating to appropriations; it appropriates federal funds for the Human Immunodeficiency Virus Surveillance and Prevention Program. LB868, Senator Morfeld. It's a bill for an act relating to the State Department of Education; it changes provisions relating to a classification system used for the granting of income tax credits.

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LB869, Senator Matt Hansen, relates to labor; changes a provision relating to the rights of adoptive parent to a leave of absence. LB870, Senator Matt Hansen, relates to risk management program; it provides for payment of attorney fees from the State Self-insurance Indemnification Fund and State Self-Insured Liability Fund. LB871, Senator Matt Hansen, relates to labor; it changes provisions relating to reports under the Workers' Compensation Act; defines and redefines terms; it changes 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. LB872, Senator Brewer, relates to schools; authorize the wearing of tribal regalia by students as prescribed. LB873, Senator Friesen, relates to revenue and taxation; changes provisions relating to the levy authority for community college areas. LB874, Senator Friesen. It's a bill for an act relating to the State Aeronautics Act; requires approval by the Director-State Engineer of a fee imposed by certain airport authorities. LB875, Senator Friesen. It's a bill for an act relating to government; it change-- renames the state of Nebraska State Engineer for the Department of Transportation as the Director of Transportation. LB876, Senator Briese, relates to gaming; it changes provisions relating to licenses issued by the State Racing and Gaming Commission; it changes provisions relating to the Nebraska Racetrack Gaming Act. LB877, Senator Briese. It's a bill for an act relating to horse racing; changes provisions relating to the State Racing and Gaming Commission and changes licensing requirements. LB878, Senator Machaela Cavanaugh-- I'm sorry, Senator John Cavanaugh, excuse me-- a bill for an act relating to criminal procedure; it provides for automatic review of bail and conditions of release cases involving misdemeanor violation. LB879, Senator John Cavanaugh. It's a bill for an act relating to the Nebraska Juvenile Code; it provides for answers of no contest in adjudication hearings. LB880, Senator McKinney, relates to incarceration; provides a limitation on the markup of commissary goods in the county and city jails and the Department of Correctional Services' correctional facilities. LB881, Senator McKinney. It's a bill for an act relating to feminine hygiene products; it pro-- it provides a use tax exemption for feminine hygiene products; defines terms. LB883-- or, excuse me, LB882, Senator McKinney. It's a bill for an act relating to criminal justice; it requires city and county attorneys and the Attorney General to maintain public Brady and Giglio lists. LB883, Senator McKinney. It's a bill for an act relating to juveniles; requires confidentiality for criminal prosecutions of minors tried as adults; requires notification of a juvenile's parent, guardian or custodian when a juvenile is taken into custody. LB884, by Senator Machaela Cavanaugh, relates to

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One-Cell [SIC] Notification System; restates intent and defines and redefines terms and provides for the notice to private residential owners as prescribed.

**HILGERS:** Mr. Clerk, for new bills.

**ASSISTANT CLERK:** Thank you, Mr. President. New bills: LB885, by Senator Machaela Cavanaugh. It's a bill for an act relating to the Uniform Credentialing Act; to require implicit bias training for certain applicants and credential holders with the Uniform Credentialing Act; define terms; harmonize provisions; repeal the original sections. LB886, Senator Machaela Cavanaugh. It's a bill for an act relating to incarceration; to pro-- prohibit certain restraints for pregnant prisoners and detainees; provide for support persons during labor and recovery; harmonize provisions; repeal the original sections. LB887, by Senator Slama. It's a bill for an act relating to state colleges; changes provisions relating to expenses and officers for the Board of Trustees of Nebraska State Colleges; to update terminology; eliminate references to sections not applicable to state colleges; change provisions relating to meetings; eliminate fees; change provisions relating to conference of degrees; change provisions relating to the authorization of master's program; eliminate duties; and repeal various sections. LB888, by Senator Day. It's a bill for an act relating to education to amend Section 79-719; to redefine a term; repeal the original sections. LB889, by Senator Halloran. It's a bill for an act relating to Nebraska Hemp Farming Act; changes and update references; define terms; to eliminate obsolete provisions; change provisions relating to the state plan for regulation of hemp and rules and regulations, fees, duties, violations, testing and transportation of hemp. LB890, by Senator Walz, is a bill for an act relating to education; 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; harmonize provisions; repeal original sections; and to declare an emergency. LB891, by Senator Lindstrom. It's a bill for an act relating to revenue and taxation; change the distribution of sales and use tax revenue as prescribed; change levy limitation for school districts; change provisions relating to the amount of relief granted under the Property Tax Credit Act; discontinue the granting of credit under the Nebraska Property Tax Incentive Act; redefine terms; provide for building funds, qualified capital purpose undertaking further; repeal the original sections; declare an emergency. LB892, by Senator Walz. It's a bill for an act relating to the Nebraska Real Estate Act; change provisions relating to restrictions on unlicensed persons, applicability of the act, broker's license application; harmonize

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provisions; repeal original sections. LB893, by Senator Stinner, is a bill for an act relating to appropriations; to appropriate funds to the Health and Human Services; declare an emergency. LB894, by Senator Stinner. It's a bill for an act relating to the Public Accountancy Act; change provisions relating to firm ownership; and to repeal original sections. LB895, by Senator Walz. It's a bill for an act relating to the Medical Assistance Act; provide requirements and limits on the use of prior authorization by managed care organizations; harmonize provisions; repeal original sections; and declare an emergency. LB896, by Senator Lathrop. It's a bill for an act relating to the Nebraska Treatment and Corrections Act; change provisions relating to structured programming; to define terms; to require program evaluations; harmonize provisions; and to repeal the original sections. LB897, by Senator Lathrop. It's a bill for an act relating to the Legislature; to provide, move, change, and eliminate definitions; remove, change and eliminate duties of the Office of Inspector General of Nebraska Child Welfare and the Office of Inspector General of Nebraska Operational System as prescribed; harmonize provisions; and to repeal the original sections. LB898, by Senator Lowe. It's a bill for an act relating to the National Liquor Control Act; amends Section 53-103.49, Reissued Revised Statutes of Nebraska; redefine terms; repeal the original sections. LB899, by Senator Lowe. It's a bill for an act relating to the Nebraska Liquor Control Act; to change provisions relating to special designated license; and to repeal the original sections. LB900, by Senator Lowe. It's a bill for an act relating to the Nebraska Liquor Control Act; change provisions relating to microdistilleries to allow up to five physical locations; and to repeal the original sections. LB901, by Senator Pansing Brooks. It's a bill for an act related to public health and welfare; to provide for cytomegalovirus public education and prevention. LB902, by Senator Aguilar. It's a bill for an act relating to postsecondary education; to adopt the Nebraska Career--Career Scholarship Act and provide an operative date. Mr. President, that's all I have at this time.

**HILGERS:** Thank you, Mr. Clerk. Colleagues, we're going to keep the bill introduction period open maybe for another ten minutes or so, so if you've got bills, please try to bring them to the front. Thank you. Mr. Clerk, for new bills.

**ASSISTANT CLERK:** Thank you, Mr. President. More new bills: LB903, Senator Bostar. It's a bill for an act relating to crimes and offenses; change provisions relating to criminal privacy violations; prohibit spying by unmanned aircraft; define terms; provide-- harmonize provisions; and repeal original sections. LB904, by Senator

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Dorn. It's a bill for an act relating to appropriations; to appropriate federal funds to the University of Nebraska; and declare an emergency. LB905, by Senator Walz. It's a bill for an act relating to the Medicine Surgery Practice Act; define terms; provide for premium mental health screenings; harmonize provisions; repeal original sections. LB906, by Senator Ben Hansen. It's a bill for an act relating to public health; provide duties for the Department of Health and Human Services; to require employers to provide for a vaccine exemption; define terms; declare an emergency. Mr. President, new resolution, LR271, offered by Senator Brewer, is a resolution to name the building at 1526 K Street in Lincoln, Nebraska, as the First Administrative Building. With that, there-- I have a communication from the Speaker to refer the resolution to Reference Committee for referral to an appropriate standing committee for a public hearing. Series of name adds this morning: Senator Kolterman to LB721; Senator Linehan, LB773; Senator Sanders, LB773; Senator Kolterman, LB777; Senator Linehan, LB781; Senator Gragert, LB841; Senator Wayne to LR2-- LR270. Mr. President, an announcement that the Reference Committee will meet upon adjournment in Room 1525; that's Reference in 1525. Finally, priority motion, Senator Gragert would move to adjourn until Monday, January 10, 2022, at 11:00 a.m.

**HILGERS:** Colleagues, you've heard the motion. All those in favor say aye. Opposed say nay. We are adjourned.