

SIXTH DAY - JANUARY 13, 2021

LEGISLATIVE JOURNAL

**ONE HUNDRED SEVENTH LEGISLATURE
FIRST SESSION**

SIXTH DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, January 13, 2021

PRAYER

The prayer was offered by Senator Aguilar.

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 and Morfeld who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

On page 28, after line 7, insert the following:

November 2, 2020

Mr. President, Speaker Scheer
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Scheer and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed as the Director of the Nebraska Department of Health and Human Services - Division of Medicaid and Long Term Care:

Kevin Bagley, 301 Centennial Mall South, Lincoln, NE 68509

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

The Journal for the second day was approved as corrected.

The Journal for the fifth day was approved.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

LB/LR	Committee
LB213	Government, Military and Veterans Affairs
LB214	Revenue
LB215	Transportation and Telecommunications
LB216	Judiciary
LB217	Judiciary
LB218	Urban Affairs
LB219	Urban Affairs
LB220	Urban Affairs
LB221	Urban Affairs
LB222	Revenue
LB223	Natural Resources
LB224	Government, Military and Veterans Affairs
LB225	Appropriations
LB226	Transportation and Telecommunications
LB227	Judiciary
LB228	Urban Affairs
LB229	Judiciary
LB230	Judiciary
LB231	Judiciary
LB232	Transportation and Telecommunications
LB233	Revenue
LB234	Banking, Commerce and Insurance
LB235	Agriculture
LB236	Judiciary
LB237	Revenue
LB238	Health and Human Services
LB239	Transportation and Telecommunications
LB240	Transportation and Telecommunications
LB241	Business and Labor
LB242	Government, Military and Veterans Affairs
LB243	Education
LB244	Judiciary
LB245	Judiciary
LB246	Judiciary

LB247 Executive Board
 LB248 Banking, Commerce and Insurance
 LB249 Business and Labor
 LB250 Government, Military and Veterans Affairs
 LB251 Health and Human Services
 LB252 Health and Human Services
 LB253 Banking, Commerce and Insurance
 LB254 Revenue
 LB255 Business and Labor
 LB256 Business and Labor
 LB257 Government, Military and Veterans Affairs
 LB258 Business and Labor
 LB259 Judiciary
 LB260 Business and Labor
 LB261 Government, Military and Veterans Affairs
 LB262 Health and Human Services
 LB263 Government, Military and Veterans Affairs

(Signed) Dan Hughes, Chairperson
 Executive Board

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 314. Introduced 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. Introduced 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 316. 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 317. Introduced by Cavanaugh, J., 9.

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,

Revised Statutes Cumulative Supplement, 2020; to provide for Nebraska History Plates; to create a fund; to provide powers and duties; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 318. Introduced by Cavanaugh, J., 9.

A BILL FOR AN ACT relating to income taxes; to amend section 77-2715.07, Revised Statutes Cumulative Supplement, 2020; to increase the earned income tax credit as prescribed; and to repeal the original section.

LEGISLATIVE BILL 319. Introduced 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 320. Introduced by Cavanaugh, J., 9; Blood, 3; Cavanaugh, M., 6; Day, 49; Hansen, M., 26; Hunt, 8; McKinney, 11.

A BILL FOR AN ACT relating to the Uniform Residential Landlord and Tenant Act; to amend sections 76-1401 and 76-1410, Reissue Revised Statutes of Nebraska, and section 76-1431, Revised Statutes Cumulative Supplement, 2020; to define terms; to change provisions relating to landlords' and tenants' rights and duties regarding violent criminal activity upon a premises; to provide for the release of a victim of domestic violence from a rental agreement; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 321. Introduced 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 322. Introduced by Williams, 36.

A BILL FOR AN ACT relating to schools; to amend section 79-2,144, Revised Statutes Cumulative Supplement, 2020; to adopt the School Safety and Security Reporting System Act; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 323. Introduced 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 324. Introduced by Brandt, 32; Blood, 3; Brewer, 43; Briese, 41; Cavanaugh, J., 9; Day, 49; Dorn, 30; Erdman, 47; Gragert, 40; Halloran, 33; Hansen, B., 16; Lindstrom, 18; Linehan, 39; Lowe, 37; Pansing Brooks, 28; Slama, 1; Walz, 15; Wayne, 13; Williams, 36; Wishart, 27.

A BILL FOR AN ACT relating to the Nebraska Meat and Poultry Inspection Law; to amend sections 54-1901, 54-1902, 54-1903, 54-1908, 54-1909, 54-1911, 54-1912, 54-1913, and 54-1915, Reissue Revised Statutes of Nebraska; to define a term and alphabetize terms; to provide for animal share sales as prescribed; to create the Independent Processor Assistance Program; to provide duties for the Department of Agriculture; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 325. Introduced 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. Introduced 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 327. Introduced by Slama, 1.

A BILL FOR AN ACT relating to education; to amend section 79-729, Reissue Revised Statutes of Nebraska; to provide a personal finance or

financial literacy requirement for high school graduation as prescribed; and to repeal the original section.

LEGISLATIVE BILL 328. Introduced 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. Introduced 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. Introduced 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. Introduced 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. Introduced by Wayne, 13.

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. Introduced 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. Introduced 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. Introduced by Flood, 19.

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 336. Introduced by Hughes, 44.

A BILL FOR AN ACT relating to game and parks; to amend sections 37-435, 37-437, 37-439, and 37-446, Reissue Revised Statutes of Nebraska, and section 37-438, Revised Statutes Cumulative Supplement, 2020; to define and redefine terms; to provide for regular and limited annual and temporary park entry permits as prescribed; to change and provide fees; to provide for designation and disbursement of certain fees under the State Park Cash Revolving Fund; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 337. Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to prescription drug coverage; to adopt the Step-Therapy Reform Act; and to provide a duty for the Revisor of Statutes.

LEGISLATIVE BILL 338. Introduced by Bostelman, 23.

A BILL FOR AN ACT relating to telecommunications and technology; to amend sections 86-330 and 86-1102, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to universal service funding for unserved or underserved exchanges; to provide for community-based plans as prescribed; to provide duties for the Public Service Commission; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 339. Introduced 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. Introduced 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. Introduced 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. Introduced 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 343. Introduced by Friesen, 34.

A BILL FOR AN ACT relating to the Motor Vehicle Certificate of Title Act; to amend section 60-146, Revised Statutes Cumulative Supplement, 2020; to change identification inspection provisions; and to repeal the original section.

LEGISLATIVE BILL 344. Introduced 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 345. Introduced 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. Introduced 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. Introduced 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. Introduced 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. Introduced 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. Introduced 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 351. Introduced by Linehan, 39.

A BILL FOR AN ACT relating to the Step Up to Quality Child Care Act; to amend section 71-1958, Reissue Revised Statutes of Nebraska; to change provisions relating to quality scale ratings as prescribed; and to repeal the original section.

LEGISLATIVE BILL 352. Introduced 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. Introduced 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 354. Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to criminal procedure; to amend section 29-1816, Revised Statutes Cumulative Supplement, 2020; to require a court to issue a decision on a motion to transfer jurisdiction within thirty days after the hearing; and to repeal the original section.

LEGISLATIVE BILL 355. Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to courts; to amend sections 11-125, 25-1093.03, 43-113, and 76-711, Reissue Revised Statutes of Nebraska, and section 25-2804, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to bonds of county judges and clerk magistrates, service of process in replevin actions, forms in Small Claims Court, preservation of records in adoption proceedings, and deposits in eminent domain actions; and to repeal the original sections.

LEGISLATIVE BILL 356. Introduced 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. Introduced 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. Introduced by Hunt, 8.

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.

SENATOR HILKEMANN PRESIDING

LEGISLATIVE BILL 359. Introduced 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 360. Introduced 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. Introduced 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. Introduced by Halloran, 33; Aguilar, 35; Albrecht, 17; Clements, 2; Erdman, 47; Gragert, 40; Linehan, 39; Lowe, 37; Murman, 38.

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 363. Introduced by Williams, 36.

A BILL FOR AN ACT relating to banking and finance; to amend sections 8-201, 45-1004, and 45-1005, Reissue Revised Statutes of Nebraska, sections 8-135, 8-141, 8-143.01, 8-157.01, 8-163, 8-183.04, 8-1,140, 8-204,

8-318, 8-355, 8-1101, 8-1101.01, 8-1108.02, 8-1704, 8-1707, 8-2724, 8-2725, 8-2726, 8-2729, 8-2734, 8-2737, 8-2903, 21-17,115, 45-335, 45-346, 59-1722, 69-2103, 69-2104, and 69-2112, Revised Statutes Cumulative Supplement, 2020, and section 4A-108, Uniform Commercial Code, Reissue Revised Statutes of Nebraska; to adopt certain federal provisions under the Nebraska Banking Act, building and loan association provisions, the Securities Act of Nebraska, the Commodity Code, the Seller-Assisted Marketing Plan Act, the Consumer Rental Purchase Agreement Act, and financial exploitation of a vulnerable or senior adult provisions; to revise powers of state-chartered banks, building and loan associations, and credit unions; to change provisions of the Nebraska Trust Company Act, the Securities Act of Nebraska, and the Nebraska Money Transmitters Act; to define retained net income for purposes of payment of dividends; to redefine a term and change bond provisions under the Nebraska Installment Sales Act; to change provisions under the Nebraska Installment Loan Act; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 364. Introduced 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.

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 365. Introduced by Briese, 41.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the State Racing Commission; and to declare an emergency.

LEGISLATIVE BILL 366. Introduced by Briese, 41.

A BILL FOR AN ACT relating to the Nebraska Advantage Microenterprise Tax Credit Act; to amend sections 77-5903, 77-5906, and 77-5907, Reissue Revised Statutes of Nebraska, and section 77-5905, Revised Statutes Cumulative Supplement, 2020; to redefine a term; to change the termination date of the act; to change provisions relating to tax credit amounts and reporting requirements; to provide for applicability; and to repeal the original sections.

LEGISLATIVE BILL 367. Introduced 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 368. Introduced by Sanders, 45; Stinner, 48.

A BILL FOR AN ACT relating to the Auditor of Public Accounts; to amend section 84-304.01, Reissue Revised Statutes of Nebraska; to provide for a late fee and audit powers as prescribed; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 369. Introduced by Sanders, 45; Stinner, 48.

A BILL FOR AN ACT relating to the Auditor of Public Accounts; to amend section 84-305.01, Revised Statutes Cumulative Supplement, 2020; to provide for access to working papers and audit files as prescribed; to provide for a late fee and other enforcement powers; to provide a penalty; and to repeal the original section.

LEGISLATIVE BILL 370. Introduced 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 371. Introduced by Aguilar, 35; Bostar, 29; Brandt, 32; Brewer, 43; Briese, 41; Flood, 19; Friesen, 34; Halloran, 33; Lathrop, 12; McKinney, 11; Moser, 22.

A BILL FOR AN ACT relating to state, district, and county fairs; to amend section 2-219, Reissue Revised Statutes of Nebraska; to provide an exception for the conduct of games of chance pursuant to the Nebraska Racetrack Gaming Act where a state fair or district or county agricultural fair is being held; and to repeal the original section.

LEGISLATIVE BILL 372. Introduced by Day, 49; Blood, 3; Cavanaugh, J., 9; Hunt, 8.

A BILL FOR AN ACT relating to the Nebraska Crime Victim's Reparations Act; to amend sections 81-1807 and 81-1821, Reissue Revised Statutes of Nebraska; to change provisions relating to applications and a statute of limitations; and to repeal the original sections.

LEGISLATIVE BILL 373. Introduced by Pahls, 31.

A BILL FOR AN ACT relating to the Standard Nonforfeiture Law for Individual Deferred Annuities; to amend section 44-407.14, Reissue

Revised Statutes of Nebraska; to change the interest rate for minimum nonforfeiture amounts as prescribed; and to repeal the original section.

LEGISLATIVE BILL 374. Introduced 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. Introduced 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. Introduced by Cavanaugh, M., 6; Walz, 15.

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 377. Introduced 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. Introduced by DeBoer, 10.

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

RESOLUTION(S)

LEGISLATIVE RESOLUTION 18CA. Introduced by Wayne, 13.

THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, FIRST 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 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 19. Introduced by Hilkemann, 4; 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; Hansen, B., 16; Hansen, M., 26; Hilgers, 21; Hughes, 44; Hunt, 8; 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, Howard Hawks represented regent district number 2 on the Board of Regents of the University of Nebraska beginning with his election in 2002 until the end of his most recent term in 2021; and

WHEREAS, Regent Howard Hawks is a native of Bruning, Nebraska, and an alumnus from both the University of Nebraska-Lincoln and the University of Nebraska at Omaha; and

WHEREAS, Regent Howard Hawks has not only served the residents of regent district number 2, but the entire State of Nebraska as an elected official, business and civic leader, and philanthropist; and

WHEREAS, Regent Howard Hawks served as the Chairperson and Vice Chairperson of the Board of Regents of the University of Nebraska each for two terms and has also led numerous committees of the Board of Regents, including the 2014 Presidential Search Screening and Selection Committee; and

WHEREAS, drawing on his exceptional experience in the fields of finance, business operations, and strategic planning, Regent Howard Hawks has made the University of Nebraska a more efficient and effective organization by prioritizing public-private partnerships, investing in deferred maintenance, and advocating for more state investment in higher education and research; and

WHEREAS, Regent Howard Hawks has been an instrumental business leader in Nebraska by founding and leading Tenaska, a Nebraska-based independent energy company known for its expertise in power plant

development, natural gas and electric power marketing, natural gas exploration and production, and private equity fund management; and

WHEREAS, Regent Howard Hawks has been recognized for his business achievements and success through induction into the Omaha Business Hall of Fame in 2002 and receiving both the University of Nebraska-Lincoln College of Business Lifetime Achievement Award and the University of Nebraska at Omaha College of Business Administration Distinguished Alumni Award; and

WHEREAS, Regent Howard Hawks has served admirably in leadership positions for countless community organizations including the Aksarben Future Trust, Heritage Services, Creighton University, Joslyn Art Museum, Mid-American Council Boy Scouts of America, Omaha Zoological Society, Omaha Henry Doorly Zoo Foundation, Greater Omaha Chamber of Commerce, Knights of Aksarben, Methodist Hospital, Omaha Symphony Association, Boys and Girls Club of Omaha, and the University of Nebraska Foundation; and

WHEREAS, Regent Howard Hawks and his wife Rhonda have supported countless civic, education, and community charitable efforts and initiatives through the Hawks Foundation, with a special focus on serving those Nebraskans in need of behavioral health support through helping establish the Lasting Hope Recovery Center in Omaha and in reforming the community behavioral health system of Nebraska; and

WHEREAS, Regent Howard Hawks earned the respect of those who served with him on the Board of Regents of the University of Nebraska, Presidents and Chancellors of the University of Nebraska, members of the United States Congress, Governors of Nebraska, members of the Nebraska Unicameral Legislature, and business and civic leaders; and

WHEREAS, Regent Howard Hawks decided to retire from his service as a University of Nebraska Regent and not seek a fourth term of office in 2020; and

WHEREAS, Regent Howard Hawks leaves a legacy as a champion for the University of Nebraska and its campuses through well-crafted public policy, strong relationships with government stakeholders, strategic public investment, and generous philanthropic support that will forever be remembered by the entire University of Nebraska community and State of Nebraska.

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

1. That the Legislature extends its deepest thanks and appreciation to Howard Hawks for his nearly two decades of dedicated service on the Board of Regents of the University of Nebraska and wishes him and his wife the very best in their next chapter of service.

2. That copies of this resolution be sent to Regent Howard Hawks and the Corporation Secretary for the Board of Regents of the University of Nebraska.

Laid over.

LEGISLATIVE RESOLUTION 20CA. Introduced 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 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 repeal Article I, section 29:

Article I, section 29, 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 remove provisions regarding marriage from the Constitution of Nebraska.

For

Against.

LEGISLATIVE RESOLUTION 21CA. Introduced by Briese, 41.

THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, FIRST 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 18 to Article VII:

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.

UNANIMOUS CONSENT - Add Cointroducer(s)

- Senator Murman name added to LB5.
- Senator Murman name added to LB6.
- Senator Sanders name added to LB9.
- Senator Lindstrom name added to LB10.
- Senator Murman name added to LB10.
- Senator Murman name added to LB14.

Senator Murman name added to LB15.
Senator Hunt name added to LB29.
Senator Hunt name added to LB30.
Senator Hansen, M. name added to LB72.
Senator Vargas name added to LB72.
Senator Murman name added to LB76.
Senator Cavanaugh, J. name added to LB120.
Senator Hansen, M. name added to LB154.
Senator Hansen, M. name added to LB158.
Senator Murman name added to LB167.
Senator Brewer name added to LB188.
Senator Cavanaugh, M. name added to LB229.
Senator DeBoer name added to LB229.
Senator Cavanaugh, M. name added to LB230.
Senator Murman name added to LB236.
Senator Murman name added to LB237.
Senator Bostar name added to LB237.
Senator Cavanaugh, M. name added to LB241.
Senator Geist name added to LB261.
Senator Briese name added to LB261.
Senator Cavanaugh, J. name added to LB261.
Senator Cavanaugh, M. name added to LB266.
Senator Brewer name added to LB274.
Senator Cavanaugh, M. name added to LB277.
Senator Cavanaugh, J. name added to LB283.
Senator Murman name added to LB283.
Senator Cavanaugh, M. name added to LB299.
Senator Brewer name added to LB299.
Senator Geist name added to LB300.
Senator Brewer name added to LB310.
Senator McDonnell name added to LB311.
Senator Murman name added to LR3CA.

ADJOURNMENT

At 11:35 a.m., on a motion by Senator Briese, the Legislature adjourned until 9:30 a.m., Thursday, January 14, 2021.

Patrick J. O'Donnell
Clerk of the Legislature