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
STATUS OF CARRYOVER

BILLS

AND

RESOLUTIONS

Introduced in the
One Hundred Seventh Legislature, First Session, 2021
and pending before the
One Hundred Seventh Legislature, Second Session, 2022

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
RESOLUTIONS


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


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


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.


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.


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.


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 23-2804, 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.


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.


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 Hilkemann, 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 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 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 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 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.


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 an 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.

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.


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.


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.


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.


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.


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, 20-320, 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; Vargas, 7; Walz, 15; Wayne, 13; Williams, 36; 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.


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 38-1706, 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.


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.


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.


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, 28-111.1, 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.
TITLES TO BILLS

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; Koltermann, 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

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.


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.

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.


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.


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.


A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-323, 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.


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.


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.

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.


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 Cavannaugh, M., 6; Walz, 15; Cavannaugh, 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 Cavannaugh, 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.


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.

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


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.


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.


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.


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.

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.


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; Groene, 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
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
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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 79-8,136, 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.


A BILL FOR AN ACT relating to marijuana; to amend sections 28-439, 43-292, 77-2701.02, 77-2701.48, 77-2704.09, 77-27132, 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,
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.


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.


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, 32-505, 32-507, 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.


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.


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


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.

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.


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.


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.
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) (4) 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) (4) 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) (4) 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) (4) the Legislature may prescribe standards and methods for the determination of the value of real property at uniform and proportionate values; (g) (4) 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) (4) 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 uniformly or proportionately 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 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 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 redevelop. 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; Koltermann, 24; Lindstrom, 18; Linehan, 39; Lowe, 37; McDonnell, 5; Murman, 38; Slama, 1; Williams, 36; Hilkemann, 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 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.
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) 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) 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,
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; Fiesen, 34; Geist, 25; Gragert, 40; Halloran, 33; Hansen, B., 16; Hilgeman, 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 indefeasible 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 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 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 Adams 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
Albrecht, Joni
Arch, John
Blood, Carol
Bostar, Eliot
Bostelman, Bruce
Brandt, Tom
Brewer, Tom
Briese, Tom
Cavanaugh, John, Jr.
Cavanaugh, Machaela
Clements, Robert
Day, Jen
DeBoer, Wendy
Dorn, Myron
Erdman, Steve
Flood, Mike
Friesen, Curt
Geist, Suzanne
Gragert, Tim
Groene, Mike
Halloran, Steve
Hansen, Ben
Hansen, Matt
Hilgers, Mike
Hilkemann, Robert
Hughes, Dan
Hunt, Megan
Koltermán, Mark
Lathrop, Steve
Lindstrom, Brett
Lowe, John S., Sr.
McCullister, John S.
McDonnell, Mike
McKinney, Terrell M.
Morfeld, Adam
Moser, Mike
Murman, Dave
Pahls, Rich
Pansing Brooks, Patty
Sanders, Rita
Slama, Julie
Stinner, John
Vargas, Tony
Wafz, Lynné
Williams, Matt
Wishart, Anna
The following members were excused:

Linehan, Lou Ann       Wayne, Justin T.

**CERTIFICATE**

State of Nebraska

<table>
<thead>
<tr>
<th>DISTRICT/NAME</th>
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<tr>
<td>1 Julie Slama</td>
<td>November 3, 2020</td>
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<td>2 Robert Clements</td>
<td>November 6, 2018</td>
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<tr>
<td>3 Carol Blood</td>
<td>November 3, 2020</td>
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<td>4 Robert Bob Hilkemann</td>
<td>November 6, 2018</td>
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<td>5 Mike McDonnell</td>
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<td>6 Machaela Cavanaugh</td>
<td>November 6, 2018</td>
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<td>8 Megan Hunt</td>
<td>November 6, 2018</td>
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<td>9 John Cavanaugh</td>
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<td>11 Terrell McKinney</td>
<td>November 3, 2020</td>
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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, “each 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, “no 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

You 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.

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.


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.


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 "have[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. 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.

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.
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/cem/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 *Summum* 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." *Summum*, 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 focus[es] on the particular" kind of monument or practice at issue "and look[es] 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. Dep't 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." Summum, 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,
 DOUGLAS J. PETERSON
(Signed) James A. Campbell
Assistant Attorney General

pc Patrick J. O'Donnell
Clerk of the Legislature

Opinion 21-016


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](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](https://www.dictionary.com/browse/education). "Teaching" is "the act or profession of a person who teaches." [https://www.dictionary.com/browse/teaching](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](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, 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." 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."


(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.

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

[the] 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
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 right 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).

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, 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.


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.

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.

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.

Section 79-413(3)(b) and (c) set out the procedures when a bond election is held in conjunction with the petition.

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.

"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 backlog 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
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.
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.


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.


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.


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.
LEGISLATIVE BILL 765. 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.

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; Grager, 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;
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,
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)(4) 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. Strike the original sections and all amendments thereto and

2. insert the following new sections:

Section 1. Section 77-2004, Reissue Revised Statutes of Nebraska, is
amended to read:

1) In the case of a father, mother, grandfather, grandmother, brother, sister, son, daughter, child or children legally adopted as such in conformity with the laws of the state where adopted, any lineal descendant, any lineal descendant legally adopted as such in conformity with the laws of the state where adopted, any person to whom the deceased for not less than ten years prior to death stood in the acknowledged relation of a parent, or the spouse or surviving spouse of any such persons, the rate of tax shall be:

(a) For decedents dying prior to January 1, 2023, one percent of the clear market value of the property in excess of forty thousand dollars received by each person in excess of forty thousand dollars;

(b) For decedents dying on or after January 1, 2023, and before January 1, 2025, one percent of the clear market value of the property received by each person in excess of one hundred thousand dollars;

(c) For decedents dying on or after January 1, 2025, and before January 1, 2026, seventy-five hundredths of one percent of the clear market value of the property received by each person in excess of one hundred thousand dollars;

(d) For decedents dying on or after January 1, 2026, and before January 1, 2027, five-tenths of one percent of the clear market value of the property received by each person in excess of one hundred thousand dollars;

(e) For decedents dying on or after January 1, 2027, and before January 1, 2028, twenty-five hundredths of one percent of the clear market value of the property received by each person in excess of one hundred thousand dollars; and

(f) For decedents dying on or after January 1, 2028, zero percent.

2 Any interest in property, including any interest acquired in the manner set forth in section 77-2002, which may be valued at a sum less than or equal to the applicable exempt amount under subsection (1) of this section forty thousand dollars shall not be subject to tax.

In addition, the homestead allowance, exempt property, and family maintenance allowance shall not be subject to tax. Interests passing to the surviving spouse by will, in the manner set forth in section 77-2002, or in any other manner shall not be subject to tax. Any interest passing to a person described in subsection (1) of this section who is under twenty-two years of age shall not be subject to tax. In the case of an uncle, aunt, niece, or nephew related to the deceased by blood or legal adoption, or other lineal descendant of the same, or the spouse or surviving spouse of any of such persons, the rate of tax shall be:

(a) For decedents dying prior to January 1, 2023, thirteen percent of the clear market value of the property received by each person in excess of fifteen thousand dollars;

(b) For decedents dying on or after January 1, 2023, and before January 1, 2024, eleven percent of the clear market value of the property received by each person in excess of forty thousand dollars;

(c) For decedents dying on or after January 1, 2024, and before January 1, 2025, nine percent of the clear market value of the property received by each person in excess of forty thousand dollars;

(d) For decedents dying on or after January 1, 2025, and before January 1, 2026, seven percent of the clear market value of the property received by each person in excess of forty thousand dollars;

(e) For decedents dying on or after January 1, 2026, and before January 1, 2027, five percent of the clear market value of the property received by each person in excess of forty thousand dollars;

(f) For decedents dying on or after January 1, 2027, and before January 1, 2028, zero percent.

Sec. 2. Section 77-2005, Reissue Revised Statutes of Nebraska, is amended to read:

(a) For decedents dying prior to January 1, 2023, thirteen percent of the clear market value of the property received by each person in excess of fifteen thousand dollars;

(b) For decedents dying on or after January 1, 2023, and before January 1, 2024, eleven percent of the clear market value of the property received by each person in excess of forty thousand dollars;

(c) For decedents dying on or after January 1, 2024, and before January 1, 2025, nine percent of the clear market value of the property received by each person in excess of forty thousand dollars;

(d) For decedents dying on or after January 1, 2025, and before January 1, 2026, seven percent of the clear market value of the property received by each person in excess of forty thousand dollars;

(e) For decedents dying on or after January 1, 2026, and before January 1, 2027, five percent of the clear market value of the property received by each person in excess of forty thousand dollars;
FIRST DAY - JANUARY 5, 2022

January 1, 2028, three percent of the clear market value of the property received by each person in excess of forty thousand dollars; and
(g) For decedents dying on or after January 1, 2028, zero percent.
(2) If the clear market value of the beneficial interest is less than or equal to the applicable exempt amount under subsection (1) of this section fifteen thousand dollars or less, it shall not be subject to tax. In addition, any interest passing to a person described in subsection (1) of this section who is under twenty-two years of age shall not be subject to tax.
Sec. 3. Section 77-2006, Reissue Revised Statutes of Nebraska, is amended to read:
77-2006 (1) In all other cases the rate of tax shall be:
(a) For decedents dying prior to January 1, 2023, eighteen percent
of the clear market value of the beneficial interests received by each person in excess of ten thousand dollars;
(b) For decedents dying on or after January 1, 2023, and before January 1, 2024, fifteen percent of the clear market value of the beneficial interests received by each person in excess of twenty-five thousand dollars;
(c) For decedents dying on or after January 1, 2024, and before January 1, 2025, twelve percent of the clear market value of the beneficial interests received by each person in excess of twenty-five thousand dollars;
(d) For decedents dying on or after January 1, 2025, and before January 1, 2026, nine percent of the clear market value of the beneficial interests received by each person in excess of twenty-five thousand dollars;
(e) For decedents dying on or after January 1, 2026, and before January 1, 2027, six percent of the clear market value of the beneficial interests received by each person in excess of twenty-five thousand dollars;
(f) For decedents dying on or after January 1, 2027, and before January 1, 2028, three percent of the clear market value of the beneficial interests received by each person in excess of twenty-five thousand dollars; and
(g) For decedents dying on or after January 1, 2028, zero percent.
Such rates of tax shall be applied to the clear market value of the beneficial interests in excess of ten thousand dollars received by each person.
(2) If the clear market value of the beneficial interest is less than or equal to the applicable exempt amount under subsection (1) of this section ten thousand dollars or less, it shall not be subject to any tax. In addition, any interest passing to a person who is under twenty-two years of age shall not be subject to tax.
Sec. 4. On or before July 1, 2023, and on or before July 1 of each year thereafter through July 1, 2029, the county treasurer of each county shall submit a report regarding inheritance taxes to the Department of Revenue. The report shall be submitted on a form prescribed by the department and shall include the following information for the most recently completed calendar year:
(1) The amount of inheritance tax revenue generated under section 77-2004 and the number of persons receiving property that was subject to tax under section 77-2004;
(2) The amount of inheritance tax revenue generated under section 77-2005 and the number of persons receiving property that was subject to tax under section 77-2005;
(3) The amount of inheritance tax revenue generated under section 77-2006 and the number of persons receiving property that was subject to tax under section 77-2006; and
(4) The number of persons who do not reside in this state and who...
Senator Albrecht filed the following amendment to LB596:

AM1520

1. On page 3, line 11, strike "2021" and insert "2022".
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

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Executive Board

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83  Interim study to examine the gubernatorial appointment process to boards, commissions, and similar entities  X

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Interim study to examine the effect of universal recognition of occupational licenses on populations frequently negatively impacted by occupational licensing in the state

Interim study to examine county fees and fines set by statute and the cost for administering the associated services

Interim study to review occupational regulation of truth and deception examiners pursuant to the Occupational Board Reform Act (report to be submitted by 12/15/2021)

Interim study to investigate the advertisement and use of unproven stem cell injections as a therapy for health disorders

Interim study to determine whether legislation should be enacted to provide for additional supports and further address the issue of maternal depression in Nebraska

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

Interim study to examine whether the Solemn Covenant of the States to Award Prizes for Curing Diseases compact should be adopted

Interim study to examine postacute placement challenges in Nebraska’s health care system

Interim study to explore ways of improving dental benefits under the medical assistance program

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<td>Interim study to examine nonprofit movie theaters and tax-exempt status</td>
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<td>162</td>
<td>Interim study to examine School Readiness Tax Credit Act</td>
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### Transportation and Telecommunications

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<td>127</td>
<td>Interim study to identify a more equitable scale for motor vehicle taxation</td>
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<td>Interim study to examine the transfer of state-owned property to local political subdivisions</td>
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<td>Interim study to examine issues related to the operation of autonomous vehicles in Nebraska</td>
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<td>Interim study to examine broadband mapping and broadband speed testing in Nebraska</td>
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<td>Interim study to review issues relating to the collection of agricultural data in precision farming</td>
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<td>Interim study to examine issues</td>
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related to the regulation and taxation of electric vehicles

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<td>Interim study to review the occupational regulations for motor vehicle dealers</td>
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<td>236</td>
<td>Interim study to review issues relating to the Nebraska Expressway System</td>
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Urban Affairs

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<td>Interim study to examine receive reports and public input under the Municipal Density and Missing Middle Housing Act</td>
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<td>122</td>
<td>Interim study to examine the statutes governing cities of the metropolitan class</td>
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<td>123</td>
<td>Interim study to review the occupational regulations for radon measurement specialists and radon mitigation specialists</td>
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<td>Interim study to examine issues relating to the designation of extremely blighted areas under the Community Development Law</td>
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<td>Interim study to examine issues relating to the designation of enhance employment areas under the Community Development Law</td>
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<td>Interim study to examine issues relating to the designation of blighted areas and extremely blighted areas under the Community Development Law</td>
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<td>Interim study to examine the lack of affordable housing in Nebraska</td>
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<td>172</td>
<td>Interim study to examine the negative impacts of an oversaturation of nonprofit organizations and philanthropy in densely populated areas of high poverty</td>
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<td>208</td>
<td>Interim study to examine the</td>
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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,
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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.


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.


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;

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; and 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.


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.


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, 39-891, 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,
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 Coinintroducer(s)

Unanimous consent to add Senator(s) as coinintroducer(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:

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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
Dukeshner, 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 Santa 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
Mannos, 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 Horsemens 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
Mikołajczyk, 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
Mueting, 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
Peetz & Company

Sehrodt, 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.
Trociniski, 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
Venzer, 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
Wininger, Dwight
   ALLO Communications
Winston, Kenneth C.
   Bold Alliance, Inc.
Wittstruck, Courtney
   Nebraska Community College Association
Woeppe, 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


Senator Morfeld offered the following amendment:

AM1545
1. Insert the following new RESOLVED clause:
2. The Legislature reaffirms its commitment to protecting the gun rights of Nebraskans. The convention of the states shall not propose amendments that could in any way result in the restriction, disempowerment, or elimination of the Second Amendment.
6. 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 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:

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LB886  Judiciary
LB887  Education
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LB889  Agriculture
LB890  Education
LB891  Revenue
LB892  Banking, Commerce and Insurance
LB893  Appropriations
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LB898  General Affairs
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LB900  General Affairs
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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
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
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 Wishart

Excused and not voting, 4:

Blood Briese Flood Vargas

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.


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. Insert the following new RESOLVED clause:
2. The Legislature reaffirms its commitment to protecting the voting rights of Nebraska voters. The convention of states shall not propose amendments that could in any way result in the restriction, disempowerment, or elimination of the United States Department of Justice.
3. Renumber the remaining RESOLVED clauses accordingly.

Senator M. Hansen withdrew his amendment.

Senator Hunt offered the following amendment:

AM1550

1. In the first RESOLVED clause, after the last instance of "Congress" insert ", except that any federal fiscal constraints shall not 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:

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<tr>
<th>Arch</th>
<th>Dorn</th>
<th>Halloran</th>
<th>Lowe</th>
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<tr>
<td>Bostar</td>
<td>Erdman</td>
<td>Hansen, B.</td>
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<td>Briese</td>
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<td>Clements</td>
<td>Groene</td>
<td>Linehan</td>
<td>Slama</td>
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Voting in the negative, 10:

<table>
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<tr>
<th>Albrecht</th>
<th>Hansen, M.</th>
<th>Lathrop</th>
<th>McKinney</th>
<th>Pansing Brooks</th>
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<tr>
<td>Day</td>
<td>Hunt</td>
<td>McCollister</td>
<td>Morfeld</td>
<td>Walz</td>
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Present and not voting, 4:

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<tr>
<th>Aguilar</th>
<th>Cavanaugh, J.</th>
<th>Cavanaugh, M.</th>
<th>Hughes</th>
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</table>

Excused and not voting, 3:

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<tr>
<th>Blood</th>
<th>DeBoer</th>
<th>Vargas</th>
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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
AMENDMENT(S) - Print in Journal

Senator Stinner filed the following amendment to LB376A:

AM1463

1. 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 $89,375 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
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. 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
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
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) $2,996,448 from the General Fund and $9,067,952 from federal funds for
27 FY2022-23 to the Department of Health and Human Services, for Program
28 348, to aid in carrying out the provisions of Legislative Bill 376, One
29 Hundred Seventh Legislature, First Session, 2021,
30 No expenditures for permanent and temporary salaries and per diems
31 for state employees shall be made from funds appropriated in this
32 section.
33 There is included in the appropriation to this program for FY2021-22
34 $1,498,224 General Funds for state aid, which shall only be used for such
35 purpose. There is included in the appropriation to this program for
36 FY2022-23 $2,996,448 General Funds for state aid, which shall only be
37 used for such purpose.

Senator Hunt filed the following amendment to LB781:
AM1535
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
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
27 to the deceased by blood or legal adoption, or other lineal descendant of
28 the same, or the spouse or surviving spouse of any of such persons, the
29 rate of tax shall be thirteen percent of the clear market value of the
30 property received by each person in excess of thirty fifteen thousand
31 dollars.
32 (2) If the clear market value of the beneficial interest is thirty
33 fifteen thousand dollars or less, it shall not be subject to tax.
34 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 thousand dollars. Such rates of tax shall be applied to the
13 clear market value of the beneficial interests in excess of twenty thousand dollars received by each person.
15 (2) If the clear market value of the beneficial interest is twenty
16 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, 2021.
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
32 estate was administered. The report shall be submitted on a form
33 prescribed by the Department of Revenue and shall include the following
34 information:
35 (1) The amount of inheritance tax revenue generated under section
36 77-2004 and the number of persons receiving property that was subject to
37 tax under section 77-2004;
38 (2) The amount of inheritance tax revenue generated under section
39 77-2005 and the number of persons receiving property that was subject to
40 tax under section 77-2005;
41 (3) The amount of inheritance tax revenue generated under section
42 77-2006 and the number of persons receiving property that was subject to
43 tax under section 77-2006; and
44 (4) The number of persons who do not reside in this state and who
45 received any property that was subject to tax under section 77-2004, 77-2005,
46 or 77-2006.
47 Sec. 6. The Revisor of Statutes shall assign section 5 of this act
48 to Chapter 77, article 20.
49 Sec. 7. Original sections 77-2004, 77-2005, 77-2006, and 77-2040,
50 Reissue Revised Statutes of Nebraska, are repealed.

Senator McCollister filed the following amendment to LR14:

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
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.
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.

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
Tuesday, January 18, 2022

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:

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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

Present and not voting, 2:

Cavanaugh, M.    Halloran

Excused and not voting, 3:
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 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 fourth 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
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

Excused and not voting, 4:

Bostar Bostelman Day Flood

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.
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; Koltermann, 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:

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<th>Committee</th>
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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. Strike original sections 3 and 4.
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. Renumber the remaining sections and correct the repealer 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
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.
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. On page 2, line 30, strike "and".
2. On page 3, line 1, after "79-318" insert "and (e) participates in a statewide assessment and reporting system as described in section 79-760.03".

Senator M. Hansen filed the following amendment to LB364:

AM1585  
(Amendments to Standing Committee amendments, AM762)

1. On page 2, strike beginning with "complies" in line 27 through 2021 in line 28 and insert "does not discriminate on the basis of disability or special education status".

Senator Hilkemann filed the following amendment to LB496:

AM1582  
(Amendments to E&R amendments, ER90)

1. On page 9, line 10, strike "2022" and insert "2023".

Senator Hilkemann filed the following amendment to LB496A:

AM1580

1. Strike the original sections and insert the following new sections:
2. Section 1. There is hereby appropriated (1) $423,846 from the General Fund for FY2022-23 and (2) $829,692 from the General Fund for FY2023-24 to the Nebraska State Patrol, for Program 100, to aid in carrying out the provisions of Legislative Bill 496, One Hundred Seventh Legislature, Second Session, 2022.
3. Total expenditures for permanent and temporary salaries and per diems from funds appropriated in this section shall not exceed $16,203 for FY2022-23 or $32,407 for FY2023-24.
4. 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
Lostroh, Julia
Nebraska Right to Life
Nebraska Strategies
Lake McConaughy, LLC
Lincoln Premium Poultry
O'Neil, Thomas, Jr.
Nebraska Telecommunications Association
Otto, James A.
American Communications, Inc.
Peetz & Company
Telcoin
Radcliffe, Walter H. of Radcliffe Gilbertson & Brady
RV Industry Association
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
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:
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; Koltermann, 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.


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:

<table>
<thead>
<tr>
<th>LB/LR</th>
<th>Committee</th>
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<tbody>
<tr>
<td>LB979</td>
<td>Revenue</td>
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<td>LB980</td>
<td>Judiciary</td>
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<td>LB981</td>
<td>Natural Resources</td>
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AMENDMENT(S) - Print in Journal

Senator Hunt filed the following amendment to LB933:

AM1577

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. 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
LB855

Wednesday, January 26, 2022
LB891

(Signed) Lou Ann Linehan, Chairperson
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
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
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.


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:
EIGHTH DAY - JANUARY 18, 2022

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.

**BILL 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
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. 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, anthophyllite, 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
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:

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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. Insert the following new section:

2. Sec. 2. Section 60-1515, Reissue Revised Statutes of Nebraska, is 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 therefore 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,
(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


(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
LEGISLATIVE JOURNAL
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.


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
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, 85-1,135.02, 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,
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 Linehan, 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 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 irrepealable 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    Hil kemann    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:
Present and not voting, 4:

Aguilar  Clements  Day  Halloran

Excused and not voting, 3:

Blood  Briese  Geist

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:

MQ128
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 (19) The Medical Nutrition Therapy Practice Act;
2 20 (20) The Medical Radiography Practice Act;
3 21 (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 has furnished
26 satisfactory evidence to the department that the individual:
27 (a) Is of good character;
28 (b) 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
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 disempowerment, or elimination of the Second Amendment.
6 2. 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 Bespalec 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:

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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
TENTH DAY - JANUARY 20, 2022

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 Hil kemann offered his amendment, AM1580, found on page 302.

Senator Hil kemann moved for a call of the house. The motion prevailed with 23 ayes, 1 nay, and 25 not voting.

The Hil kemann 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 25 ayes, 2 nays, 15 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.


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, 43-1401, 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:

FY63

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

Excused and not voting, 4:

Blood    Dorn     Groene   Wishart

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 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 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.
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:
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.
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 course, 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 to be held 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:

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<td>Urban Affairs (rereferred)</td>
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<td>LB1048</td>
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LB1140 Business and Labor
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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
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
Magan, 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 to 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
AMENDMENT(S) - Print in Journal

Senator Groene filed the following amendment to LB568:

AM1464

(Amendments to E&R amendments, ER93)

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. 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:

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<th>LB/LR</th>
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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. 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
(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. 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. 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
Senator Wayne filed the following amendment to LB825:

AM1649

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. 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. 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. 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; Linehan, 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:

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</tbody>
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(Signed) Dan Hughes, Chairperson
Executive Board
COMMUNICATION

Received communication to Senator Arch and the Health and Human Services Committee, from Gary J. Anthone, 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.
Senator Arch filed the following amendment to LB376:

AMENDMENT(S) - Print in Journal

AM1646

(AMendments to Standing Committee amendments, AM1307)

1. Insert the following new sections:

2 Sec. 5. If the federal Centers for Medicare and Medicaid Services
denies the 1915(c) waiver required to be submitted in section 2 of this
act, the family support program outlined in sections 2 to 4 of this act
shall not be implemented until such waiver or other mechanism authorizing
the program is approved. The Department of Health and Human Services
shall submit a new waiver application or seek other mechanisms for
approval if such application is denied.

Sec. 7. Section 83-1201, Revised Statutes Cumulative Supplement,
102020, is amended to read:

11 83-1201 Sections 83-1201 to 83-1227 and section 8 of this act shall
be known and may be cited as the Developmental Disabilities Services Act.

13 Sec. 8. (1) The Department of Health and Human Services shall
engage a nationally recognized consultant to provide an evaluation of the
state's developmental disabilities system in order to examine how the
State of Nebraska can better serve all Nebraskans with a variety of
developmental disabilities.

18 (2) The consultant shall be independent of the Department of Health
and Human Services and be a national entity that can demonstrate:

20 (a) Direct involvement with public and tribal developmental
disabilities agencies;

(b) Partnerships with national advocacy organizations, think tanks,
or technical assistance providers for persons with developmental
disabilities;

(c) Collaboration with community agencies for persons with
developmental disabilities; and

(d) Independent research regarding developmental disabilities.

(3) The evaluation shall analyze the array of services and programs
existing in Nebraska for persons with developmental disabilities and
address potential areas for improvement with an emphasis on maximizing
impact, effectiveness, and cost-efficiencies. The evaluation shall
consider: (a) Services offered and provided by the state through the
medicaid state plan or by current medicaid waivers; (b) services offered
by other states through medicaid state plans, medicaid waivers, or other
mechanisms; and (c) any other areas which may be beneficial to the state
in the assessment of its developmental disabilities services.

(4) The Department of Health and Human Services shall electronically
deliver a report detailing the findings and recommendations of the
consultant to the Governor, the chairperson of the Health and Human
Services Committee of the Legislature, and the Clerk of the Legislature
on or before December 31, 2023.

(5) Engagement of the consultant described in this section shall not
be subject to competitive bidding requirements under sections 73-501 to
73-510.

2 On page 3, line 25, after "method" insert ", as provided in
section 4 of this act."

3. Renumber the remaining sections and correct the repealer
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 thousand 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
32 section and for allocating the school district taxes paid. For taxable
33 years beginning or deemed to begin on or after January 1, 2021, under the
34 Internal Revenue Code of 1986, as amended, the refundable credit shall be
35 claimed by the corporation having an election in effect under subchapter
36 S of the Internal Revenue Code, the partnership, the limited liability
37 company, the trust, or the estate that paid the school district taxes.
38 (4) For any fiscal year or short year taxpayer, the credit may be
39 claimed in the first taxable year that begins following the calendar year
40 for which the credit percentage was determined. The credit shall be taken
41 for the school district taxes paid by the taxpayer during the immediately
42 preceding calendar year.
43 (5) For the first taxable year beginning or deemed to begin on or
44 after January 1, 2021, and before January 1, 2022, under the Internal
45 Revenue Code of 1986, as amended, for a corporation having an election in
46 effect under subchapter S of the Internal Revenue Code, a partnership, a
47 limited liability company, a trust, or an estate that paid school
48 district taxes in calendar year 2020 but did not claim the credit
49 directly or allocate such school district taxes to the shareholders,
50 partners, members, or beneficiaries as permitted under subsection (3) of
51 this section, there shall be allowed an additional refundable credit.
52 This credit shall be equal to six percent, multiplied by the amount of
53 school district taxes paid during 2020 by the eligible taxpayer.
54 Sec. 2. Original section 77-6703, Revised Statutes Supplement,
55 24 2021, is repealed.

Pending.
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

LEGISLATIVE BILL 767. Placed on General File with amendment.

AM1643
1 1. On page 11, line 31, after "entity" insert "or a 340B contract pharmacy".
2 3. On page 12, line 1, after "entity" insert "or the 340B contract pharmacy"; in line 3 after "entities" insert "or 304B contract pharmacies"; in lines 4, 5, 7, and 9 after "entity" insert "or 304B contract pharmacy"; and strike lines 10 through 14 and insert the following new subsection:
8 *(3) For purposes of this section:
9 (a) 340B entity means an entity participating in the federal 340B drug discount program, as described in 42 U.S.C. 256b; and
11 (b) 340B contract pharmacy means any pharmacy under contract with a 340B entity to dispense drugs on behalf of such 340B entity.*

(Signed) Matt Williams, Chairperson

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
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. 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) 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) Interest earned by the department on grant funds shall be 24 applied to the grant program.
25 (6) 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) 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. 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 combined 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
JANUARY

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
27 least one hundred fifty percent of the average rate of unemployment in
28 the state during the same period; and
29 (b) The average poverty rate in the area is twenty percent or more
30 for the federal census tract in the area;
31 (4) iHub area means the geographical area in this state in which an
32 iHub will operate. An iHub area shall be located within:
33 (a) An economic redevelopment area; or
34 (b) An enterprise zone designated pursuant to the Enterprise Zone
35 Act;
36 (5) iHub partner means an entity described in section 6 of this act
37 that collaborates with an iHub for purposes of driving economic growth
38 within an iHub area;
39 (6) Innovation hub or iHub means a private nonprofit corporation
40 that is designated by the director as an iHub; and
41 (7) Postsecondary educational institution means a two-year or four-
42 year college or university which is a member institution of an
43 accrediting body recognized by the United States Department of Education.
44 Sec. 4. The department shall designate innovation hubs within iHub
45 areas to stimulate partnerships, economic development, and job creation
46 by leveraging iHub partner assets to provide an innovation platform for
47 startup businesses, economic development organizations, business groups,
48 and venture capitalists. The iHub partner assets may include, but are not
49 limited to, research parks, technology incubators, universities, and
50 federal laboratories. 
51 Sec. 5. (1) A private nonprofit corporation may apply to the
52 director to become designated as an iHub. Applications shall be submitted
53 on or after November 1, 2022, and before June 1, 2023. The application
54 shall include, but not be limited to, the following:
55 (a) A statement of purpose;
56 (b) A signed statement of cooperation and a description of the roles
57 and responsibilities of each iHub partner;
58 (c) A clear explanation and map conveying the iHub area;
59 (d) A clearly identified central location for the iHub, which shall
60 be a physical location;
61 (e) A complete budget, including a description of secured funds,
62 pending funds, and potential future funding sources;
63 (f) A clearly articulated iHub management structure and plan, which
64 may include a description of the capabilities, qualifications, and
65 experience of the proposed management team, team leaders, or key
66 personnel who are critical to achieving the proposed objectives;
67 (g) A list of iHub assets and resources;
68 (h) A clearly articulated industry focus area of the iHub, including
69 industry sectors or other targeted areas for development and growth;
70 (i) A list of specific resources available to support and guide
71 startup companies;
72 (j) A five-year plan, which shall include a clearly articulated list
73 of goals to be achieved with the designation of the iHub;
74 (k) Defined performance standards agreed upon by the applicant and
75 the proposed iHub partners, which may include expectations for job
76 development and business creation;
77 (l) Evaluation procedures that will be used to measure the level of
achievement for each stated goal;
21. (m) A plan for sustainability;
22. (n) Demonstrated experience with innovation programs, such as
23. involvement with technology commercialization;
24. (o) Evidence of community engagement and support; and
25. (p) An application fee of one thousand dollars. The director shall
26. remit all application fees received under this section to the State
27. Treasurer for credit to the Innovation Hub Cash Fund.
28. (2) The department shall establish a weighted scoring system to
29. evaluate applications for iHub designations. Such weighted scoring system
30. 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
d. 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
development or training organization, an incubator or a business
accelerator, a business technical assistance provider, a chamber of
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
research and development facility.
The department may allow an entity not listed in subsection (1) of this section to serve as an iHub partner if the department finds that such entity is related to the goals of the iHub.

An iHub’s board of directors shall include a representative of each iHub partner that has signed a statement of cooperation with the iHub.

Before an official designation as an iHub, the applicant shall self-certify that the iHub and its iHub partners are current in the payment of all state and local taxes owed.

An iHub may do all of, but shall not be limited to, the following:

(a) Provide counseling and technical assistance to entrepreneurs, either by direct or indirect services, in the following areas:
   (i) The legal requirements for starting a business;
   (ii) Entrepreneurial business planning and management;
   (iii) Financing and the use of credit;
   (iv) Marketing for small businesses;
   (v) Tax education;
   (vi) Financial account management, bookkeeping, and budgeting;
   (vii) Leadership development;
   (viii) Insurance needs and requirements;
   (ix) Sources for grant funding and how to apply for such grants;
   (x) Financial literacy education;
   (xi) Permit and licensing requirements; and
   (xii) Government procurement processes;

(b) Conduct business workshops, seminars, and conferences with local partners including, but not limited to, universities, community colleges, local governments, state and federal service providers, private industry, workforce investment boards and agencies, small business development centers, microenterprise development organizations, small business service agencies, economic development organizations, and chambers of commerce;

(c) Facilitate partnerships between innovative startup businesses, research institutions, and venture capitalists or financial institutions;

(d) Provide the following for entrepreneurs:
   (i) Housing;
   (ii) Retail space;
   (iii) Commercial kitchens;
   (iv) Community spaces;
   (v) Coworking spaces; and
   (vi) Make loans and award grants to entrepreneurs.

An iHub shall, to the extent feasible, do all of the following:

(a) Work in close collaboration with the activities of the department as its primary statewide partner and other state economic and workforce development programs;

(b) Coordinate activities with community colleges, universities, and

The Innovation Hub Cash Fund is created. The fund shall be administered by the department and shall consist of application fees received under section 3 of this act, funds transferred by the Legislature, and any other money as determined by the Legislature.

The fund shall be used by the department for purposes of carrying out the Nebraska Innovation Hub Act. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

The director may adopt and promulgate rules and regulations to carry out the Nebraska Innovation Hub Act.
Senator Blood filed the following amendment to LB723:

AM1663

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
cited as the Property Tax Reduction Act.
4. Sec. 2. The purpose of the Property Tax Reduction Act is to provide
property tax relief for property taxes levied against real property by
school districts. The property tax relief will be made to eligible
taxpayers in the form of a property tax credit.
5. Sec. 3. For purposes of the Property Tax Reduction Act:
6. (1) Allowable growth percentage means the percentage increase, if
any, in the total assessed value of all real property in the state from
the prior year to the current year, as determined by the department.
7. except that in no case shall the allowable growth percentage exceed five
8. percent in any one year.
9. (2) Department means the Department of Revenue;
10. (3) Eligible taxpayer means any individual, corporation,
partnership, limited liability company, trust, estate, or other entity
that pays school district taxes; and
11. (4) School district taxes means property taxes levied on real
property in this state by a school district or multiple-district school
system, excluding any property taxes levied for bonded indebtedness and
any property taxes levied as a result of an override of limits on
property tax levies approved by voters pursuant to section 77-3444.
12. Sec. 4. The Property Tax Reduction Cash Fund is created. The fund
shall only be used pursuant to the Property Tax Reduction Act. Any money
in the fund available for investment shall be invested by the state
investment officer pursuant to the Nebraska Capital Expansion Act and the
Nebraska State Funds Investment Act.
13. Sec. 5. (1) Beginning with tax year 2022, each eligible taxpayer
shall receive a credit against the school district taxes levied on the
eligible taxpayer's property. The credit shall be equal to the credit
percentage for the year, as set by the department under subsection (2) of
this section, multiplied by the amount of school district taxes levied
against the eligible taxpayer's property for such year. The credit shall
be in the form of a property tax credit which appears on the property tax
statement.
14. (2)(a) For tax year 2022, the department shall set the credit
percentage so that the total amount of credits for such year shall be
eight hundred forty-eight million dollars;
15. (b) For tax year 2023, the department shall set the credit
percentage so that the total amount of credits for such year shall be
five hundred forty-eight million dollars;
16. (c) For tax year 2024, the department shall set the credit
percentage so that the total amount of credits for such year shall be
three hundred seventy-five million dollars.
17. (d) For tax year 2025 and each tax year thereafter, the department
shall set the credit percentage so that the total amount of credits for
such year shall be the maximum amount of credits allowed in the prior
year increased by the allowable growth percentage;
18. (3) The State of Nebraska shall reimburse school districts for the
property tax revenue lost as a result of the credit granted in this
section. The amount disbursed to each school district shall be equal to
the total amount of credits for the year as determined under subsection
(2)(c) of this section multiplied by the ratio of the total school district
taxes levied by the school district to the total school district taxes
levied in the state. By September 15, the Property Tax Administrator
shall determine the amount to be disbursed under this subsection to each
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 77-3301 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 to
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 (4) 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) (1) 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
32 property in this state by a school district or multiple-district school
33 system, excluding any property taxes levied for bonded indebtedness and
34 any property taxes levied as a result of an override of limits on
35 property tax levies approved by voters pursuant to section 77-3444.
36 Sec. 7. Section 77-6703, Revised Statutes Supplement, 2021, is
37 amended to read:
38 77-6703 (1) For taxable years beginning or deemed to begin on or
39 after January 1, 2020, and before January 1, 2022, under the Internal
40 Revenue Code of 1986, as amended, there shall be allowed to each eligible
41 taxpayer a refundable credit against the income tax imposed by the
42 Nebraska Revenue Act of 1967 or against the franchise tax imposed by
43 sections 77-3801 to 77-3807. The credit shall be equal to the credit
44 percentage for the taxable year, as set by the department under
45 subsection (2) of this section, multiplied by the amount of school
46 district taxes paid by the eligible taxpayer during such taxable year.
47 (2)(a) For taxable years beginning or deemed to begin during
48 calendar year 2020, the department shall set the credit percentage so
49 that the total amount of credits for such taxable years shall be one
50 hundred twenty-five million dollars; and
51 (b) For taxable years beginning or deemed to begin during calendar
52 year 2021, the department shall set the credit percentage so that the
53 total amount of credits for such taxable years shall be one hundred
54 twenty-five million dollars plus either (i) the amount calculated for
55 such calendar year under subdivision (3)(b)(ii)(B) of section 77-4602 or
56 (ii) the amount calculated for such calendar year under subdivision (3)
57 (c)(ii)(B) of section 77-4602, whichever is applicable;
58 (c) For taxable years beginning or deemed to begin during calendar
59 year 2022, the department shall set the credit percentage so that the
60 total amount of credits for such taxable years shall be the maximum
61
amount of credits allowed under subdivision (2)(b) of this section plus
either (i) the amount calculated for such calendar year under subdivision
(3)(b)(ii)(B) of section 77-4602 or (ii) the amount calculated for such
calendar year under subdivision (3)(c)(ii)(B) of section 77-4602,
whichever is applicable;
(4) For taxable years beginning or deemed to begin during calendar
year 2023, the department shall set the credit percentage so that the
total amount of credits for such taxable years shall be the maximum
amount of credits allowed under subdivision (2)(c) of this section plus
the amount calculated for such calendar year under subdivision
(3)(b)(ii)(B) of section 77-4602 or (ii) the amount calculated for such
calendar year under subdivision (3)(c)(ii)(B) of section 77-4602,
whichever is applicable;
(5) For taxable years beginning or deemed to begin during calendar
year 2024, the department shall set the credit percentage so that the
total amount of credits for such taxable years shall be three hundred
seventy-five million dollars; and
(6) For taxable years beginning or deemed to begin during calendar
year 2025 and each calendar year thereafter, the department shall set the
credit percentage so that the total amount of credits for such taxable
years shall be the maximum amount of credits allowed in the prior year
increased by the allowable growth percentage.

(3) If the school district taxes are paid by a corporation having an
election in effect under subchapter S of the Internal Revenue Code, a
partnership, a limited liability company, a trust, or an estate, the
amount of school district taxes paid during the taxable year may be
allocated to the shareholders, partners, members, or beneficiaries in the
same proportion that income is distributed for taxable years beginning or
deemed to begin before January 1, 2021, under the Internal Revenue Code
1986, as amended. The department shall provide forms and schedules
necessary for verifying eligibility for the credit provided in this
section and for allocating the school district taxes paid. For taxable
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
amended, the refundable credit shall be claimed by the corporation having
an election in effect under subchapter S of the Internal Revenue Code,
the partnership, the limited liability company, the trust, or the estate
that paid the school district taxes.

(4) For any fiscal year or short year taxpayer, the credit may be
claimed in the first taxable year that begins following the calendar year
for which the credit percentage was determined. The credit shall be taken
for the school district taxes paid by the taxpayer during the immediately
preceding calendar year.

(5) For the first taxable year beginning or deemed to begin on or
during calendar year 2021, and before January 1, 2022, under the Internal
Revenue Code of 1986, as amended, for a corporation having an election in
year 2020, or short year taxpayer, the credit may be
allocated to the shareholders, partners, members, or beneficiaries in the
same proportion that income is distributed for taxable years beginning or
debt to be claimed under subsection (3) of
this section, there shall be allowed an additional refundable credit.

This credit shall be equal to six percent, multiplied by the amount of
school district taxes paid during 2020 by the eligible taxpayer.
Sec. 8. Section 81-12, 193, Revised Statutes Cumulative Supplement,
23 2020, is amended to read:
81-12, 193 (1) The Nebraska Transformational Projects Act and from appropriations from
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
Thursday, February 3, 2022
LR282CA

(Signed) Dan Hughes, Chairperson
Banking, Commerce and Insurance
Room 1525 12:00 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. 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 mutation therefrom; and all conditions associated with the disease which
6 are caused by SARS-CoV-2, its viral fragments, or a virus mutation therefrom;
7 (b) Department means the Department of Health and Human Services;
8 (i) Employer means a person engaged in an industry who has one or
9 more employees;
10 (ii) Employer also includes any party whose business is financed in
11 whole or in part under the Nebraska Investment Finance Authority Act
12 regardless of the number of employees and includes the State of Nebraska,
13 governmental agencies, and political subdivisions; and
14 (iii) Employer does not include (A) the United States, a corporation
15 wholly owned by the government of the United States, or an Indian tribe
16 or (B) a bona fide private membership club, other than a labor
17 organization, which is exempt from taxation under section 501(c) of the
18 Internal Revenue Code;
19 (d) Health care practitioner means a person licensed under (i) the
20 Medicine and Surgery Practice Act to practice medicine and surgery or
21 osteopathic medicine and surgery, (ii) the Medicine and Surgery Practice
22 Act to practice as a physician assistant, or (iii) the Advanced Practice
23 Registered Nurse Practice Act to practice as an advanced practice
26 registered nurse; and
27 (g) 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;
Grager, 40; Groene, 42; Hansen, B., 16; Hansen, M., 26; Hilgers, 21;
Hilkemann, 4; Hughes, 44; Hunt, 8; Koltermann, 24; Lathrop, 12; Lindstrom,
18; Linehan, 39; Lowe, 37; McCollister, 20; McDonnell, 5; McKinney, 11;
Mos, 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
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 lines 2 through 7.

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 (rereferred)

(Signed) Dan Hughes, Chairperson
Executive Board
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.

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 licensed under the Child Care Licensing Act".
2 (Signed) Lynne Walz, Chairperson

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. 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) Employer means a person engaged in an industry who has one or
11. more employees;
12. (i) 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. (ii) 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
28. under subsection (2) of this section.
29. (2) (a) The department shall develop a vaccine exemption form for an
30. individual to claim an exemption from receiving a COVID-19 vaccine as
31. provided in this section. The department shall make the form available on
32. the department's website.
33. (b) The form shall include a declaration by the individual seeking
34. an exemption that:
35. (i) A health care practitioner has provided the individual with a
36. signed written statement that, in the health care practitioner's opinion,
37. an individual receiving a COVID-19 vaccine is medically contraindicated for the
38. individual or (B) medical necessity requires the individual to delay
39. receiving such vaccine; or
40. (ii) Receiving a COVID-19 vaccine would conflict with the
41. individual's sincerely held religious belief, practice, or observance.
42. (3) An employer that requires applicants or employees to be
43. vaccinated against COVID-19 shall allow for an exemption to such
44. requirement for an individual who provides the employer with:
45. (a) A completed vaccine exemption form; and
46. (b) For an individual claiming an exemption based on the statement
of a health care practitioner, a copy of such signed written statement.

21 (4) An employer may require an employee granted an exemption under
this section to:
22 (a) Be periodically tested for COVID-19 at the employer's expense;
23 and
24 (b) Wear or use personal protective equipment provided by the
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.
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.
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
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

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.

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

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
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. Strike original section 1 and insert the following new section:
Section 1. (1) On or before January 1, 2023, the Nebraska Department of Transportation shall apply to the United States Department of Transportation for grants described in subsection (2) of this section, to be used for the purposes stated in subsection (3) of this section.
(2) Grants to be applied for under this section include grants awarded under:
(a) The Reconnecting Communities Pilot Program under the federal Infrastructure Investment and Jobs Act, Public Law 117-58;
(b) The National Infrastructure Project Assistance grant program (also known as the megaprojects grant program) under the federal Infrastructure Investment and Jobs Act, Public Law 117-58;
(c) The federal Rebuilding American Infrastructure with Sustainability and Equity (RAISE) program;
(d) The federal Infrastructure for Rebuilding America (INFRA) discretionary grant program;
(e) The federal Build Back Better Act, H.R. 5376, 117th Cong;
(f) Any similar federal infrastructure funding mechanisms.
(3) If the Nebraska Department of Transportation obtains such federal funds in a sufficient amount, the department shall use such funds to construct a new bridge crossing over a navigable river. Such crossing shall be within a city of the metropolitan class.
Senator Wayne filed the following amendment to LB798:

AM1708

1. Insert the following new sections:
2 Sec. 2. Section 18-2147, Revised Statutes Supplement, 2021, is amended to read:
3 18-2147 (1) Any redevelopment plan as originally approved or as later modified pursuant to section 18-2117 may contain a provision that any ad valorem tax levied upon real property, or any portion thereof, in a redevelopment project for the benefit of any public body shall be divided, for the applicable period described in subsection (3) of this section, as follows:
4 (a) That portion of the ad valorem tax which is produced by the levy at the rate fixed each year by or for each such public body upon the redevelopment project valuation shall be paid into the funds of each such public body in the same proportion as are all other taxes collected by or for the body. When there is not a redevelopment project valuation on a parcel, the county assessor shall determine the redevelopment project valuation based upon the fair market valuation of the parcel or parcels as of January 1 of the year prior to the year that the ad valorem taxes are to be divided. The county assessor shall provide written notice of the redevelopment project valuation to the authority as defined in section 18-2103 and the owner. The authority or owner may protest the valuation to the county board of equalization within thirty days after the date of the valuation notice. All provisions of section 77-1502 except dates for filing of a protest, the period for hearing protests, and the date for mailing notice of the county board of equalization's decision are applicable to any protest filed pursuant to this section.
5 (b) Any protest filed pursuant to this section within thirty days after the filing of the protest. The county clerk shall mail a copy of the decision made by the county board of equalization on protests pursuant to this section to the authority or owner within seven days after the board's decision. Any decision of the 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;
6 (c) Any interest and penalties due for delinquent taxes shall be paid into the funds of each public body in the same proportion as are all other taxes collected by or for the public body.
7 (2) To the extent that a redevelopment plan authorizes the division of ad valorem taxes levied upon only a portion of the real property included in such redevelopment plan, any improvements funded by such division of taxes shall be related to the redevelopment plan that authorized such division of taxes.
8 (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
27 (d) Independent research regarding developmental disabilities.
28 (3) The evaluation shall analyze the array of services and programs
29 existing in Nebraska for persons with developmental disabilities and
30 address potential areas for improvement with an emphasis on maximizing
31 impact, effectiveness, and cost-efficiencies. The evaluation shall
32 consider: (a) Services offered and provided by the state through the
33 medicaid state plan or by current medicaid waivers; (b) services offered
34 by other states through medicaid state plans, medicaid waivers, or other
35 mechanisms; and (c) any other areas which may be beneficial to the state
36 in the assessment of its developmental disabilities services.
37 (4) The consultant shall electronically deliver a report detailing
38 the findings and recommendations of the consultant to the Governor, the
39 Department of Health and Human Services, the chairperson of the Health
40 and Human Services Committee of the Legislature, and the Clerk of the
41 Legislature on or before December 31, 2023.
42 2. On page 3, line 25, after "method" insert "as provided in
43 section 4 of this act."
44 3. Renumber the remaining sections and correct the repealer
45 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;
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
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, Bries, 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  McColister  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

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
(Signed) John Stinner, Chairperson

AMENDMENT(S) - Print in Journal

Senator Lathrop filed the following amendment to LB1190:

1. On page 2, lines 12 and 21, and page 3, lines 2 and 8, after "disability" insert "or end-stage renal disease".

Senator Kolterman filed the following amendment to LB1043:

1. On page 14, lines 2 and 20, strike "public school" and insert "school district or educational service unit"; and in lines 4 and 14 strike "public" and after "school" insert "district or an educational service unit".
2. On page 15, strike beginning with the second "school" in line 1 through "employer" in line 3 and insert "state school official"; and in line 6 strike "public school" and insert "school district or an 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. 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,
1 congregate treatment placement, and (b) treatment family care services
2 uses blended funding to support caregivers and prevent placement
3 disruption.
4 (5) On or before October 1, 2022, the Division of Children and
5 Family Services of the Department of Health and Human Services shall, in
6 collaboration with the Foster Care Reimbursement Rate Committee,
7 implement additional statewide tiers of foster care reimbursements for
8 specialized caregiving with standardized rates for foster parents and
9 child placing agencies.
10 (6)(a) On or before July 1, 2013, the Division of Children
11 and Family Services of the Department of Health and Human Services shall
12 develop a pilot project as provided in this subsection to implement the
13 standardized level of care assessment tools recommended by the Foster
14 Care Reimbursement Rate Committee as reported to the Legislature pursuant
15 to section 43-4212 as such section existed before June 5, 2013.
16 (b)(i) The pilot project shall comprise two groups: One in an urban
17 area and one in a rural area. The size of each group shall be determined
18 by the division to ensure an accurate estimate of the effectiveness and
19 cost of implementing such tools statewide.
20 (ii) The Nebraska Children's Commission shall review and provide a
21 progress report on the pilot project by October 1, 2013, to the
22 department and electronically to the Health and Human Services Committee
23 of the Legislature; shall provide to the department and electronically to
24 the committee by December 1, 2013, a report including recommendations and
25 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
32 amended to read:
33 68-1210 (1) Notwithstanding any other provision of law, the
34 Department of Health and Human Services shall have the authority through
35 rule or regulation to establish payment rates for children with special
36 needs who are in foster care and in the custody of the department.
37 (2)(a) On or before October 1, 2022, the Division of Medicaid and
38 Long-Term Care and the Division of Children and Family Services of the
39 Department of Health and Human Services shall develop a plan to implement
40 treatment family care services. The plan shall be submitted to the Health
41 and Human Services Committee of the Legislature and the Nebraska
42 Children's Commission.
43 (b) On or before October 1, 2023, the Division of Medicaid and Long-
44 Term Care shall implement treatment family care services as allowed by
45 federal law. The department shall seek to maximize federal funding for
46 such program prior to utilizing state medicaid funds for eligible
47 children.
48 Sec. 3. Original sections 43-4215 and 68-1210, Reissue Revised
49 Statutes of Nebraska, are repealed.
50 Sec. 4. Since an emergency exists, this act takes effect when
51 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
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 defined found in section
13 38-204 and sections 3 to 6 of this act apply.
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. Postnatal 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
28 practice registered nurses, and licensed health care professionals and
29 may create a referral network in Nebraska to develop policies,
30 procedures, information, and educational materials to meet each of the
31 following requirements concerning perinatal mental health disorders:
32 (1) An advanced practice registered nurse providing prenatal care
33 may:
34 (a) Provide education to a pregnant patient and, if possible and
35 with permission, to the patient's family about perinatal mental health
36 disorders in accordance with the formal opinions and recommendations of
37 the American College of Obstetricians and Gynecologists; and
38 (b) Involve each pregnant patient to complete a questionnaire in
39 accordance with the formal opinions and recommendations of the American
40 College of Obstetricians and Gynecologists. Screening for perinatal
41 mental health disorders may be repeated when, in the professional
42 judgment of the advanced practice registered nurse, the patient is at
43 increased risk for developing a perinatal mental health disorder;
44 (2) An advanced practice registered nurse providing postnatal care
45 may invite each postpartum patient to complete a questionnaire and if
46 completed, shall review the questionnaire in accordance with the formal
47 opinions and recommendations of the American College of Obstetricians and
48 Gynecologists; and
49 (3) An advanced practice registered nurse providing pediatric care
50 to an infant may invite the infant's mother to complete a questionnaire
51 at any well-child checkup occurring during the first year of life at
52 which the mother is present, and if completed, shall review the
53 questionnaire in accordance with the formal opinions and recommendations
54 of the American Academy of Pediatrics, in order to ensure that the health
55 and well-being of the infant are not compromised by an undiagnosed
56 perinatal mental health disorder in the mother.
57 Sec. 8. Section 38-2001, Revised Statutes Cumulative Supplement,
58 2020, is amended to read:
59 38-2001 Sections 38-2001 to 38-2062 and sections 10 to 15 of this
60 act shall be known and may be cited as the Medicine and Surgery Practice
61 Act.
62 Sec. 9. Section 38-2002, Revised Statutes Cumulative Supplement,
63 2020, is amended to read:
64 38-2002 For the purposes of the Medicine and Surgery Practice Act
65 and elsewhere in the Uniform Credentialing Act, unless the context
66 otherwise requires, the definitions found in sections 38-2003 to 38-2022
67 and sections 10 to 14 of this act apply.
68 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:
32 (a) Provide education to a pregnant patient and, if possible and
33 with permission, to the patient's family about perinatal mental health
34 disorders in accordance with the formal opinions and recommendations of
35 the American College of Obstetricians and Gynecologists; and
36 (b) Invite each pregnant patient to complete a questionnaire in
37 accordance with the formal opinions and recommendations of the American
38 College of Obstetricians and Gynecologists. Screening for perinatal
39 mental health disorders may be repeated when, in the professional
40 judgment of the licensed health care professional, the patient is at
41 increased risk for developing a perinatal mental health disorder;
42 (2) A licensed health care professional providing postnatal care may
43 invite each postpartum patient to complete a questionnaire and if
44 needed, shall review the questionnaire in accordance with the formal
45 opinions and recommendations of the American College of Obstetricians and
46 Gynecologists; and
47 (3) A licensed health care professional providing pediatric care to
48 an infant may invite the infant’s mother to complete a questionnaire at
49 each well-child checkup occurring during the first year of life at which
50 the mother is present, and if completed, shall review the questionnaire
51 in accordance with the formal opinions and recommendations of the
52 American Academy of Pediatrics, in order to ensure that the health and
53 well-being of the infant are not compromised by an undiagnosed perinatal
54 mental health disorder in the mother.
55 Sec. 16. Original sections 38-201 and 38-203, Reissue Revised
56 Statutes of Nebraska, and sections 38-201 and 38-202, Revised Statutes
57 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
more employees;
(ii) Employer also includes any party whose business is financed in
whole or in part under the Nebraska Investment Finance Authority Act
regardless of the number of employees and includes the State of Nebraska,
governmental agencies, and political subdivisions; and
(iii) Employer does not include (A) the United States, a corporation
wholly owned by the government of the United States, or an Indian tribe
or (B) a bona fide private membership club, other than a labor
organization, which is exempt from taxation under section 501(c) of the
Internal Revenue Code;
(d) Health care practitioner means a person licensed under (i) the
Medicine and Surgery Practice Act to practice medicine and surgery or
osteopathic medicine and surgery, (ii) the Medicine and Surgery Practice
Act to practice as a physician assistant, or (iii) the Advanced Practice
Registered Nurse Practice Act to practice as an advanced practice
registered nurse; and
(e) Vaccine exemption form means the form created by the department
under subsection (2) of this section.
(a) The department shall develop a vaccine exemption form for an
individual to claim an exemption from receiving a COVID-19 vaccine as
provided in this section. The department shall make the form available on
the department's website.
(b) The form shall include a declaration by the individual seeking
an exemption that:
(i) A health care practitioner has provided the individual with a
signed written statement that, in the health care practitioner's opinion,
(A) receiving a COVID-19 vaccine is medically contraindicated for the
individual or (B) medical necessity requires the individual to delay
receiving such vaccine; or
(ii) Receiving a COVID-19 vaccine would conflict with the
individual's sincerely held religious belief, practice, or observance.
(c) An employer that requires applicants or employees to be
vaccinated against COVID-19 shall allow for an exemption to such
requirement for an individual who provides the employer with:
(a) A completed vaccine exemption form; and
(b) For an individual claiming an exemption based on the statement
of a health care practitioner, a copy of such signed written statement.
(d) An employer may require an employee granted an exemption under
this section to:
(a) Be periodically tested for COVID-19 at the employer's expense;
(b) Wear or use personal protective equipment provided by the
employer;
Sec. 2. Since an emergency exists, this act takes effect when
passed and approved according to law.
(Signed) John Arch, Chairperson

ANNOUNCEMENT(S)

Priority designation(s) received:

McCollister - 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

Edward
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
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
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 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.

**SPOAKER HILGERS PRESIDING**

**SENATOR ARCH PRESIDING**

**SPOAKER 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

**SELECT FILE**

**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
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
28 (e) The brand is, in the judgment of the brand committee, legible,
29 adequate, and of such a nature that the brand when applied can be
30 properly read and identified by employees of the brand committee.
31 (3) All visual brands shall be recorded as a hot iron brand only
32 unless a co-recording as a freeze brand or other approved method of
33 branding is requested by the applicant. The brand committee shall approve
34 co-recording a brand as a freeze brand unless the brand would not be
35 distinguishable from in-herd identification applied by freeze branding.
36 (4) If the facsimile, the description, or the application does not
37 comply with the requirements of this section, the brand committee shall
38 not record such brand as requested but shall return the recording fee to
39 the forwarding person. The power of examination and rejection is vested
40 in the brand committee, and if the brand committee determines that the
41 application for a visual brand falls within the category set out in
42 subdivision (2)(e) of this section, it shall decide whether or not a
43 recorded brand shall be issued. The brand committee shall make such
44 examination as promptly as possible. If the brand is recorded, the
45 ownership vests from the date of filing of the application.
46 (5) The brand committee may by rule and regulation provide for the
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 offers 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
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
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


(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
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

Nay: 0. Absent: 0. Present and not voting: 1. McKinney.

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 JOURNAL

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


(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


(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:

11. Strike the original sections and insert the following new
sections:
3 Section 1. Section 21-192, Revised Statutes Supplement, 2021, is
amended to read:
5 21–192 (1) The filing fee for all filings under the Nebraska Uniform
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 for filing an application for a certificate of
12 authority to transact business in this state as a foreign limited
liability company under section 21-156 shall be:
14 (i) Until December 31, 2022, one hundred ten dollars if the filing
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
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 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
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
3 certificate of authority to do business in this state as a foreign
3 protected series under section 21-537 shall be:
5 (i) Until December 31, 2022, one hundred ten dollars if the filing
6 is submitted in writing and one hundred dollars if the filing is
7 submitted electronically pursuant to section 84-511, and ten dollars for
8 a certificate; and
9 (ii) Beginning January 1, 2023, and until December 31, 2023, zero
10 dollars; and
11 (iii) Beginning January 1, 2024, one hundred ten dollars if the
filing is submitted in writing and one hundred dollars if the filing is
13 submitted electronically pursuant to section 84-511, and ten dollars for
14 a certificate;
15 (2) The filing fee for filing a statement of change of address for
an agent for service of process under section 21-114 shall be thirty
17 dollars if the filing is submitted in writing and twenty-five dollars if
18 the filing is submitted electronically pursuant to section 84-511 for
19 each limited liability company or foreign limited liability company for
20 which the agent is designated.
21 (3) The filing fee for filing a statement of designation change
under section 21-509 or 21-510 shall be thirty dollars if the filing is
23 submitted in writing and twenty-five dollars if the filing is submitted
24 electronically pursuant to section 84-511 for each protected series
25 designation changed by the filing.
26 (4) The filing fee for the filing of a biennial report under section
27 21-125 or 21-514 shall be:
28 (a) Until December 31, 2022, thirty dollars if the filing is
29 submitted in writing and twenty-five dollars if the filing is submitted
30 electronically pursuant to section 84-511 for the series limited
31 liability company and thirty dollars if the filing is submitted in
writing and twenty-five dollars if the filing is submitted electronically
pursuant to section 84-511 for each of the series limited liability
company's protected series.
4 (b) Beginning January 1, 2023, and until December 31, 2023, zero
dollars and
5 (c) Beginning January 1, 2024, thirty dollars if the filing is
submitted in writing and twenty-five dollars if the filing is submitted
electronically pursuant to section 84-511 for the series limited
liability company and thirty dollars if the filing is submitted in
writing and twenty-five dollars if the filing is submitted electronically
pursuant to section 84-511 for each of the series limited liability
company's protected series.
6 (5) The fee for filing a certificate of registration pursuant to
section 21-186 shall be thirty dollars if the certificate is submitted in
writing and twenty-five dollars if the certificate is submitted
electronically pursuant to section 84-511. In lieu of filing such
certificate, the fee for application for electronic access to records
pursuant to section 21-186 is fifty-five dollars if submitted in writing
or fifty dollars if submitted electronically pursuant to section 84-511.
7 (7) A fee of one dollar per page plus ten dollars per certificate
shall be paid for a certified copy of any document on file under the act.
8 (8) The fees for filings under the act shall be paid to the
Secretary of State. The Secretary of State shall remit the fees to the
State Treasurer. The State Treasurer shall credit sixty percent of the
filing fees to the General Fund and forty percent of the fees to the Secretary
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 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- 3.51%
14 $17,999 4,699 17,499 4,699 17,999 4,699 3.51%
15 $17,500- $35,000- $35,000- $17,500- $4,700- 5.01%
16 $26,999 $39,999 26,999 15,149 5.01%
17 $27,000 $54,000 $40,000 $27,000 $15,150 5.01%
18 and Over 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 January 1, 2014, the following brackets and rates are hereby established for the Nebraska individual income tax:
21 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%
27 2 $3,000- $6,000- $5,600- $3,000- $500- 3.51%
28 3 $18,000- $36,000- $32,000- $18,000- $4,700- 5.01%
29 $28,999 $7,999 $42,999 $28,999 15,149 5.01%
30 $29,000 $58,000 $43,000 $29,000 $15,150 5.01%
31 and Over and Over and Over and Over and Over and Over Top Rate
32 $29,000 $58,000 $43,000 $29,000 $15,150 6.84%
33
34 For purposes of this subsection, the top rate shall be:
36 (a) 6.84% for taxable years beginning or deemed to begin on or after
37 January 1, 2014, and before January 1, 2023;
38 (b) 6.34% for taxable years beginning or deemed to begin on or after
39 January 1, 2023, and before January 1, 2024;
40 (c) 6.14% for taxable years beginning or deemed to begin on or after
41 January 1, 2024, and before January 1, 2025; and
42 (d) 5.84% for taxable years beginning or deemed to begin on or after
43 January 1, 2025.
44 (3)(a) For taxable years beginning or deemed to begin on or after
45 January 1, 2015, the minimum and maximum dollar amounts for each income tax bracket provided in subsection (2) of this section shall be adjusted for inflation by the percentage determined under subdivision (3)(b) of this section. The rate applicable to any such income tax bracket shall not be changed as part of any adjustment under this subsection. The 24 minimum and maximum dollar amounts for each income tax bracket as adjusted shall be rounded to the nearest ten-dollar amount. If the adjusted amount for any income tax bracket ends in a five, it shall be rounded up to the nearest ten-dollar amount.
46 (b)(i) For taxable years beginning or deemed to begin on or after
47 January 1, 2014, and January 1, 2018, the Tax Commissioner shall adjust the income tax brackets by the percentage determined pursuant to the provisions of section 1(f) of the Internal Revenue Code of 1986, as it existed prior to December 22, 2017, except that in section 1(f)(3)(B) of the code the year 2013 shall be substituted for the year 1992. For 2015, the Tax Commissioner shall then determine the percent change from the twelve months ending on August 31, 2013, to the twelve months ending on August 31, 2014, and in each subsequent year, from the twelve months ending on August 31, 2013, to the twelve months ending on August 31 of the year preceding the taxable year. The Tax Commissioner shall prescribe new tax rate schedules that apply in lieu of the schedules set forth in
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 (a) 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;
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
32 at the rate of 7.00 percent on all taxable income in excess of one
33 hundred thousand dollars;
34 (e) For taxable years beginning or deemed to begin on or after
35 January 1, 2024, and before January 1, 2025, at a rate equal to 5.58
36 percent on the first one hundred thousand dollars of taxable income and
37 at the rate of 6.50 percent on all taxable income in excess of one
38 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
32 than Nebraska that imposes on Nebraska domiciled insurance companies a
33 retaliatory tax against the tax described in subsection (1) of this
34 section.
35 (3) For a corporate taxpayer that is subject to tax in another
36 state, its taxable income shall be the portion of the taxpayer's federal
37 taxable income, as adjusted, that is determined to be connected with the
38 taxpayer's operations in this state pursuant to sections 77-2734.05 to
39 77-2734.15.
40 (4) Each corporate taxpayer shall file only one income tax return
41 for each taxable year.
42 11 Sec. 3. Original section 77-2715.03, Reissue Revised Statutes of
43 Nebraska, and section 77-2734.02, Revised Statutes Supplement, 2021, are
44 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
Authorized repair provider means an individual or business who is affiliated with an original equipment manufacturer and who has an arrangement with the original equipment manufacturer for a definite or indefinite period, under which the original equipment manufacturer grants to the individual or business a license to use a trade name, service mark, or other proprietary identifier for the purposes of offering the services of diagnosis, maintenance, or repair of telecommunications equipment, repair of telecommunications equipment, or any other service not considered an authorized repair provider with respect to such equipment; Electronics-enabled agricultural equipment or equipment means any product, part of a product, or attachment to a product, when sold or leased for use in farming, ranching, or other agriculture, that depends on its functioning, in whole or in part, on digital electronics embedded in or attached to it. The term includes, but is not limited to, a tractor, a trailer, a combine, a sprayer, a baler, or an implement used for tillage, planting, irrigation, or cultivating. Agricultural equipment or equipment does not include motor vehicles and does not include consumer electronic devices, including wireless communication devices and computers; Documentation means any manual, diagram, reporting output, service code description, schematic, product guide, product service demonstration, training seminar, clinic, fleet management information, connected support, mobile application, on-board diagnostic port or wireless interface, or other guidance or information on service, parts, operation, safety, electronic field diagnostic service tools, or training for use in effecting the services of diagnosis, maintenance, or repair of telecommunications equipment or service that is required to bring the equipment back to full or upgraded functionality; Embedded software means any programmable instructions provided on firmware delivered with telecommunications equipment, or with a part for such equipment, for purposes of equipment operation, including all relevant updates, patches, and fixes made by the manufacturer of such equipment or part for such purposes; (a) Fair and reasonable terms for obtaining a part, a tool, documentation, or software means at fair and reasonable costs and terms that do not impair the contracts and agreements between authorized repair providers affiliated with the original equipment manufacturer. Fair and reasonable terms shall prohibit an original equipment manufacturer and its authorized repair providers from imposing additional costs or burdens not reasonably necessary or designed to be an impediment on the independent repair provider or equipment owner; (b) For software tools, fair and reasonable terms also means without requiring authorization or Internet access, or imposing impediments to access or use, in the course of effecting the diagnosis, maintenance, or repair and enabling full functionality of telecommunications equipment, in a manner that impairs the efficient and cost-effective performance of any of those activities unless authorization is required to prevent access to source code or infringement of intellectual property in software or hardware that is owned and licensed to the original equipment manufacturer by a third party and subject to terms of use; Firmware means a set of instructions programmed on electronics-
(7) Independent repair provider means an individual or business operating in this state, who does not have an arrangement described in subdivision (1) of this section with an original equipment manufacturer, and who is not affiliated with any individual or business who has such an arrangement, and who is engaged in the services of diagnosis, maintenance, or repair of electronics-enabled agricultural equipment, except that an original equipment manufacturer or, with respect to that original equipment manufacturer, an individual or business who has such an arrangement with that original equipment manufacturer, or who is affiliated with an individual or business who has such an arrangement with that original equipment manufacturer, shall be considered an independent repair provider for purposes of those instances in which it engages in the services of diagnosis, maintenance, or repair of electronics-enabled agricultural equipment that is not manufactured by or sold under the name of that original equipment manufacturer; (8) Motor vehicle means a vehicle that is designed for transporting persons or property on a street or highway and is certified by the manufacturer under all applicable federal safety and emissions standards and requirements for distribution and sale in the United States; (9) Original equipment manufacturer means a business engaged in the business of selling, leasing, or otherwise supplying new electronics-enabled agricultural equipment manufactured by or on behalf of itself, and any individual or business; (10) Owner means an individual or business that owns or leases electronics-enabled agricultural equipment purchased or used in this state; (11) Part means any replacement part, either new or used, made available by an original equipment manufacturer or other supplier for purposes of effecting the services of maintenance or repair of electronics-enabled agricultural equipment manufactured by or on behalf of, or otherwise supplied by the original equipment manufacturer; (12) Repair means to maintain, diagnose, service, and restore machinery that results in the machine being returned to its original or upgraded specifications. Repair does not include performing any activities that result in the machine being modified outside of the original equipment manufacturer specifications. Specifically, 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; (13) Tools means any software program, software upgrade, hardware implement, product service demonstrations, service training, seminars, clinics, on-board diagnostics via diagnostics port or wireless interface, electronic field diagnostic service tools and training on how to use them, or other apparatus used for diagnosis, maintenance, or repair of electronics-enabled agricultural equipment, including software or other mechanisms that provision, program, or pair a new part, calibrate functionality, or perform any other function required to bring the product back to specifications; and (14) Trade secret has the same meaning as in section 87-502.
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
original equipment manufacturer, on fair and reasonable terms,
documentation, parts, and tools, inclusive of any updates to information
or embedded software. Nothing in this subsection requires an original
equipment manufacturer to make available documentation, parts, and tools
if such documentation, parts, and tools are no longer available to the
original equipment manufacturer.
Sec. 4. Violation of the Agricultural Equipment Right-to-Repair Act
is an unlawful practice under the Uniform Deceptive Trade Practices Act.
All remedies, penalties, and authority granted to the Attorney General by
the Uniform Deceptive Trade Practices Act shall be available to the
Attorney General for the enforcement of the Agricultural Equipment Right-
To-Repair Act.
Sec. 5. (1) Nothing in the Agricultural Equipment Right-to-Repair
Act shall be construed to require an original equipment manufacturer 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.
(2) No provision in the Agricultural Equipment Right-to-Repair Act
shall be construed to alter the terms of any arrangement described in
subdivision (1) of section 2 of this act in force between an authorized
repair provider and an original equipment manufacturer, including, but
not limited to, the performance or provision of warranty or recall repair
work by an authorized repair provider on behalf of an original equipment
manufacturer pursuant to such arrangement, except that any provision in
such terms that purports to waive, avoid, restrict, or limit the original
equipment manufacturer's obligations to comply with the act shall be void
and unenforceable.
Sec. 6. The Agricultural Equipment Right-to-Repair Act applies with
respect to equipment sold or in use on or after the effective date of
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:

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<td>McDonnell</td>
<td>Wayne</td>
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<td>Brandt</td>
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<td>Brewer</td>
<td>Geist</td>
<td>Hughes</td>
<td>Murman</td>
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Voting in the negative, 21:

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<td>DeBoer</td>
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<td>Cavanaugh, J.</td>
<td>Hansen, M.</td>
<td>McCollister</td>
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<td>Cavanaugh, M.</td>
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<td>Day</td>
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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 (d) 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
27 adjudication for a concealed weapon offense would not be a violation of
28 section 28-1202;
29 (b) Section 28-1202 is amended by the Legislature such that the
30 movant's conduct underlying the conviction or adjudication for a
31 concealed weapon offense would no longer be a violation of section
32 28-1202; or
33 (c) Section 28-1202 is outright repealed by the Legislature.
34 (5) The court may grant the motion and issue an order setting aside
35 the conviction or adjudication when in the opinion of the court the order
36 will be in the best interest of the movant and consistent with the public
37 welfare,
38 (6) An order setting aside a conviction or an adjudication under
39 this section shall have the same effect as an order setting aside a
40 conviction as provided in subsections (5) and (6) of section 29-2264.

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8 subsection (8) 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 court or any other problem solving court approved by the Supreme
31 Court, the criminal history record information shall not be part of the
32 public record immediately upon notification of a criminal justice agency
33 after acquittal pursuant to subdivision (3)(c)(iii) of this section or
34 after the entry of an order dismissing the case.
35 (4) Upon the granting of a motion to set aside a conviction or an
36 adjudication pursuant to section 29-3005, a person who is a victim of sex
37 trafficking, as defined in section 29-3005, may file a motion with the
38 same sentencing court for an order to seal the criminal history record
39 information related to such conviction or adjudication. Upon a finding
40 that a court issued an order setting aside such conviction or
41 adjudication pursuant to section 29-3005, the sentencing court shall
42 grant the motion and:
43 (a) For a conviction, issue an order as provided in subsection (8)
44 of this section; or
45 (b) For an adjudication, issue an order as provided in section
46 43-2,108.05.
47 (5) Upon the granting of a motion to set aside a conviction or an
48 adjudication pursuant to section 14 of this act, the movant may file a
49 motion with the same court for an order to seal the criminal history
50 record information related to such conviction or adjudication. Upon a
51 motion issued pursuant to section 14 of this act, the court shall grant the
52 motion and:
53 (a) For a conviction, issue an order as provided in subsection (8)
54 of this section; or
55 (b) For an adjudication, issue an order as provided in section
56 43-2,108.05.
57 (6) Any person who has received a pardon may file a motion with
58 the sentencing court for an order to seal the criminal history record
59 information and any cases related to such charges or conviction. Upon a
60 finding that the person received a pardon, the court shall grant the
61 motion and issue an order as provided in subsection (8) of this
62 section.
63 (7) Any person who is subject to a record which resulted in a
64 case being dismissed prior to January 1, 2017, as described in
65 subdivision (3)(c) of this section, may file a motion with the court in
66 which the case was filed to enter an order pursuant to subsection (8) of
67 this section. Upon a finding that the case was dismissed for any
68 reason described in subdivision (3)(c) of this section, the court shall
69 grant the motion and enter an order as provided in subsection (8) of
9 this section.
10 (10) (4) 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 (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 (11) (11) 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
32 any offense for which the record is sealed. If an inquiry is made in
33 violation of this subsection, the person may respond as if the offense
34 never occurred.
35 (12) (10) Any person arrested due to the error of a law enforcement
36 agency may file a petition with the district court for an order to
37 expunge the criminal history record information related to such error.
38 The petition shall be filed in the district court of the county in which
39 the petitioner was arrested. The county attorney shall be named as the
40 respondent and shall be served with a copy of the petition. The court may
41 grant the petition and issue an order to expunge such information if the
42 petitioner shows by clear and convincing evidence that the arrest was due
43 to error by the arresting law enforcement agency.
44 (13) (11) The changes made by Laws 2018, LB1132 and this legislative
45 bill, to the relief set forth in this section shall apply to all persons
46 otherwise eligible in accordance with the provisions of this section,
47 whether arrested, cited in lieu of arrest, referred for prosecution
48 without citation, charged, convicted, or adjudicated prior to, or,
49 subsequent to July 19, 2018.
50 Sec. 16. Section 29-3528, Reissue Revised Statutes of Nebraska, is
51 amended to read:
52 29-3528. (1) If a state agency or political subdivision or an
53 subdivision or its agencies fails to comply with the requirements of the
54 Security, Privacy, and Dissemination of Criminal History Information Act
55 and/or the Nebraska Uniform Political Reporting Act, subsections 29-3304, 29-3301, 29-3301 to 29-3328, and 31-1443 or of rules and
56 regulations lawfully adopted and promulgated under such act, such failure
57 creates private liability on the part of such agency, political
58 subdivision, officer, or employee. Any to implement sections 29-209,
59 29-3328, and 31-1443, any person aggrieved by such a
60 violation may bring an action for appropriate relief, including, but not
61 limited to, actual damages, such preliminary and other equitable or
62 declaratory relief as may be appropriate, or a writ of mandamus.
63 (2) Consent is hereby given to join the state, any agency or
64 political subdivision of the state, and any officer or employee of the
65 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 action 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 "2055" 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 subdivision:
2 "(e) Medicare-certified or medicaid-certified provider or supplier
3 means any entity, including, but not limited to, a health care facility
4 as defined in section 71-413, that is a medicare-certified or medicaid-
5 certified provider or supplier and that is subject to the federal Centers
6 for Medicare and Medicaid Services' COVID-19 health care staff
7 vaccination requirements; and", and in line 27 strike "(e)" and insert
8 "(f)".

2 2. On page 2, line 5, after "website" insert "within fifteen days
3 after the effective date of this act"; in line 15 strike "An" and insert
4 "Subject to subsection (5) of this section, an"; and after line 26 insert
5 the following new subsection:
6 "(5) A medicare-certified or medicaid-certified provider or supplier
7 or a federal contractor may require additional processes, documentation,
8 or accommodations as necessary to be in compliance with federal law and
9 to maintain compliance with the rules and regulations of the federal
10 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 Journal

Senator 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. 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.
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. Insert the following new sections:
2. Section 1. Section 77-201, Revised Statutes Supplement, 2021, is amended to read:
3. Except as provided in subsections (2) through (4) of this section, all real property in this state, not expressly exempt therefrom, shall be subject to taxation and shall be valued at its actual value.
4. Agricultural land and horticultural land as defined in section 77-1339 shall constitute a separate and distinct class of property for purposes of property taxation, shall be subject to taxation, unless expressly exempt from taxation, and shall be valued at seventy-five percent of its actual value, except that (a) for school district taxes levied to pay the principal and interest on bonds that are approved by a vote of the people on or after January 1, 2022, such land shall be valued at fifty percent of its actual value and (b) for other school district taxes, such land shall be valued at sixty-five percent of its actual value for tax year 2023 and fifty-five percent of its actual value for tax year 2024 and each tax year thereafter.
5. (3) Agricultural land and horticultural land actively devoted to agricultural or horticultural purposes which have value for purposes other than agricultural or horticultural uses and which meets the qualifications for special valuation under section 77-1344 shall constitute a separate and distinct class of property for purposes of property taxation, shall be subject to taxation, and shall be valued for taxation at seventy-five percent of its special valuation as defined in section 77-1343, except that (a) for school district taxes levied to pay the principal and interest on bonds that are approved by a vote of the people on or after January 1, 2022, such land shall be valued at fifty percent of its special valuation as defined in section 77-1343 and (b) for other school district taxes, such land shall be valued at sixty-five percent of its special valuation as defined in section 77-1343 for tax year 2023 and fifty-five percent of its special valuation as defined in section 77-1343 for tax year 2024 and each tax year thereafter.
8. (4) Historically significant real property which meets the qualifications for historic rehabilitation valuation under sections 77-1385 to 77-1394 shall be valued for taxation as provided in such sections.
12. (5) Tangible personal property, not including motor vehicles, trailers, and semitrailers registered for operation on the highways of this state, shall constitute a separate and distinct class of property for purposes of property taxation, shall be subject to taxation, unless expressly exempt from taxation, and shall be valued at its net book value.
18. Part of a transaction which is not a purchase shall be subject to taxation based upon the date the property was acquired by the previous 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 77-1339, 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
32 in the county if corrections or errors on the original certification are
33 discovered. Amendments shall be certified to the Property Tax
34 Administrator on or before August 31.
35 (2) On or before October 10, the Property Tax Administrator shall
36 compute and certify to the State Department of Education the adjusted
37 valuation for the current assessment year for each class of property in
38 each school district and each local system. The adjusted valuation of
39 property for each school district and each local system, for purposes of
40 determining state aid pursuant to the Tax Equity and Educational
41 Opportunities Support Act, shall reflect as nearly as possible state aid
42 value as defined in subsection (3) of this section. The Property Tax
43 Administrator shall notify each school district and each local system of
44 its adjusted valuation for the current assessment year by class of
45 property on or before October 10. Establishment of the adjusted valuation
46 shall be based on the taxable value certified by the county assessor for
47 each school district in the county adjusted by the determination of the
48 level of value for each school district from an analysis of the
49 comprehensive assessment ratio study or other studies developed by the
50 Property Tax Administrator, in compliance with professionally accepted
51 mass appraisal techniques, as required by section 77-1327. The Tax
52 Commissioner shall adopt and promulgate rules and regulations setting
53 forth standards for the determination of level of value for state aid
54 purposes.
55 (3) For purposes of this section, state aid value means:
56 (a) For real property other than agricultural and horticultural
57 land, ninety-six percent of actual value;
58 (b) For agricultural and horticultural land:*
59 (i) For the adjusted valuation used for the calculation of aid for
60 school fiscal years prior to school fiscal year 2023-24, seventy-two
61 percent of actual value as provided in sections 77-1359 and 77-1363;
62 (ii) For the adjusted valuation used for the calculation of aid for
63 school fiscal year 2023-24, sixty-two percent of actual value as provided
64 in sections 77-1359 and 77-1363; and
65 (iii) For the adjusted valuation used for the calculation of aid for
66 school fiscal year 2024-25 and each school fiscal year thereafter, fifty-
67 two percent of actual value as provided in sections 77-1359 and 77-1363;
68 (c) For agricultural and horticultural land that receives special
69 valuation pursuant to section 77-1344;*
70 (i) For the adjusted valuation used for the calculation of aid for
71 school fiscal years prior to school fiscal year 2023-24, seventy-two
72 percent of special valuation as defined in section 77-1343;
73 (ii) For the adjusted valuation used for the calculation of aid for
74 school fiscal year 2023-24, sixty-two percent of special valuation as
75 defined in section 77-1343; and
76 (iii) For the adjusted valuation used for the calculation of aid for
77 school fiscal year 2024-25 and each school fiscal year thereafter, fifty-
78 two percent of special valuation as defined in section 77-1343; and
17 14 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
32 after the date of the order. The written order of the Tax Commissioner
33 may be appealed within thirty days after the date of the order to the Tax
34 Equalization and Review Commission in accordance with section 77-5013.
35 5 On or before November 10, any local system may file with the Tax Commissioner a written request for a nonappealable
36 correction of the adjusted valuation due to clerical error as defined in
37 section 77-128 or, for agricultural and horticultural land, assessed
38 value changes by reason of land qualified or disqualified for special use
39 valuation pursuant to sections 77-1343 to 77-1347.01. On or before the
40 following January 1, the Tax Commissioner shall approve or deny the
41 request and, if approved, certify the corrected adjusted valuations
42 resulting from such action to the State Department of Education.
43 6 On or before May 31 of the year following the certification of
44 adjusted valuation pursuant to subsection (2) of this section, any local
45 system or county official may file with the Tax Commissioner a written
46 request for a nonappealable correction of the adjusted valuation due to
47 changes to the tax list that change the assessed value of taxable
48 property. Upon the filing of the written request, the Tax Commissioner
49 shall require the county assessor to recertify the taxable valuation by
50 the school district in the county on forms prescribed by the Tax
51 Commissioner. The recertified valuation shall be the valuation that was
52 certified on the tax list, pursuant to section 77-1613, increased or
53 decreased by changes to the tax list that change the assessed value of
54 taxable property in the school district in the county in the prior
55 assessment year. On or before the following July 31, the Tax Commissioner
56 shall approve or deny the request and, if approved, certify the corrected
57 adjusted valuations resulting from such action to the State Department of
58 Education.
59 7 No injunction shall be granted restraining the distribution of
60 state aid based upon the adjusted valuations pursuant to this section.
61 8 A school district whose state aid is to be calculated pursuant
62 to subsection (5) of this section and whose state aid payment is
63 postponed as a result of failure to calculate state aid pursuant to such
64 subsection may apply to the state board for lump-sum payment of such
65 postponed state aid. Such application may be for any amount up to one
66 hundred percent of the postponed state aid. The state board may grant the
67 entire amount applied for or any portion of such amount. The state board
68 shall notify the Director of Administrative Services of the amount of
69 payments. The Director of Administrative Services shall, at the time of
70 the next state aid payment made pursuant to section 79-1022, draw a
71 warrant for the lump-sum amount from appropriated funds and forward such
72 warrant to the district.
73 2. Renumber the remaining sections, correct internal references, and
74 correct the repealer accordingly.
Senator M. Hansen filed the following amendment to LB939:

AM1869

(Amendments to Standing Committee amendments, AM1780)

1. On page 4, strike lines 12 through 23 and show as stricken; in line 24 strike "(c)", show as stricken, and insert "(a)"; and in line 29 strike "(d)"; show as stricken, and insert "(b)".

2. On page 5, line 3, strike "(e)" and insert "(c)"; in line 8 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. On page 6, strike lines 9 and 10 and show as stricken.

Senator M. Hansen filed the following amendment to LB939:

AM1870

1. Insert the following new section:

2. Sec. 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 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)(c) 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-
32 bargaining agreement in force and effect on September 1, 2017, that are
33 not otherwise included in an exclusion pursuant to subdivision (2)(d) of
34 this section, (vi) amounts levied in compliance with sections 79-10,110
35 and 79-10,110.02, and (vii) amounts levied to pay for special building
36 funds and sinking funds established for projects commenced prior to April
37 1, 1996, for construction, expansion, or alteration of school district
38 buildings. For purposes of this subsection, commenced means any action
39 taken by the school board on the record which commits the board to expend
40 district funds in planning, constructing, or carrying out the project.
41 (e) Federal aid school districts may exceed the maximum levy
42 prescribed by subdivision (2)(a) or (2)(c) of this section only to the
43 extent necessary to qualify to receive federal aid pursuant to Title VIII
44 of Public Law 103-382, as such title existed on September 1, 2001. For
45 purposes of this subdivision, federal aid school district means any
46 school district which receives ten percent or more of the revenue for its
47 general fund budget from federal government sources pursuant to Title
48 VIII of Public Law 103-382, as such title existed on September 1, 2001.
49 (f) For each fiscal year, learning communities may levy a maximum
50 levy of one-half cent on each one hundred dollars of taxable property
51 subject to the levy for elementary learning center facility leases, for
52 remodeling of leased elementary learning center facilities, and for up to
53 fifty percent of the estimated cost for focus school or program capital
54 projects approved by the learning community coordinating council pursuant
55 to section 79-2111.
56 (g) For each fiscal year, learning communities may levy a maximum
57 levy of one and one-half cents on each one hundred dollars of taxable
58 property subject to the levy for early childhood education programs for
59 children in poverty, for elementary learning center employees, for
60 contracts with other entities or individuals who are not employees of the
61 learning community for elementary learning center programs and services,
62 and for pilot projects, except that no more than ten percent of such levy
63 may be used for elementary learning center employees.
64 (3) For each fiscal year, community college areas may levy the
65 levies provided in subdivisions (2)(a) through (e) of section 85-1517, in
66 accordance with the provisions of such subdivisions. A community college
67 area may exceed the levy provided in subdivision (2)(b) of section
68 85-1517 by the amount necessary to retire general obligation bonds
69 assumed by the community college area or issued pursuant to section
70 85-1515 according to the terms of such bonds or for any obligation
71 pursuant to section 85-1535 entered into prior to January 1, 1997.
72 (4)(a) Natural resources districts may levy a maximum levy of four
73 and one-half cents per one hundred dollars of taxable valuation of
74 property subject to the levy.
75 (b) Natural resources districts shall also have the power and
authority to levy a tax equal to the dollar amount by which their
restricted funds budgeted to administer and implement ground water
management activities and integrated management activities under the
Nebraska Ground Water Management and Protection Act exceed their
restricted funds budgeted to administer and implement ground water
management activities and integrated management activities for FY2003-04,
not to exceed one cent on each one hundred dollars of taxable valuation
annually on all of the taxable property within the district.
In addition, natural resources districts located in a river
basin, subbasin, or reach that has been determined to be fully
appropriated pursuant to section 46-714 or designated as overappropriated
pursuant to section 46-713 by the Department of Natural Resources shall
also have the power and authority to levy a tax equal to the dollar
amount by which their restricted funds budgeted to administer and
implement ground water management activities and integrated management
activities under the Nebraska Ground Water Management and Protection Act
exceed their restricted funds budgeted to administer and implement ground
water management activities and integrated management activities for
FY2005-06, not to exceed three cents on each one hundred dollars of
taxable valuation on all of the taxable property within the district for
fiscal year 2006-07 and each fiscal year thereafter through fiscal year
2017-18.
Any educational service unit authorized to levy a property tax
pursuant to section 79-1225 may levy a maximum levy of one and one-half
per one hundred dollars of taxable valuation of property subject to
the levy.
Incorporated cities and villages which are not within the
boundaries of a municipal county may levy a maximum levy of forty-five
cents per one hundred dollars of taxable valuation of property subject to
the levy plus an additional five cents per one hundred dollars of taxable
valuation to provide financing for the municipality’s share of revenue
required under an agreement or agreements executed pursuant to the
Interlocal Cooperation Act or the Joint Public Agency Act. The maximum
levy shall include amounts levied to pay for sums to support a library
pursuant to section 51-201, museum pursuant to section 51-501, visiting
community nurse, home health nurse, or home health agency pursuant to
section 71-1637, or statue, memorial, or monument pursuant to section
80-202.
Incorporated cities and villages which are within the boundaries
of a municipal county may levy a maximum levy of ninety cents per one
hundred dollars of taxable valuation of property subject to the levy. The
maximum levy shall include amounts paid to a municipal county for county
services, amounts levied to pay for sums to support a library pursuant to
section 51-201, a museum pursuant to section 51-501, a visiting community
nurse, home health nurse, or home health agency pursuant to section
71-1637, or a statue, memorial, or monument pursuant to section 80-202.
Sanitary and improvement districts which have been in existence
for more than five years may levy a maximum levy of forty cents per one
hundred dollars of taxable valuation of property subject to the levy, and
sanitary and improvement districts which have been in existence for five
years or less shall not have a maximum levy. Unconsolidated sanitary and
improvement districts which have been in existence for more than five
years and are located in a municipal county may levy a maximum of eighty-
five cents per hundred dollars of taxable valuation of property subject
to the levy.
Counties may levy or authorize a maximum levy of fifty cents per
one hundred dollars of taxable valuation of property subject to the levy,
except that five cents per one hundred dollars of taxable valuation of
property subject to the levy may only be levied to provide financing for
the county's share of revenue required under an agreement or agreements
executed pursuant to the Interlocal Cooperation Act or the Joint Public
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.
For purposes of sections 77-3442 to 77-3444, political subdivision means a political subdivision of this state and a county agricultural society.

For school districts that file a binding resolution on or before May 9, 2008, with the county assessors, county clerks, and county treasurers for all counties in which the school district has territory pursuant to subsection (7) of section 79-458, if the combined levies, except levies for bonded indebtedness approved by the voters of the school district and levies for the refinancing of such bonded indebtedness, are in excess of the greater of (a) one dollar and twenty cents per one hundred dollars of taxable valuation of property subject to the levy or (b) the maximum levy authorized by a vote pursuant to section 77-3444, all school district levies, except levies for bonded indebtedness approved by the voters of the school district and levies for the refinancing of such bonded indebtedness, shall be considered unauthorized levies under section 77-1606.

2. Renumber the remaining sections, correct internal references, and correct the repealer accordingly.

Senator Kolterman filed the following amendment to LB767:

AM1753 (Amendments to E&R amendments, ER101)

1. On page 12, line 19, strike "act" and insert "Pharmacy Benefit 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 (NPFFA)
Eickholt, Christopher/Spike
Voices for Children in Nebraska
Jaylem Durousseau
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  Koltermann  Moser  Wayne
Bostelman  Friesen  Lindstrom  Murman  Williams
Brandt  Geist  Linehan  Pahls  Wishart
Briese  Gragert  Lowe  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            Koltermen         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            Koltermen         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
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

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

<table>
<thead>
<tr>
<th>Excused and not voting, 8:</th>
</tr>
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<tbody>
<tr>
<td>Bostar</td>
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<tr>
<td>Brewer</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>The appointments were confirmed with 34 ayes, 0 nays, 7 present and not voting, and 8 excused and not voting.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Senator Linehan moved the adoption of the Revenue Committee report for the confirmation of the following appointment(s) found on page 504:</td>
</tr>
<tr>
<td>Tax Equalization and Review Commission</td>
</tr>
<tr>
<td>Robert W. Hotz</td>
</tr>
</tbody>
</table>

Voting in the affirmative, 33:

<table>
<thead>
<tr>
<th>Aguilar</th>
<th>Cavanaugh, J.</th>
<th>Halloran</th>
<th>McCollister</th>
<th>Slama</th>
</tr>
</thead>
<tbody>
<tr>
<td>Albrecht</td>
<td>Clements</td>
<td>Hansen, M.</td>
<td>McKinney</td>
<td>Vargas</td>
</tr>
<tr>
<td>Arch</td>
<td>DeBoer</td>
<td>Hilkemann</td>
<td>Morfeld</td>
<td>Walz</td>
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<td>Blood</td>
<td>Dorn</td>
<td>Koltermann</td>
<td>Moser</td>
<td>Wayne</td>
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<tr>
<td>Bostelman</td>
<td>Flood</td>
<td>Lindstrom</td>
<td>Murman</td>
<td>Williams</td>
</tr>
<tr>
<td>Brandt</td>
<td>Gragert</td>
<td>Linehan</td>
<td>Pahls</td>
<td></td>
</tr>
<tr>
<td>Briese</td>
<td>Groene</td>
<td>Lowe</td>
<td>Sanders</td>
<td></td>
</tr>
</tbody>
</table>

Voting in the negative, 0.

Present and not voting, 8:

<table>
<thead>
<tr>
<th>Erdman</th>
<th>Geist</th>
<th>Hughes</th>
<th>McDonnell</th>
</tr>
</thead>
<tbody>
<tr>
<td>Friesen</td>
<td>Hilgers</td>
<td>Lathrop</td>
<td>Wishart</td>
</tr>
</tbody>
</table>

Excused and not voting, 8:

<table>
<thead>
<tr>
<th>Bostar</th>
<th>Cavanaugh, M.</th>
<th>Hansen, B.</th>
<th>Pansing Brooks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brewer</td>
<td>Day</td>
<td>Hunt</td>
<td>Stinner</td>
</tr>
</tbody>
</table>

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  Koltermann  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.
[Signed] John Stinner, Chairperson

Revenue

LEGISLATIVE BILL 776. Placed on General File.

LEGISLATIVE RESOLUTION 283CA. Placed on General File.

(Signed) Lou Ann Linehan, Chairperson

LEGISLATIVE BILL 906. Placed on Select File with amendment.

ER102

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. (1) Employer means a person engaged in an industry who has one or
11. more employees;
12. (i) 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. (ii) 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;
27. (e) Medicare-certified or Medicaid-certified provider or supplier
1. means any entity, including, but not limited to, a health care facility
2. 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 Centers
4. for Medicare and Medicaid Services' COVID-19 health care staff
5. vaccination requirements; and
6. (f) Vaccine exemption form means the form created by the department
7. under subsection (2) of this section.
(2)(a) The department shall develop a vaccine exemption form for an individual to claim an exemption from receiving a COVID-19 vaccine as provided in this section. The department shall make the form available on the department's website within fifteen days after the effective date of this act.

(b) The form shall include a declaration by the individual seeking an exemption that:

1. A health care practitioner has provided the individual with a signed written statement that, in the health care practitioner's opinion, receiving a COVID-19 vaccine is medically contraindicated for the individual or (B) medical necessity requires the individual to delay receiving such vaccine; or

2. Receiving a COVID-19 vaccine would conflict with the individual's sincerely held religious belief, practice, or observance.

(c) Subject to subsection (5) of this section, an employer that requires applicants or employees to be vaccinated against COVID-19 shall allow for an exemption to such requirement for an individual who provides the employer with:

(i) A completed vaccine exemption form; and

(ii) For an individual claiming an exemption based on the statement of a health care practitioner, a copy of such signed written statement.

(d) An employer may require an employee granted an exemption under this section to:

(i) Be periodically tested for COVID-19 at the employer's expense; and

(ii) Wear or use personal protective equipment provided by the employer.

(5) A medicare-certified or medicaid-certified provider or supplier or a federal contractor may require additional processes, documentation, or accommodations as necessary to be in compliance with federal law and to maintain compliance with the rules and regulations of the federal Centers for Medicare and Medicaid Services.

Sec. 2. Since an emergency exists, this act takes effect when passed and approved according to law.

2. On page 1, line 1, after the semicolon insert "to define terms:".

3. In line 3 strike "provide for conditional requirements".

LEGISLATIVE BILL 700. Placed on Select File with amendment.

ER103

1. On page 1, line 1, after the comma insert "79-920,"; in line 3 after "79-921," insert "84-1301,"; in line 5 strike "79-9,117" and insert "79-9,902, 79-9,978, 79-992.01, 79-9,117,"; in line 9 after the semicolon insert "to define and redefine terms; to change provisions relating to participation in certain plans as prescribed;"; in line 11 after the semicolon insert "to change duties of certain employers;"; and in line 15 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 Beaurivage, 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.
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:

Section 1. (1) For purposes of this section:
2. (a) Child care or education program means any of the following:
3. (i) A child care program licensed under the Child Care Licensing Act
4. which serves children from birth to kindergarten and participates in the
5. Step Up to Quality Child Care Act;
6. (ii) A prekindergarten service or program established pursuant to
7. section 79-1104;
8. (iii) A Head Start program pursuant to 42 U.S.C. 9831 et seq., as
9. such sections existed on January 1, 2022; or
10. (iv) An Early Head Start Program pursuant to 42 U.S.C. 9840a et
11. seq., as such sections existed on January 1, 2022;
12. (b) Full-time employee means an individual employed to work thirty
13. or more hours each week;
14. (c) Health insurance deductible means the amount required to be paid
15. out of pocket before the health insurance provider begins to pay the
16. costs associated with treatment; and
17. (d) Health insurance premium means all money paid as a condition of
18. receiving health insurance coverage from a health insurance provider;
19. (2) The Department of Education shall create a program to
20. support the early childhood workforce. Support provided by the program
21. may include, but is not limited to, paying for all or part of the
22. following:
23. (a) Health insurance premiums;
24. (b) Health insurance deductibles; or
25. (c) Other expenses related to health insurance.
26. (3) The following individuals are eligible to receive support from
27. the program described in subsection (2) of this section:
28. (a) Any full-time employee at an entity that provides child care or
29. education programs for children; and
30. (b) Any self-employed individual who provides a child care or
31. education program for children.
32. (4) The department may contract with any third party to carry out
33. this section.
34. (5) It is the intent of the Legislature:
35. (a) To appropriate fifteen million dollars from the General Fund
36. each fiscal year to the State Department of Education, which shall only
37. be used for the purpose of carrying out this section;
38. (b) That any money appropriated to carry out this section that is
39. not utilized in the fiscal year for which it is appropriated shall lapse
40. and not be reappropriated for the following fiscal year; and
41. (c) That any unused appropriation of money from a prior fiscal year
42. 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:
Voting in the negative, 0.

Present and not voting, 12:

Blood    DeBoer    Hunt    McCollister
Cavanaugh, J.  Groene    Koltermen    Vargas
Day        Hansen, M.  Lathrop    Wayne

Excused and not voting, 5:

Aguilar    Briese    Cavanaugh, M.  Flood    Morfeld

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 Koltermen, 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.

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.

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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
Vest, Joshua M. - State Board of Health - Health and Human Services
Vandervacht, Douglas - 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
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
LEGISLATIVE JOURNAL

566

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 “(1)” 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. Strike the original sections and insert the following new sections:

2 Section 1. (1) The Department of Economic Development shall create

the Nebraska Hydrogen Hub Industry Work Group. The Governor shall appoint
members to the work group that include, but are not limited to, representatives from the following sectors: (a) Manufacturing or industry, (b) agriculture, (c) transportation, and (d) energy. The work group may include a representative of a clean hydrogen manufacturer.

(2) The purpose of the work group is to develop and draft a competitive proposal which may be submitted to the United States Department of Energy to be selected as one of the four regional clean hydrogen hubs authorized under the federal Infrastructure Investment and Jobs Act, Public Law 117-58.

(3) The Department of Economic Development may contract with private consultants to create the competitive proposal. Specifically, the work group shall determine how to maximize the state’s geographic location to connect a nationwide hydrogen network. Additionally, the work group shall:

- build a plan to make the case for an agricultural-based clean hydrogen hub, expanding the existing eligible purposes.

Sec. 2. Since an emergency exists, this act takes effect when 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

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
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 bids 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
28 state, or a cooperative purchasing organization on behalf of a group of
29 states. The division may also give consideration to a sheltered workshop
30 pursuant to section 48-1503 in making such purchases;
31 (8) Enter into any personal property lease agreement when it appears
32 to be in the best interest of the state;
33 (9) Negotiate purchases and contracts when conditions exist to
34 defeat the purpose and principles of public competitive bidding; and
35 (10) Obtain an electronic procurement system, which shall be funded
36 or paid for by providing the system provider with, as determined by the
37 State administrator, a percentage or portion of identified
38 transactions. Such percentage or portion may be collected by the system
39 provider from contractors and bidders.
40 Sec. 3. Section 81-1120, Reissue Revised Statutes of Nebraska, is
41 amended to read:
42 81-1120 (1) There is hereby created the Materiel Division Revolving
43 Fund. The fund shall be administered by the materiel division of the
44 Department of Administrative Services. The fund shall consist of (a) fees
45 paid for printing, copying, central supply, and mailing services provided
46 to state agencies and local subdivisions by the division; and (b)
47 20 assessments charged by the materiel administrator to state agencies,
48 boards, and commissions for purchasing services provided by the division;
49 and (c) any money collected pursuant to subdivision (10) of section
50 81-153. Such assessments shall be adequate to cover actual and necessary
51 expenses that are associated with providing the service and not otherwise
52 covered by the money collected pursuant to subdivision (10) of section
53 81-153. The fund shall be used to pay for expenses incurred by the
54 division to provide such services.
55 (2) State agencies, boards, and commissions shall make the materiel
56 division assessment payments to the fund no later than August 1 of each
57 fiscal year, or in four equal payments to be made no later than August 1,
58 October 1, 15 November 1, and April 1 of each year, at the discretion of the
59 materiel administrator.
60 (3) Any money in the fund available for investment shall be invested
61 by the state investment officer pursuant to the Nebraska Capital
62 Expansion Act and the Nebraska State Funds Investment Act.
63 Sec. 4. Sections 2, 3, and 5 of this act become operative three
64 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, each eligible individual who is unemployed in any week shall be paid
6 with respect to such week a benefit in an amount equal to his or her full
7 weekly benefit amount if he or she has wages payable to him or her with
8 respect to such week equal to one-fourth of such benefit amount or less.
9 In the event he or she has wages payable to him or her with respect to
10 such week greater than one-fourth of such benefit amount, he or she shall
11 be paid with respect to that week an amount equal to the individual's
12 weekly benefit amount less that part of wages payable to the individual
13 with respect to that week in excess of one-fourth of the individual's
14 weekly benefit amount. In the event there is any deduction from such
15 individual's weekly benefit amount because of earned wages pursuant to
16 this subsection or as a result of the application of section 48-628.02,
17 the resulting benefit payment, if not an exact dollar amount, shall be
18 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 unemployment benefits paid by states that 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
28 eligible for an equal or greater weekly benefit amount under a federal
29 unemployment program than the weekly benefit amount which the individual
30 is eligible for under the Employment Security Law, the commissioner shall
31 suspend the payment of state unemployment benefits to such individual
32 while such individual is receiving the federal unemployment benefit. Such
33 suspension shall terminate upon the individual's exhaustion of benefits
34 available under the federal unemployment program. An individual shall not
35 be eligible to receive the federal weekly benefit and the state
36 unemployment weekly benefit during the same week. This subsection shall
37 not apply to any federal unemployment benefit which is paid in addition
38 to the state weekly benefit amount.
39 Sec. 2. Section 48-626, Reissue Revised Statutes of Nebraska, is
40 amended to read:
41 48-626 (1) For any benefit year beginning before October 1, 2018,
42 any otherwise eligible individual shall be entitled during any benefit
43 week to a total amount of benefits equal to whichever is the lesser of
44 (a) twenty-six times his or her benefit amount or (b) one-third of his or
45 her wages in the employment of each employer per calendar quarter of his
46 or her base period, except that when any individual has been separated
47 from his or her employment with a base period employer under the
48 circumstances under which he or she was or could have been determined
49 disqualified under section 48-628.10 or 48-628.12, the total benefit
50 amount based on the employment from which he or she was so separated
51 shall be reduced by an amount equal to the number of weeks for which he
52 or she is or would have been disqualified had he or she filed a claim
53 immediately after the separation, multiplied by his or her weekly benefit
54 amount, but not more than one reduction may be made for each separation.
55 In no event shall the benefit amount based on employment for any employer
56 be reduced to less than one benefit week when the individual was or could
57 have been determined disqualified under section 48-628.12.
58 (1) (2) For any benefit year beginning before October 1, 2021, any otherwise eligible individual shall be entitled during any
59 benefit year to a total amount of benefits equal to whichever is the
60 lesser of (a) twenty-six times his or her weekly benefit amount or (b)
61 one-third of his or her wages in the employment of each employer per
62 calendar quarter of his or her base period; except that when any
63 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 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 (4) 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 (4) For purposes of determining the reduction of benefits
17 described in subsection (3) 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) of this section; and
31 (b) If the claimant has been separated from his or her employment
32 under circumstances under which he or she was or could have been
33 determined disqualified under section 48-628.10, his or her total benefit
34 amount shall be reduced by fourteen times his or her weekly benefit
35 amount.
36 (3) For any benefit year beginning on or after October 1, 2021, any
37 otherwise eligible individual shall be entitled during any benefit year
38 to a total amount of benefits equal to whichever is the lesser of (a)
39 twenty-six times his or her weekly benefit amount or (b) one-third of his
40 or her wages in the employment of each employer per calendar quarter of
41 his or her base period, except that when any individual has been
42 separated from his or her employment with the most recent insured
43 employer under circumstances under which he or she was or could have been
44 determined disqualified under section 48-628.10 or 48-628.12, the total
45 benefit amount based on the employment from which he or she was so
46 separated shall be reduced by an amount determined pursuant to subsection
47 (4) of this section, but not more than one reduction may be made for each
48 separation. In no event shall the benefit amount based on employment for
49 any employer be reduced to less than one benefit week when the individual
50 was separated, or determined disqualified under section 48-628.12.
51 (4) For purposes of determining the reduction of benefits described
52 in subsection (3) of this section:
53 (a) If the claimant has been separated from his or her employment
54 under circumstances under which he or she was or could have been
55 determined disqualified under section 48-628.12, his or her total benefit
56 amount shall be reduced by thirteen times his or her weekly benefit
57 amount if he or she left work voluntarily without good cause; and
58 (b) If the claimant has been separated from his or her employment
59 under circumstances under which he or she was or could have been
60 determined disqualified under section 48-628.10, his or her total benefit
61 amount shall be reduced by fourteen times his or her weekly benefit
62 amount.
63 (5) For purposes of sections 48-623 to 48-626, wages shall be
64 counted as wages for insured work for benefit purposes with respect to
65 any benefit year only if such benefit year begins subsequent to the date
66 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 respect to becoming an employer.

7 In order to determine the benefits due under this section and sections 48-624 and 48-625, each employer shall make reports, in conformity with reasonable rules and regulations adopted and promulgated by the commissioner, of the wages of any claimant. If any employer fails to make such a report within the time prescribed, the commissioner may accept the statement of such claimant as to his or her wages, and any benefit payments based on such statement of earnings, in the absence of fraud or collusion, shall be final as to the amount.

15 Sec. 3. Original sections 48-625 and 48-626, Reissue Revised Statutes of Nebraska, are repealed.

17 2. On page 1, strike lines 2 through 4 and insert "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.".

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
11. 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 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) 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
LEGISLATIVE BILL 1241. Placed on General File with amendment.

AM1898

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. 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 "(i) As a Title IX coordinator; or
6 (ii) To receive reports related to sexual assault or sex trafficking
7 or to provide supportive measures related to such reports; or", and in
8 line 4 strike "(II)" and insert "(ii)

(Signed) Steve Lathrop, Chairperson

Education

LEGISLATIVE BILL 888. Placed on General File.
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  Hil kemann  McDonnell  Wayne
Brandt  Flood  Hughes  Moser  Williams
Brewer  Friesen  Kolterm an  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:
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
2 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 least fifty percent of any money received from the federal Coronavirus Capital Projects Fund under the federal American Rescue Plan Act of 2021 for eligible projects located in qualified census tracts as defined in 26 U.S.C. 42(d)(35)(B)(i)(I), as such section existed on January 1, 2022.
4 Sec. 2. Since an emergency exists, this act takes effect when 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. 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 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
27 hundred thousand dollars, excluding the individual's primary residence;
28 and
29 (iii) The individual does not have an ownership interest in any
30 other business.
31 (2) The department shall contract with a private entity to provide
32 professional counseling services to individuals who are looking to start
33 a small business or who have started a small business within the previous
34 five years. Such counseling services shall be in the following areas:
35 (i) Accounting and budgeting;
36 (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;
32 (c) A listing of the recipients of counseling services under the act
33 in the previous two fiscal years;
34 (d) The impact of the grants provided under the act, including
35 information on:
36 (i) The number of jobs created;
37 (ii) The economic impact on the area where the grant recipient is
38 located;
39 (iii) The impact on state and local tax revenues; and
40 (iv) The types of businesses created, listed by industry.
41 (2) The report submitted to the Legislature shall be submitted
42 electronically.
43 (3) The department may require the private entity described in
44 section 13 of this act and any recipients of grants or counseling
45 services to provide periodic reports and information to enable the
46 department to fulfill the requirements of this section.
47 (4) The report shall contain no information that is protected by
48 state or federal confidentiality laws.
49 Sec. 15. The department may adopt and promulgate rules and
50 regulations to carry out the Small Business Assistance Act.
51 Sec. 16. It is the intent of the Legislature to appropriate five
52 million dollars to the department each fiscal year to carry out the Small
53 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 telecommunication 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 deposit 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;
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;
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 Bespalec 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 animal and the location of the animal where the brand is to
27 be placed, 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 a 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 applying 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. 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. 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

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


(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 (i) 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
27 requested, upon such person. If the State Fire Marshal's investigation
28 was commenced based on information provided pursuant to subdivision (1)
29 (a)(ii) of this section, a copy of the written determination shall also
30 be delivered by regular mail to the person providing such information.
31 (c) Not later than thirty days after the date of the written
32 determination, any party may submit a written request for hearing on the
33 matter. The State Fire Marshal shall then appoint a hearing officer to
34 conduct such hearing and set a hearing date and provide written notice of
35 hearing to the parties at least thirty days prior to the date of the
36 hearing. Such notice shall contain the name, address, and telephone
37 number of the hearing officer, a copy of the written determination upon
38 which the hearing shall be held, and the date, time, and place of
39 hearing. The notice of hearing may be made by personal service or by
40 certified mail. If no hearing is requested in answer to the written
determination by the person found to have committed any violation as described in subsection (2) of this section, such person shall pay any civil penalty assessed within thirty days after receipt of the written determination.

(d) In the preparation and conduct of the hearing, the hearing officer shall have the power, on the hearing officer's own motion or upon the request of any party, to compel the attendance of any witness and the production of any documents by subpoena to ensure a fair hearing. The hearing officer may administer oaths and examine witnesses and receive and receive evidence pertinent to the determination of the matter. Any witnesses so subpoenaed shall be entitled to the same fees as prescribed by law in judicial proceedings in the district court of this state in a civil action and mileage at the same rate provided in section 81-1176 for state employees.

(e) Any party may appear at the hearing with or without the assistance of counsel to present testimony, examine witnesses, and offer evidence. At the discretion of the hearing officer, other interested parties may be allowed to intervene and present testimony and offer evidence in person or by counsel. A stenographic record of all testimony and other evidence received at the hearing shall be made and preserved pending final disposition of the matter.

(f) Unless all requests for hearing are withdrawn, following the hearing the hearing officer shall prepare written findings of fact and conclusions of law, and based on such findings of fact and conclusions of law the State Fire Marshal shall affirm, modify, or reverse the written determination issued under subdivision (1)(b) of this section and issue a final order. The State Fire Marshal's final order may include an assessment of costs incurred in conducting the hearing, including the costs of the hearing officer and compelling the attendance of witnesses and other parties. Any party aggrieved by the final order of the State Fire Marshal may appeal the decision and such appeal shall be in accordance with the Administrative Procedure Act.

(2) Except as provided in subsection (3) of this section, any person who violates section 76-2320, 76-2320.01, 76-2320.02, 76-2321, 76-2322, 76-2323, 76-2326, 76-2330, or 76-2331 or any rule or regulation adopted and promulgated by the State Fire Marshal pursuant to section 76-2319 shall be subject to a civil penalty assessed by the State Fire Marshal as follows:

(a) For a violation by an excavator or an operator related to a gas or hazardous liquid underground pipeline facility or a fiber optic telecommunications facility, an amount not to exceed ten thousand dollars for each violation for each day the violation persists, up to a maximum of five hundred thousand dollars; and

(b) For a violation by an excavator or an operator related to any other underground facility, an amount not to exceed five thousand dollars for each day the violation persists, up to a maximum of fifty thousand dollars.

(3) In addition to or in lieu of assessing a civil penalty as provided in subsection (2) of this section, the State Fire Marshal may order that a violator take and complete continuing education regarding compliance with the One-Call Notification System Act. Such continuing education shall be approved by the State Fire Marshal. When imposing a civil penalty, the State Fire Marshal shall consider the appropriateness of such penalty in relation to the size of the excavator's or operator's business operation, the gravity of the violation, and any good faith attempt by the excavator or operator to achieve compliance.

(4) (2) An action to recover a civil penalty shall be brought by the Attorney General or a prosecuting attorney on behalf of the State of Nebraska in any court of competent jurisdiction of this state. The trial 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
32 disagreement. At least ten days' written notice shall be given to the
33 governing body responsible for the establishment or installation involved
34 and to any public official having jurisdiction. The board shall make a
35 decision based upon the evidence brought forth in the hearing and issue
36 its order accordingly. Prior to ordering any political or governmental
37 subdivision of the State of Nebraska to make any modification in the
38 design or construction of any public building or any modification in the
39 location, installation, or operation of any existing equipment in any
40 public building or to replace such equipment, the State Fire Marshal, his
41 or her first assistant, or one of his or her deputies shall personally
42 appear at a regular meeting of the governing board of such subdivision
43 and present a written report stating the condition of such building or
44 equipment and the reason why such building should be modified or such
45 equipment should be modified or replaced, and a copy of such report shall
46 be attached to the order. Nothing in this section shall prevent the State
47 Fire Marshal from ordering necessary repairs, and nothing in sections
48 81-502.01 to 81-502.03 shall prevent the State Fire Marshal, when actual
49 and immediate danger to life exists, from ordering and requiring the
50 occupants to vacate a building or structure subject to his or her
51 jurisdiction. This section shall not apply to any decision,
52 determination, or other action taken or made by the State Fire Marshal
53 under the One-Call Notification System Act.
54 Sec. 3. Original section 81-502.03, Reissue Revised Statutes of
55 Nebraska, and section 76-2325, Revised Statutes Cumulative Supplement,
56 2020, are repealed.
57 Sec. 4. The following section is outright repealed: Section
58 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 Kollerman 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
Dom 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
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. 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. 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;
28 (b) The existence of a citizens' protest made in accordance with
29 section 53-133;
30 (c) The existing population of the city, village, or county and its
31 projected growth;
32 (d) The nature of the neighborhood or community of the location of
33 the proposed licensed premises;
34 (e) The existence or absence of other retail licenses, bottle club
35 licenses, craft brewery licenses, or microdistillery licenses with
36 similar privileges within the neighborhood or community of the location
37 of the proposed licensed premises and whether, as evidenced by
38 subsection (3) of section 53-135.01, corroborative documentation, the issuance of such license
39 would result in or add to an undue concentration of licenses with similar
40 privileges and, as a result, require the use of additional law
41 enforcement resources;
42 (f) The existing motor vehicle and pedestrian traffic flow in the
43 vicinity of the proposed licensed premises;
44 (g) The adequacy of existing law enforcement;
45 (h) Zoning restrictions;
46 (i) The sanitation or sanitary conditions on or about the proposed
47 licensed premises; and
48 (j) Whether the type of business or activity proposed to be operated
49 in conjunction with the proposed license is and will be consistent with
50 the public interest.
51 (4) Retail licenses, bottle club licenses, craft brewery licenses,
52 or microdistillery licenses issued or renewed by the commission shall be
53 mailed or delivered electronically to
54 (a) The clerk of the city, village, or county who shall deliver
55 the same to the licensee upon receipt from the licensee of proof of
56 payment of (i) the license fee if by the terms of subsection (6) of
57 section 53-124 the fee is payable to the treasurer of such city, village,
58 or county, (ii) any fee for publication of notice of hearing before
59 the local governing body upon the application for the license, (iii)
60 the fee for publication of notice of renewal as provided in section
61 53-135.01, and (iv) occupation taxes, if any, imposed by such city,
62 village, or county except as otherwise provided in subsection (7) (a) of
63 this section; or
64 (b) The licensee, upon confirmation of the clerk of the city,
65 village, or county that the necessary fees and taxes described in
66 subdivision (4)(a) of this section have been received by the clerk of
67 such city, village, or county,
68 (5) Notwithstanding any ordinance or charter power to the contrary,
69 no city, village, or county shall impose an occupation tax on the
70 business of any person, firm, or corporation licensed under the act and
71 doing business within the corporate limits of such city or village or
72 within the boundaries of such county in any sum which exceeds two times
73 the amount of the license fee required to be paid under the act to obtain
74 such license.
75 (6) Each license shall designate the name of the licensee, the
76 place of business licensed, and the type of license issued.
77 (7) Class J retail licensees shall not be subject to occupation
78 taxes under subsection (4) of this section.
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, 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. On page 3, strike lines 4 through 6 and insert the following new subdivision:
3 “(a) Twenty-five percent of the funds requested if the applicant's principal residence or principal place of business is located in an 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 Pahls 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
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) 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


investigators for a grand jury or a prosecutor.

(Signed) Steve Lathrop, Chairperson

COMMITTEE REPORT(S)

Agriculture

LEGISLATIVE BILL 802. Placed on General File.

LEGISLATIVE BILL 235. Placed on General File with amendment.

AM799

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. 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
8. one million dollars each fiscal year from the General Fund for fiscal
9. years 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.

(Signed) Steve Halloran, Chairperson

COMMITTEE REPORT(S)

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 Victims Reparations Committee
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 her motion to 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:
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.

1. On page 6, line 21, strike "A" and insert "In addition to any 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.

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
cited as the Economic Recovery Act.
4 Sec. 2. The Legislature finds that:
5 (1) The COVID-19 public health emergency has caused widespread
6 economic, social, and public health-related turmoil that deepened
7 existing disparities;
8 (2) The social and economic challenges caused and exacerbated by the
9 COVID-19 public health emergency include high unemployment, wage
10 decreases, increased homelessness, and food insecurity;
11 (3) The impact of the COVID-19 public health emergency and related
12 challenges were disproportionately felt in low-income and minority
13 communities such as North Omaha and South Omaha;
14 (4) The social and economic challenges in North Omaha and South
15 Omaha have persisted for multiple generations, partially fueled by past
16 racial segregation and the historical practice known as redlining;
17 (5) Funding under the federal American Rescue Plan Act of 2021
18 presents a once-in-a-lifetime opportunity to respond to the challenges
19 facing North Omaha and South Omaha that have been worsened by the
20 COVID-19 public health emergency, and
21 (6) Federal guidance issued by the United States Department of the
22 Treasury has identified qualified census tracts as areas in which certain
23 activities and investments will be deemed presumptively eligible for the
24 use of funds under the federal American Rescue Plan Act of 2021.
25 Sec. 3. For purposes of the Economic Recovery Act, qualified census
26 tracts 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 eligibility requirements 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
section, the committee shall also include two members of the Legislature
representing legislative districts containing one or more qualified
census tracts located within the boundaries of a city of the metropolitan
class. Such members shall be appointed by the chairperson of the
Executive Board of the Legislative Council and serve as non-voting, ex
officio members of the committee.
12 Sec. 6. It is the intent of the Legislature to appropriate four
hundred fifty million dollars from federal funds for FY2022-23 to the
Economic Recovery Division of the Department of Economic Development to
carry out the Economic Recovery Act. The federal funds appropriated in
this section shall be from the 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, Public Law 117-2, Subtitle M,
Sec. 9901.
20 Sec. 7. Section 81-1201.07, Reissue Revised Statutes of Nebraska, is
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
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 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
graduation guidelines. This section does not apply to high school
two students whose individualized education programs prescribe a different
course of instruction. This section does not prohibit the governing board
of any high school from prescribing specific graduation guidelines as
long as such guidelines do not conflict with this section. For purposes
of this section, high school means grades nine through twelve and credit
hour shall be defined by appropriate rules and regulations of the State
Board of Education but shall not be less than the amount of credit given
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
amended to read:

79-3003 Beginning with school year 2023-24, each school district, in
consultation with the State Department of Education, shall include
15 financial literacy instruction, as appropriate, in the instructional
program of its elementary and middle schools and require each student
attending a public school to complete at least one five-credit high
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
"standards" in line 3 and insert ", science, or career and technical
education standards".
21 3. Renumber the remaining section and correct the repealer
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

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
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; McDonell, 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
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.

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. Strike the original sections and insert the following new sections:
2. Section 1. Section 31-201, Reissue Revised Statutes of Nebraska, is amended to read:
3. 31-201 (1) A landowner may drain such landowner's land in the general course of natural drainage by constructing an open ditch or tile drain system wholly on the landowner's land to discharge the water therefrom into any natural watercourse or into any natural depression or draw, whereby such water may be carried into some natural watercourse, and when such drain or ditch is wholly on the owner's land, he shall not be liable in damages therefor to any person or corporation.
4. (2) A landowner shall not drain such landowner's land using any type of pump or powered system if such drainage system would cause injury or harm to any other person.
5. Sec. 2. Original section 31-201, Reissue Revised Statutes of Nebraska, is repealed.

LEGISLATIVE BILL 981. Placed on General File with amendment. AM1993
1. Strike the original sections and insert the following new section:
2. Section 1. There is hereby appropriated (1) $750,000 from the General Fund for FY2022-23 and (2) $750,000 from the General Fund for FY2023-24 to the Game and Parks Commission, for Program 550.
3. There is included in the appropriation to this program for FY2022-23 $750,000 for ongoing maintenance of the Cowboy Trail, which shall only be used for such purpose. There is included in the appropriation to this program for FY2023-24 $750,000 for ongoing maintenance of the Cowboy Trail, which shall only be used for such purpose.
4. Total expenditures for permanent and temporary salaries and per diems from funds appropriated in this section shall not exceed $91,140. 12 for FY2022-23 or $91,140 for FY2023-24.

LEGISLATIVE BILL 1102. Placed on General File with amendment. AM1893
1. On page 2, line 7, after "release" insert "in conformance with applicable federal and state environmental standards and substantive requirements"; and in line 22 after "to" insert "plant or animal life," and after "property" insert an underscored comma.
2. On page 3, line 9, after the period insert "On or before June 30, 2023, the State Treasurer shall transfer three hundred thousand dollars from the General Fund to the Nebraska Environmental Response Cash Fund on such date as directed by the budget administrator of the budget division of the Department of Administrative Services;"; and in line 27 strike "assess" and insert "pay" and after "costs" insert "assessed.
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 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 sections:
2 Section 1. Section 77-3506, Revised Statutes Cumulative Supplement,
3 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 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 unmarried 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
28 general (under honorable conditions) and who died because of a service-
29 connected disability or a surviving spouse of such a veteran who
30 remarries after attaining the age of fifty-seven years;
31 (c) An unremarried surviving spouse of a serviceman or servicewoman,
32 including a veteran other than a veteran described in section 80-401.01,
33 whose death while on active duty was service-connected or a surviving
34 spouse of such a serviceman or servicewoman who remarries after attaining
35 the age of fifty-seven years; and
36 (d) An unremarried surviving spouse of a serviceman or servicewoman
37 who died while on active duty during the periods described in section
38 80-401.01 or a surviving spouse of such a serviceman or servicewoman who
39 remarries after attaining the age of fifty-seven years;
40 (e) Beginning January 1, 2023, a veteran who was discharged or
41 otherwise separated with a characterization of honorable or general
42 (under honorable conditions), who is drawing compensation from the United
43 States Department of Veterans Affairs because the veteran is at least
44 fifty percent disabled but not more than one hundred percent disabled due to
45 a service-connected disability, and who is not eligible for total
46 exemption under sections 77.3526 to 77.3528, an unremarried surviving
47 spouse of such a veteran, or a surviving spouse of such a veteran who
48 remarries after attaining the age of fifty-seven years;
49 (2)(e) For a claimant described in subdivision (2)(e) of this section,
50 the exempt amount shall be multiplied by the percentage in Column B which
51 corresponds with the veteran's disability percentage in Column A in the
52 table found in this subsection.

<table>
<thead>
<tr>
<th>Column A</th>
<th>Column B</th>
</tr>
</thead>
<tbody>
<tr>
<td>Disability Percentage</td>
<td>Exempt Amount</td>
</tr>
<tr>
<td>At least 90% but less than 100% disabled</td>
<td>90</td>
</tr>
<tr>
<td>At least 80% but less than 90% disabled</td>
<td>80</td>
</tr>
<tr>
<td>At least 70% but less than 80% disabled</td>
<td>70</td>
</tr>
<tr>
<td>At least 60% but less than 70% disabled</td>
<td>60</td>
</tr>
<tr>
<td>At least 50% but less than 60% disabled</td>
<td>50</td>
</tr>
</tbody>
</table>

4 (4) 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. 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 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
The officer may receive the tuition waiver for up to five years if he or she otherwise continues to be eligible for participation. The state university, state college, or community college shall waive one hundred thirty percent of the officer's tuition remaining due after subtracting awarded federal financial aid grants and state scholarships and grants for an eligible law enforcement officer during the time the officer is enrolled. To remain eligible, the officer must comply with all requirements of the institution for continued attendance and award of an associate degree or a baccalaureate degree.

An application for the tuition waiver shall include a verification of the law enforcement officer's satisfactory performance as a law enforcement officer. It shall be the responsibility of the officer to obtain a certificate of verification from his or her superior officer in such officer's law enforcement agency attesting to such officer's satisfactory performance. The officer shall include the certificate of verification when applying to the state university, state college, or community college in order to obtain tuition waiver upon initial enrollment.

Within forty-five days after receipt of a completed application, the state university, state college, or community college shall send written notice of the law enforcement officer's eligibility or ineligibility for the tuition waiver. If the officer is determined not to be eligible for the tuition waiver, the notice shall include the reason or reasons for such determination and an indication that an appeal of the determination may be made pursuant to the Administrative Procedure Act.

2. Renumber the remaining section and correct the repealer 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. 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 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.
THIRTIETH DAY - FEBRUARY 23, 2022

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.
Senator M. Cavanaugh filed the following amendment to LB1216:

AMENDMENT(S) - Print in Journal

(Signed) Lou Ann Linehan, Chairperson

AM1949

1. Strike the original sections and insert the following new sections:

Section 1. Section 30-2627, Reissue Revised Statutes of Nebraska, is amended to read:

30-2627 (a) Except as provided in subsection (b) of this section, any person competent or the Public Guardian may be appointed guardian of a person alleged to be incapacitated. (except that
(b) Except as provided in subsection (c) of this section, it shall be unlawful for any agency providing residential care in an institution or community-based program, or any owner, part owner, manager, administrator, employee, or spouse of an owner, part owner, manager, administrator, or employee of any nursing home, room and board home, assisted-living facility, or institution engaged in the care, treatment, or housing of any person physically or mentally handicapped, infirm, or aged to be appointed guardian of any such person residing, being under care, receiving treatment, or being housed in any such home, facility, or institution within the State of Nebraska.

(c)(1) Nothing in this subsection (b) of this section shall prevent:

(i) The spouse, adult child, parent, or other relative of the person alleged to be incapacitated from being appointed guardian; or

(ii) The guardian officer for one of the Nebraska veterans homes as provided in section 80-327 from being appointed guardian or conservator for the person alleged to be incapacitated.

(2)(i) Nothing in subsection (b) of this section shall prevent an individual from being employed by, or an independent provider at, an institution, program, home, or facility described in subsection (b) of this section if such individual is:

(A) A guardian or if such individual has a power of attorney for a person who is alleged to be incapacitated and who is residing, being under care, receiving treatment, or being housed in such institution, program, home, or facility; and

(B) The spouse, adult child, parent, or other relative of the allegedly incapacitated person;

(ii) An employee or independent provider described in this subdivision (c)(2) may be subject to increased monitoring and checks by the Office of the Public Guardian.

(d) It shall be unlawful for any county attorney or deputy county attorney appointed as guardian for a person alleged to be incapacitated to circumvent his or her duties or the rights of the ward pursuant to the Nebraska Mental Health Commitment Act by consenting to inpatient or outpatient psychiatric treatment over the objection of the ward.

(e) Persons who are not disqualified under subsection (b) of this section and who exhibit the ability to exercise the powers to be assigned by the court have priority for appointment as guardian in the following order:

(1) A person nominated most recently by one of the following

20 methods:

(i) A person nominated by the incapacitated person in a power of attorney or a durable power of attorney;

(ii) A person acting under a power of attorney or durable power of

21 attorney; or

(iii) A person nominated by an attorney in fact who is given power 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) (a) 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) (c) 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 (c)(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) 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 (a) 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 (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 (b) 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 38, 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

Absent: 0. Present and not voting: 1. Cavanaugh, J.

Dallen R. Juelfs - Nebraska Oil and Gas Conservation Commission

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:

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  Lowe  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.

The M. Cavanaugh amendment lost with 8 ayes, 34 nays, 5 present and not voting, and 2 excused and not voting.

Senator M. Cavanaugh requested a roll call vote on the committee amendment.

Voting in the affirmative, 39:
Voting in the negative, 2:
Cavanaugh, J. Hunt

Present and not voting, 6:
Blood Hansen, M. McKinney
Cavanaugh, M. Lathrop Walz

Excused and not voting, 2:
Bostar Morfeld

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
animals.

(3) Up to ten licensed establishments may participate in the pilot program. A licensed establishment which chooses to participate in the pilot program shall contract with one or more certified inspectors for inspections under the pilot program. A certified inspector contracting with a licensed establishment shall not be considered an employee, official, or agent of the department.

(4) The department may adopt and promulgate rules and regulations for the pilot program.

Sec. 3. Original section 54-1901, Reissue Revised Statutes of 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 strucken "fifty"; and in line 19 strike "Five dollars" and insert "Four 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 amended to read:
4 79-760.01 (1) The State Board of Education shall adopt measurable 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; 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 24, 2022

LEGISLATIVE JOURNAL

ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

THIRTY-SECOND DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, February 24, 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. Cavannaugh offered her motion, MO148, found on page 616, to bracket until April 20, 2022.

The M. Cavannaugh 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:

<table>
<thead>
<tr>
<th>Aguilar</th>
<th>Cavanaugh, M.</th>
<th>Halloran</th>
<th>Lathrop</th>
<th>Pahls</th>
</tr>
</thead>
<tbody>
<tr>
<td>Albrecht</td>
<td>Clements</td>
<td>Hansen, B.</td>
<td>Lindstrom</td>
<td>Pansing Brooks</td>
</tr>
<tr>
<td>Arch</td>
<td>DeBoer</td>
<td>Hansen, M.</td>
<td>Linehan</td>
<td>Sanders</td>
</tr>
<tr>
<td>Blood</td>
<td>Dorn</td>
<td>Hilgers</td>
<td>Lowe</td>
<td>Slama</td>
</tr>
<tr>
<td>Bostelman</td>
<td>Erdman</td>
<td>Hilkemann</td>
<td>McCollister</td>
<td>Stinner</td>
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<tr>
<td>Brandt</td>
<td>Flood</td>
<td>Hughes</td>
<td>McDonnell</td>
<td>Vargas</td>
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<tr>
<td>Brewer</td>
<td>Friesen</td>
<td>Hunt</td>
<td>McKinney</td>
<td>Wayne</td>
</tr>
<tr>
<td>Briese</td>
<td>Geist</td>
<td>Jacobson</td>
<td>Moser</td>
<td>Williams</td>
</tr>
<tr>
<td>Cavanaugh, J.</td>
<td>Gragert</td>
<td>Kolterman</td>
<td>Murman</td>
<td></td>
</tr>
</tbody>
</table>

Voting in the negative, 0.

Excused and not voting, 5:

<table>
<thead>
<tr>
<th>Bostar</th>
<th>Day</th>
<th>Morfeld</th>
<th>Walz</th>
<th>Wishart</th>
</tr>
</thead>
</table>

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
Brie se  Geist  Jacobson  Moser  Wayne
Cavanaugh, J.  Gragert  Kolterm an  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, AM1926 and AM1927, 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

Present and not voting, 5:

Blood  DeBoer  McCollister  McKinney  Vargas
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: LB 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. Insert the following new amendment:
2. On page 2, strike lines 7 through 10 and insert the following new subsection:
3. "(2) Within sixty days after the effective date of this act:
4. (a) The Executive Board of the Legislative Council shall select an
5. outside consultant with expertise in government procurement for the
6. purpose of conducting such evaluation; and
7. (b) The department shall enter into a contract with such consultant
8. to conduct such evaluation. Such contract shall not be subject to any
9. competitive bidding requirement.
10."
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 "[th]" and insert "state judicial"
3 3. In line 28 strike "Supreme Court" and insert "state judicial 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 1137A. 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;
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; 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