

SECOND DAY - JANUARY 5, 2023

LEGISLATIVE JOURNAL

**ONE HUNDRED EIGHTH LEGISLATURE
FIRST SESSION**

SECOND DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, January 5, 2023

PRAYER

The prayer was offered by Senator DeBoer.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Albrecht.

ROLL CALL

Pursuant to adjournment, the Legislature met at 10:00 a.m., Speaker Arch presiding.

The roll was called and all members were present except Senators Bostar, Clements, Hunt, Slama, and Walz who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the first day was approved.

ATTORNEY GENERAL'S OPINION

Opinion 22-007

SUBJECT: Eligibility of Public Power Districts to Provide Advanced Metering Infrastructure Services and Related Administrative Services Under Neb. Rev. Stat. § 70-625(6).

REQUESTED BY: Senator Myron Dorn
Nebraska Legislature

WRITTEN BY: Douglas J. Peterson, Attorney General
Darrin F. Schultz, Assistant Attorney General

INTRODUCTION

Nebraska law currently provides that "a public power district may own and operate, contract to operate, or lease energy equipment and provide billing, meter reading, surveys, or evaluations and other administrative services, but not to include natural gas services, of public utility systems within a district's service territory." Neb. Rev. Stat. § 70-625(6) (Cum. Supp. 2020). You request our opinion on the eligibility of public power districts to provide advanced metering infrastructure ["AMI"] services and related administrative services under § 70-625(6).

As a reminder, 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. You reference no pending or proposed legislation in your request letter. Nevertheless, your letter states you are considering introducing legislation to "clarify" the meaning of § 70-625(6). Accordingly, we will proceed to consider your question.

ANALYSIS

Public power districts are "public corporation[s]" and "political subdivision[s]" of the State. Neb. Rev. Stat. § 70-602 (2018). The Nebraska Supreme Court has stated that as "public corporations," public power districts "are subject to the plenary control of the Legislature," and, "[i]n the exercise of such power the Legislature may authorize, limit, control, or even destroy such public corporations." *Wittler v. Baumgartner*, 180 Neb. 446, 451, 144 N.W.2d 62, 67 (1966). Absent statutory authority to perform a service, a public power district shall be presumed prohibited from doing so. See *Schroll v. City of Beatrice*, 169 Neb. 162, 170-71, 98 N.W.2d 790, 795 (1959) (quoting *State ex rel. Johnson v. Consumers Public Power Dist.* 143 Neb. 753, 769-70, 10 N.W.2d 784, 795 (1943)) ("It seems clear that an express proviso that a corporation shall not do certain acts is no stronger than the failure to give authority, express or implied, to do them, for powers not granted either expressly or impliedly, are impliedly prohibited.").

"[S]tatutory interpretation begins with the text, and the text is to be given its plain and ordinary meaning. It is a fundamental canon of statutory construction that words generally should be interpreted as taking their ordinary meaning at the time the Legislature enacted the statute." *Dutcher v. Nebraska Dep't of Corr. Servs.*, 312 Neb. 405, 412-13, 979 N.W.2d 245, 251 (2022). "If the language of a statute is clear, the words of such statute are the end of any judicial inquiry regarding its meaning." *Stewart v. Nebraska Dep't of Revenue*, 294 Neb. 1010 1017, 885 N.W.2d 723, 729 (2016). Thus, our analysis begins with the text of the statute. Neb. Rev. Stat. § 70-625(6) provides:

(6) Notwithstanding any law, ordinance, resolution, or regulation of any political subdivision to the contrary, each public power district may receive funds and extend loans pursuant to the Nebraska Investment Finance Authority Act or pursuant to this section. In addition to the powers authorized by Chapter 70 and specified in its petition for creation, as amended, and without the need for further amendment thereto, a public power district may own and operate, contract to operate, or lease energy equipment and provide billing, meter reading, surveys, or evaluations and other administrative services, but not to include natural gas services, of public utility systems within a district's service territory.

Except for natural gas services, § 70-625(6) authorizes public power districts to "own and operate, contract to operate or lease energy equipment" and "provide billing, meter reading, surveys, or evaluations and other administrative services...of public utility systems within a district's service territory." "Energy equipment," within Chapter 70, article 6, "includes, but is not limited to, equipment or facilities used or useful to generate, produce, transmit, or distribute power, heated or chilled water, or steam for use by the district or the district's commercial and industrial customers." Neb. Rev. Stat. § 70-601(7) (2018). In your request letter, you describe AMI as "a utility metering setup which is an integrated system of smart meters, communications networks, and data management systems that enables two-way communication between utilities and customers." You also state that "AMI, in and of itself, is not considered 'operating' a utility system." Based on these general descriptions, AMI is not "used or useful to generate, produce, transmit, or distribute power, heated or chilled water, or steam" under the definition of "energy equipment" in § 70-601(7).

Nor is it likely that AMI qualifies as "billing, meter reading, surveys, or evaluations and other administrative services" under § 70-625(6). As stated above, you represent that AMI is "an integrated system of smart meters, communications networks, and data management systems that enables two-way communication between utilities and customers." You "believe that these AMI services and administrative services may be provided with regard to the electric, water, and natural gas systems." It is unclear, however, whether AMI is in fact limited to "billing, meter reading, surveys, or evaluations and other administrative services," as the Legislature spelled out in § 70-625(6). AMI, and its accompanying "smart grid" technology, appear to provide capabilities beyond the type of services itemized in § 70-625(6).¹ Without more information detailing the functional parameters of AMI technology,² we are unable to conclude that the Legislature has authorized public power districts under § 70-625(6) to provide AMI services to other public utilities within a district's service territory.³

CONCLUSION

It is not clear that public power districts have authority to provide AMI services under § 70-625(6). AMI does not fit the definition of "energy

equipment" in § 70-601(7), and appears to involve more than billing, meter reading, surveys, evaluations, and related administrative services. Considering this uncertainty, you may wish to propose legislation clarifying that AMI fits within the services contemplated by the Legislature in § 70-625(6).

Very truly yours,
DOUGLAS J. PETERSON
Attorney General
(Signed) Darrin F. Schultz
Assistant Attorney General

pc Patrick J. O'Donnell
Clerk of the Nebraska Legislature

80-009-30

¹ See, e.g., 220 Ill. Comp. Stat. Ann. 5/16-108.6(a) (smart grid functions include, among others, "the ability to develop, store, send, and receive digital information concerning electricity use, costs, prices, time of use, nature of use, storage, or other information ... [and] use digital information to operate functionalities on the electric utility grid that were previously electro-mechanical or manual"); Okla. Stat. tit. 17, § 710.2 ("[T]he use of advanced metering technology may give electric utilities and consumers access to more detailed usage data than that collected by conventional electric utility services."); see also U.S. Dep't of Energy, *Advanced Metering Infrastructure and Customer Systems* 4 (Sept. 2016) (describing how AMI offers "functions that were not previously possible or had to be performed manually, such as the ability to automatically and remotely measure electricity use, connect and disconnect service, detect tampering, identify and isolate outages, and monitor voltage"), https://www.energy.gov/sites/prod/files/2016/12/f34/AMI%20Summary%20Report_09-26-16.pdf.

² See U.S. Dep't of Energy, *Data Access and Privacy Issues Related to Smart Grid Technologies* 6 (Oct. 2010) (noting that "experience with Internet technologies strongly suggests that it may be difficult or impossible to predict the uses to which a 'smarter' and more interactive electrical grid will ultimately be put"), https://www.energy.gov/sites/default/files/gcprod/documents/Broadband_Report_Data_Privacy_10_5.pdf.

³ Because we conclude that AMI likely is not within the grant of authorized activity under § 70-625(6), we need not address whether the exclusion for "natural gas services" would apply to AMI.

Opinion 23-001

SUBJECT: Authority of County Clerks or Election
Commissioners to Manually Count Ballots

REQUESTED BY: Senator Steve Erdman
Nebraska State Legislature

WRITTEN BY: Douglas J. Peterson, Attorney General
Lynn A. Melson, Assistant Attorney General

INTRODUCTION

You have requested an opinion of the Attorney General concerning the authority of individual county clerks or election commissioners to choose to exclusively hand count ballots without the use of vote counting machines. You have asked that we provide our opinion whether legislation would be needed to authorize those local election officials to opt to manually count ballots or whether current state law already permits them to do so. You are considering introducing legislation in January which would allow local election officials to make that choice.

ANALYSIS**I. Applicable Nebraska Statutes**

The State's Election Act ["the Act"] is found at Neb. Rev. Stat. §§ 32-101 to 32-1551 (2016 and Cum. Supp. 2022). The provisions of Article 10 of the Act pertain to counting and canvassing ballots.

Neb. Rev. Stat. § 32-1012 (Cum. Supp. 2022) provides requirements for counties using optical scanners at either a centralized location or at polling places while § 32-1027(6) (Cum. Supp. 2022) provides for the unfolding and flattening of early voting ballots for purposes of using the optical scanner. Section 32-1016 (2016) spells out how to treat a ballot that is damaged or defective so that it cannot properly be counted by a vote counting device. Section 32-1018 (2016) requires the sealing and storage of all tapes, programming boards, and other materials used with vote counting devices. Section 32-1049 (Cum. Supp. 2022) lists additional requirements for the use of a vote counting device in a centralized location. Sections 32-1041 (Cum. Supp. 2022), 32-1042 (2016), and 32-1043 (2016) all authorize the use of optical-scan ballots or voting systems approved by the Secretary of State. The term "voting system" is defined at Neb. Rev. Stat. § 32-119.01 (Cum. Supp. 2022) to mean "the process of creating, casting, and counting ballots and includes any software or service used in such process."

The only mention of manual counting currently found within Article 10 is § 32-1012 which provides that if "it becomes impracticable to count all or

a part of the ballots with optical scanners," the local election official "may direct that the ballots be counted manually following as closely as possible the provisions governing the manual counting of ballots." There are no current provisions in the Act which govern the procedure of manually counting the ballots. In fact, several provisions related to manual counting and counting boards were deleted from the Act by LB 646, Laws 2007. References to certain types of counting boards were eliminated because, "[w]ith the new voting equipment, counties no longer manually count ballots and therefore, these counting boards are no longer necessary." Committee Statement on LB 646, 100th Leg., 1st Sess. 2 (March 14, 2007).

The Election Act grants no general authority to local election officials with regard to hand counting or manually counting ballots. Rather, the Act, limits the discretion of election officials to employ manual counting to only those narrow circumstances in which it is "impracticable" to count the ballots with optical scanners. Statutory language is to be given its plain and ordinary meaning, and an appellate court's duty in discerning the meaning of a statute is to determine and give effect to the purpose and intent of the Legislature as ascertained from the entire language of the statute considered in its plain, ordinary, and popular sense. *Pettit v. Nebraska Dept. of Correctional Services*, 291 Neb. 513, 522, 867 N.W.2d 553, 560 (2015). *Merriam-Webster's [Online] Dictionary* defines "impracticable" as "incapable of being performed or accomplished by the means employed or at command."¹ The context of § 32-1012 suggests that manual counting would, thus, be statutorily limited to unforeseen circumstances such as a temporary power outage or equipment failure.

Your opinion request letter refers to "county officials" and a "discrepancy regarding the extent of their control versus that of the Secretary of State." To the extent any local official may have discretion to choose a ballot counting method, it would be an election commissioner or county clerk. The Nebraska statutes provide for two types of local election officials: election commissioners and county clerks. Neb. Rev. Stat. § 32-207 (Cum. Supp. 2022) provides that "[t]he office of election commissioner shall be created for each county having a population of more than one hundred thousand inhabitants." Neb. Rev. Stat. § 32-211 (2016) provides that the county board of each county with not less than twenty thousand nor more than one hundred thousand inhabitants may create the office of election commissioner. And, Neb. Rev. Stat. § 32-218 (2016) provides that the county clerk will perform the duties assigned to the election commissioner, except in those counties which have an election commissioner pursuant to either § 32-207 or § 32-211. However, as explained above, the discretion of an election commissioner or county clerk to employ a manual count of ballots is limited to the narrow circumstances spelled out in § 32-1012.

Further, Neb. Rev. Stat. § 32-1041 requires that election commissioners and county clerks use vote counting devices and voting systems approved by the Secretary of State. "The election commissioner or county clerk may use vote counting devices and voting systems approved by the Secretary of State for

tabulating the votes cast at any election. Vote counting devices shall include electronic counting devices such as optical scanners." Neb. Rev. Stat. § 32-1401(1). "Any new voting or counting system shall be approved by the Secretary of State prior to use by an election commissioner or county clerk." Neb. Rev. Stat. § 32-1401(3). It is our understanding that the voting system currently approved by the Secretary of State requires the use of optical scanning devices for tabulating the votes cast and that no counties are currently approved by the Secretary of State to use manual counting of ballots. Thus, any local election official who wishes to use a new manual counting system would first need to seek the approval of the Secretary of State.

Finally, you have stated that you are considering introducing legislation to allow local election officials to choose whether to count ballots by hand. We note that the federal Help America Vote Act of 2002 ["HAVA"], Public Law 107-252, 42 U.S.C. §§ 15301 to 15545 (2002), was enacted to address improvements to voting systems and voter access. A Nebraska State Plan to implement HAVA was adopted in 2004 and amended in 2009 and 2011.² HAVA provided federal funding to states, including funding for upgraded voting systems, and all Nebraska counties received new ballot tabulation equipment. HAVA also created new mandatory minimum standards for states to follow in certain areas of election administration. As we have only your general reference to introducing legislation, we will not discuss HAVA or the State Plan further within this opinion. However, we wanted to make you aware of the federal legislation and related State Plan as you determine whether to introduce legislation.

CONCLUSION

In conclusion, the Nebraska Election Act provides for two types of local election officials: election commissioners and county clerks. It is our opinion that current Nebraska statutes grant no general authority to those officials to choose to count their ballots by hand. Rather, the Act limits the discretion of local election officials to employ manual counting to only those narrow circumstances set out by Neb. Rev. Stat. § 32-1012 in which it is not possible to count a ballot with optical scanners. And, under current law, any local election official who wishes to use a new manual counting system would need to obtain the approval of the Nebraska Secretary of State.

Very truly yours,
DOUGLAS J. PETERSON
Attorney General
(Signed) Lynn A. Melson
Assistant Attorney General

pc. Patrick J. O'Donnell
Clerk of the Nebraska Legislature

09-842-30

¹ <http://www.merriam-webster.com/dictionary/impracticable>(accessed December 5, 2022).

² See <https://sos.nebraska.gov/elections/help-america-vote-act-hava>.

Opinion 23-002

SUBJECT: Authority of the Legislature to Limit the Criteria Utilized by the Coordinating Commission for Postsecondary Education to Approve Programs Involving "Institutes" or "Centers."

REQUESTED BY: Senator Steve Halloran
Nebraska State Legislature

WRITTEN BY: Douglas J. Peterson, Attorney General
Lynn A. Melson, Assistant Attorney General

INTRODUCTION

You have requested an opinion of the Attorney General regarding the authority of the Legislature to limit the criteria utilized by the Coordinating Commission for Postsecondary Education ["Commission"] to review and approve or disapprove institutes or centers. You state that you are "researching and contemplating legislation to define limitations on the authority of the" Commission "regarding the scope of organizational units, often referred to as institutes or centers, that may be joined or formed by postsecondary institutions." You explain further that you may introduce legislation to "codify an interpretation of 'institutes' found in the Commission's own regulations and guidance." You also describe the potential legislation as codifying certain criteria that the Commission currently employs in approving or disapproving certain programs. You ask whether "such legislation [would] be in conflict with the Commission's authority under Article VII, Section 14 [of the Nebraska Constitution]."

You suggest that the Commission may have exceeded its authority to approve particular centers and you ask "did the Commission exceed its authority, or fail to exercise its statutory duty, by approving these centers?" This office provides opinions to state officers upon questions of law which arise "in the discharge of their duties." Op. Att'y Gen. No. 157 (December 24, 1985). "[S]ince it is generally the duty of members of the Executive Branch of government to apply and enforce the existing statutes, we have made it our policy to issue opinions to Executive officers only with respect to their duties under existing statutes. . . ." Op. Att'y Gen. No. 97002 at 4 (Jan. 8, 1997). And, it has been our practice and policy to issue opinions to members of the Legislature only with respect to pending or proposed legislation and not with respect to the requirements of existing statutes. *Id.* For that reason, we will not address past decisions of the Commission or its

application of existing statutes. We will, however, address your question whether legislation to codify a definition or the criteria used by the Commission to review, approve or disapprove programs, including "institutes," may conflict with the Commission's constitutionality authority.

ANALYSIS

The State Constitution provides "there shall be established the Coordinating Commission for Postsecondary Education which shall, under the direction of the Legislature, be vested with the authority for the coordination of public postsecondary educational institutions." Neb. Const. art. VII, § 14. The Constitution then defines the term "coordination" to include both "(1) [a]uthority to adopt, and revise as needed, a comprehensive statewide plan for postsecondary education" and "(2) [a]uthority to review, monitor, and approve or disapprove each public postsecondary educational institution's programs and capital construction projects which utilize tax funds designated by the Legislature in order to provide compliance and consistency with the comprehensive plan and to prevent unnecessary duplication." *Id.*

After the adoption of the constitutional provision in 1990, the Legislature enacted the Coordinating Commission for Postsecondary Education Act, Neb. Rev. Stat. §§ 85-1401 to 85-1420 (2014 and Cum. Supp. 2022) [the "Act"]. There are several statutory provisions relevant to your inquiry. Neb. Rev. Stat. § 85-1402(3)(a) (2014) uses the constitutional definition of the term coordination to include authority to adopt a comprehensive statewide plan for postsecondary education. Subsection (3)(b) uses the constitutional language above regarding the authority of the Commission "to review, monitor, and approve or disapprove each public postsecondary educational institution's programs and capital construction projects. . . ." The term program is defined to include "the establishment of any new college, school, major division, education center, or institute but shall not include reasonable and moderate extensions of existing curricula which have a direct relationship to existing programs." Neb. Rev. Stat. § 85-1402(6) (2014).

Neb. Rev. Stat. § 85-1414 pertains to the Commission's authority to establish the process for approving or disapproving programs and, at subsections (7) and (8), provides that it is generally the responsibility of the Commission to establish criteria for the review, monitoring, and approval or disapproval of programs.

You ask whether legislation to codify a specific interpretation of the term "institute" or to codify particular criteria utilized by the Commission would conflict with the Commission's constitutional authority. You enclosed with your opinion request a copy of a document titled "Definition of Program(s)," which we understand to be an appendix to a guidance document issued by the Commission. A document titled "Guidelines for Submitting Proposals For New Instructional Programs and New Organizational Units" is found at the Commission's website, prefaced by the

statutory notice required by Neb. Rev. Stat. § 84-901.03(2) (Cum. Supp. 2022). That notice includes a statement that the "guidance document is advisory in nature but is binding on an agency until amended by such agency." Footnote 1 in that guidance document states "[f]or definitions of programs, see Appendix A" and the document you enclosed is Appendix A.¹

Your question is whether legislation to codify Appendix A's definition of institute and the criteria appearing in that definition may conflict with the Commission's constitutional authority. As previously discussed above, Neb. Const. art. VII, § 14 vests in the Commission the authority for the coordination of public postsecondary educational institutions and defines coordination to include the authority to review, monitor, and approve or disapprove programs and capital construction projects. Legislation to divest the Commission of its constitutional jurisdiction could be challenged on constitutional grounds.

This office has previously examined the scope of the Commission's constitutional authority regarding a bill which would have mandated the establishment of a college of engineering at the University of Nebraska at Omaha. Op. Att'y Gen. No. 95020 (March 13, 1995). We considered several rules of statutory construction. "First, the Nebraska Supreme Court has determined that constitutional provisions are to be construed more liberally than statutory provisions. *Nebraska P.P. Dist. v. Hershey School Dist.*, 207 Neb. 412, 299 N.W.2d 574 (1980). A second principle of statutory construction requires that before interpretation of the language of a constitutional provision may be engaged in, 'it must be demonstrated that the questioned language is unclear or ambiguous and, therefore, requires judicial construction. . . . *State ex rel. Spire v. Beermann*, 235 Neb. 384, 389, 455 N.W.2d 749, 752 (1990)." Op. Att'y Gen. No. 95020 at 4. In that opinion we found the language of Neb. Const. art. VII, § 14, which vests the Commission with the authority to review, monitor, and approve or disapprove programs, to be clear and unambiguous. *Id.* at 5.

Our 1995 opinion also discussed the history of the legislation implementing the 1990 constitutional amendment which changed the Commission from an advisory body to one vested with authority for the coordination of public postsecondary educational institutions. *Id.* at 6-7. We noted that, during floor debate on an amendment regarding education centers, one of the bill's sponsors stated: "We have established the commission constitutionally with the authority to approve or disapprove programs. We, as the legislature, have in effect said this. . .the floor of the Legislature is not the appropriate place to make those decisions. The appropriate place to make these decisions is within the coordinating commission." *Id.* at 7 (quoting Floor Debate on LB 663, 92nd Leg., 1st Sess. 2169 (March 25, 1991) (Statement of Sen. Withem)).

We further pointed out that "because the Nebraska Constitution 'is not a grant but, rather, a restriction on legislative power, . . .the Legislature is free to act on any subject not inhibited by the Constitution.' *State ex rel. Stenberg*

v. *Douglas Racing Corp.*, 246 Neb. 901, 905, ___ N.W.2d ___ (1994); [additional citation omitted]. In so acting, however, the court has established that "[t]he people of the state, by adopting a Constitution, have put it beyond the power of the [L]egislature to pass laws in violation thereof." *State ex rel. Randall v. Hall*, 125 Neb. 236, 243, 249 N.W. 756, 759 (1933). . . ." Op. Att'y Gen. No. 95020 at 4. As the bill in question at that time did not provide for a review or approval of the proposed establishment of a college of engineering by the Commission, we found the bill would violate art. VII, § 14 and that it would also conflict with provisions of the Act.

This office has also considered the scope of authority granted to the Commission to review capital construction projects. Op. Att'y Gen. No. 94015 (March 16, 1994). In that instance, the issue was whether a parking lot demolition and pedestrian plaza construction project fell within the statutory definition of "capital construction project" found at Neb. Rev. Stat. § 85-1402(1) (2014) and, specifically, whether the project fell within the term "capital structure" used in that statute. The Commission had defined the term "capital structure" in its regulations promulgated pursuant to the Act and we found its definition was consistent with the constitutional provision requiring that all capital construction projects which use tax funds designated by the Legislature be subject to Commission review. We concluded that "denying the Commission authority to review the project would be in direct contravention to the constitutional duty imposed upon the Commission. . . ." *Id.* at 3-4.

Neb. Const. art. VII, § 14 provides the Commission "shall, *under the direction of the Legislature*, be vested with the authority for the coordination of public postsecondary educational institutions." (emphasis added). Similar language is found in Neb. Const. art. VII, § 10, which provides in part: "The general government of the University of Nebraska shall, under the direction of the Legislature, be vested in. . .the Board of Regents of the University of Nebraska....Their duties and powers shall be prescribed by law." "[T]he purpose of [this] constitutional provision was to remove the University from the plenary control of the Legislature and establish the Board of Regents as an independent body charged with the power and responsibility to manage and operate the University as free from political influence and control as possible." *Board of Regents v. Exon*, 199 Neb. 146, 148, 256 N.W.2d 330, 332 (1977) ["*Exon*"]. Thus, art. VII, § 10, means that "[t]he general government of the University must remain vested in the Board of Regents....," and, "[i]n prescribing the power and duties of the Regents a legislative act must not be so detailed and specific in nature as to eliminate all discretion and authority on the part of the Regents as to how a duty shall be performed." *Id.* at 149, 256 N.W.2d at 333.

Article VII, § 14 vests the Commission with authority for the "coordination" of public postsecondary institutions. Subsection (2) of Article VII, § 14 defines coordination to include the "[a]uthority to review, monitor, and approve or disapprove each public postsecondary educational institution's programs...in order to provide compliance and consistency with

the comprehensive plan and to prevent unnecessary duplication...." While Article VII, § 14 vests this authority in the Commission "under the direction of the Legislature," the Legislature's power to direct cannot be exercised in a manner which improperly infringes the Commission's constitutional "coordination" authority to approve or disapprove programs. "Program" is currently defined to "include the establishment of any new college, school, major division, education center, or institute but shall not include reasonable and moderate extensions of existing curricula which have a direct relationship to existing programs...." Neb. Rev. Stat. § 85-1402(6). The Legislature has also provided that the Commission "shall establish criteria for the review, monitoring, and approval or disapproval of programs." Neb. Rev. Stat. § 85-1414(7). "The [C]ommission's criteria shall be designed to (a) meet educational needs and (b) assure efficiency and avoid unnecessary duplication," and "shall include: (i) Centrality to the role and mission of the public institution; (ii) Consistency with the comprehensive statewide plan; (iii) Evidence of need and demand; and (iv) Adequacy of resources to support proposed new programs." *Id.* Further, "[t]he criteria shall not infringe on the prerogative of the governing boards to make decisions on the quality of staff and the design of curriculum." *Id.*

The Legislature presently has directed the Commission to develop the criteria for approval of disapproval of programs. While § 85-1414(7) imposes some mandatory requirements for those criteria, it does so in general terms and in a manner which does not unduly restrict the Commission's exercise of its constitutional coordination authority. You have not provided a specific legislative bill for our review, but you appear to contemplate legislation which would put into statute specific criteria for the Commission to employ when engaging in its review of programs involving institutes or centers. Legislation "so detailed and specific in nature as to eliminate all discretion and authority on the part of the" Commission to exercise its coordination authority in this area may contravene art. VII, § 14. *Exon*, 199 Neb. at 149, 256 N.W.2d at 333. While the answer is not certain, a court could find that codifying specific and limiting criteria defining "institutes" would impermissibly restrict the Commission's constitutional "coordination" authority to approve or disapprove programs.

Very truly yours,
DOUGLAS J. PETERSON
Attorney General
(Signed) Lynn A. Melson
Assistant Attorney General

pc. Brandon Metzler
Clerk of the Nebraska Legislature

09-843-30

¹ For your reference, a guidance document is defined at Neb. Rev. Stat. § 84-901(5) (Cum. Supp. 2022) to mean "any statement developed by an agency which lacks the force of law but provides information or direction of

general application to the public to interpret or implement statutes or such agency's rules or regulations." And Neb. Rev. Stat. § 84-901.03(3) (Cum. Supp. 2022) provides that "[a] person may request in writing that an agency revise or repeal a guidance document or convert a guidance document into a rule or regulation." The definition of institute [or center which the Commission uses interchangeably] which you bring to our attention is, thus, currently binding on the Commission. It could be amended by the Commission or incorporated into Commission rules or regulations. While binding, we note the definition is not inflexible, as it states "a working definition of centers will *normally be* interpreted to mean" an institution or sector's academic entities with certain characteristics, and "[i]t is *intended* that centers will not include interdisciplinary units with" certain characteristics. Appendix A at 6.b., c. (emphasis added). This qualifying language reserves a degree of discretion to the Commission in applying the definition.

MESSAGES FROM THE GOVERNOR

August 15, 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:

Russell L. Kreachbaum Jr., 2077 P Road, Central City, NE 68826

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

August 15, 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 State Board of Health:

Jaime Kent Dodge, M.D., FAAFP, 7331 S. 64th Circle, Lincoln, NE 68516
Heather Cramer, RN, 17544 Adams Street, Omaha, NE 68135

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

August 30, 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 Coordinating Commission for Postsecondary Education:

Gwenniviere Aspen, 850 Fair Acres, Omaha, NE 68132
Molly O'Holleran, 1001 S. Deerwood Drive, North Platte, NE 69101

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

August 30, 2022

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

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

Contingent upon your approval, the following individuals are being appointed to the Nebraska Educational Telecommunications Commission:

Dan O'Neill, 615 Sequoia Court, North Platte, NE 69101
Courtney C. Wittstruck, 3001 Sequoia Drive, Lincoln, NE 68516

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

August 30, 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:

Kristen L. Gottschalk, 1992 County Road T, Colon, NE 68018

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

August 30, 2022

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

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

Contingent upon your approval, the following individuals are being appointed to the Nebraska Commission on Problem Gambling:

John Pulverenti, 605 N. 126th Plaza, Omaha, NE 68154
Matthew John Monheiser, 107 Virginia Lane, Sidney, NE 69162

Contingent upon your approval, the following individual is being reappointed to the Nebraska Commission on Problem Gambling:

Susan E. Lutz, 2101 W. Eisenhower Avenue, Norfolk, NE 68701

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

August 30, 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 Crime Victim's Reparations Committee:

David Nelson, 19002 S. 204th Street, Gretna, NE 68028
Lou Leone, 2114 2nd Avenue, Apt. A, Nebraska City, NE 68410
Weysan Dun, 16617 Cheyenne Road, Omaha, NE 68136

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

August 30, 2022

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

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

Contingent upon your approval, the following individuals are being appointed to the Nebraska Information Technology Commission:

Bret R. Blackman, UNO- 6001 Dodge Street, Omaha, NE 68182
Zachary J. Mellender, 16068 Franklin Street, Omaha, NE 68118
Kirk Langer, 3011 S. 74 Street, Lincoln, NE 68506
James Ediger, 1112 8th Street, Aurora, NE 68818
Leah Barrett, 1411 N. 30 Street, Norfolk, NE 68701

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

August 30, 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 Health Information Technology Board:

Phillip James Vuchetich, PHARM.D, MS, MBA, CPHIMS,
2809 Pinnacle Drive, Norfolk, NE 68701
Douglass Haas, DNP, APRN-NP, FNP-BC, AGACNP-BC,
1407 13th Avenue, Kearney, NE 68845

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

August 30, 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 Natural Resources Commission:

Devin M. Brundage, 1615 Avenue F, Gothenburg, NE 69138

Contingent upon your approval, the following individuals are being reappointed to the Nebraska Natural Resources Commission:

Donald P. Batie, 43590 Road 761, Lexington, NE 68850
Mark Czaplewski, 2747 Lakewood Drive, Grand Island, NE 68801
Timothy E. Krause, 78580 Highway 183, Mason City, NE 68855
Dennis Strauch, 50189 Hilyard Drive, Mitchell, NE 69357

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

August 30, 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 Board of Educational Lands and Funds:

Jerald Meyer, 5100 Bridle Lane, 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

October 11, 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 Child Abuse Prevention Fund Board:

Deacon Donald N. Blackbird, Jr., 202 North Sawyer Street, Walthill, NE 68067
Georgina Scurfield, 707 S. Beadle Street, Papillion, NE 68046

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

October 11, 2022

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

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

Contingent upon your approval, the following individuals are being appointed to the Nebraska Brand Committee:

Steven F. Stroup, 33824 Road 711, Benkelman, NE 69021
Marie A. Farr, 43701 S. Snell Road, Moorefield, NE 69039

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

October 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 State Racing and Gaming Commission:

Trent Loos, 78009 472 Avenue, Litchfield, NE 68852

Also, contingent upon your approval, the following individuals are being reappointed to the State Racing and Gaming Commission:

Dennis Lee, 608 S. 123 Street, Omaha, NE 68154
Jeffrey Galyen, 3209 Golf View Drive, Norfolk, NE 68701

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

October 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 individuals are being reappointed to Nebraska State Fair Board:

Dawn Caldwell, 30650 Road T, Edgar, NE 68935
Beth Smith, 2310 Woodsdale Blvd., Lincoln, NE 68502

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

October 24, 2022

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

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

Contingent upon your approval, the following individuals are being appointed to the Board of Emergency Medical Services:

Noah Bernhardson, MD, NRP, FP-C, 8901 Ranch Gate Road, Lincoln, NE 68520

Jonathan L. Kilstrom, MPAS, PA-C, NRP, 7737 Pine Circle, Omaha, NE 68124

Brent E. Lottman, AEMT, 1007 3rd Street, Peru, NE 68421

Prince Harrison, M.D., 401 N. 46 Street, Apt. 4306, Omaha, NE 68132

Ryan K. Batenhorst, M.Ed., NRP, 1725 S. 45 Street, Lincoln, NE 68506

Leslie L. Vaughn, Jr., 9201 N. 36 Street, Omaha, NE 68112

Also, contingent upon your approval, the following individuals are being reappointed to the Board of Emergency Medical Services:

Karen Bowlin, 400 Road West 30, Ogallala, NE 69153

Linda L. Jensen, RN, 16181 County Road, #21, Herman, NE 68029

James Smith, M.D., 402 Flamingo Road, North Platte, NE 69101

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

October 19, 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 State Electrical Board:

John F. Hiller, 335 S. 178th Avenue, Omaha, NE 68118

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

(Signed) Sincerely,
Pete Ricketts
Governor

Enclosures

October 19, 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 State Personnel Board:

Patrick Guinan, 525 S. 58th Street, Omaha, NE 68106

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

(Signed) Sincerely,
Pete Ricketts
Governor

Enclosures

October 19, 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 Nebraska Ethanol Board:

Bradley B. Bird, 12018 County Road, P 30, Blair, NE 68008
Michael S. Thede, 327 R Road, Palmer, NE 68864

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

October 19, 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 Rural Health Advisory Commission:

Myra Stoney, 38081 Skylark Trail, McCook, NE 69001
Katherine Kusek, DDS, 407 S. 4th Street, Albion, NE 68620
Kate Hesser, M.D., 1805 St. Andrews, Crete, NE 68333

Also, contingent upon your approval, the following individuals are being reappointed to the Rural Health Advisory Commission:

April Dexter, 84866 477th Avenue, Amelia, NE 68711
Martin Fattig, MHA, 73091 643A Avenue, Auburn, NE 68305

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

October 19, 2022

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

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

Contingent upon your approval, the following individuals are being appointed to the Nebraska Arts Council:

Karen A. Harris, 913 W. 4th Street, York, NE 68467
Crystal Dunning, 1541 S Street, Lincoln, NE 68508

Also, contingent upon your approval, the following individuals are being reappointed to the Nebraska Arts Council:

Mark Laughlin, 5106 California Street, Omaha, NE 68102
Brenda M. Davis, 807 N. 7th Street, Beatrice, NE 68310
Sharon R. Hofschire, 2024 S. 86 Avenue, Omaha, NE 68124
Ann Michelle Dudley, 1006 Darrus Drive, Norfolk, NE 68701

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

October 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 Board of Educational Lands and Funds:

Robert H. Kobza, 4170 M Road, Bellwood, NE 68624

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 23, 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 Technical Advisory Committee on Statewide Assessment:

Joshua P. Fields, Ed.D., 429 East Pinewood Avenue, Seward, NE 68434

Contingent upon your approval, the following individual is being reappointed to the Technical Advisory Committee on Statewide Assessment:

Chad W. Buckendahl Ph.D., 2467 Cordoba Bluff Court, Las Vegas, NV 89135

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 23, 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:

John C. Ernst, 28202 Sandstone, Columbus, NE 68601

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 23, 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 Investment Council:

Thomas E. Henning, 6015 The Knolls, Lincoln, NE 68512

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 23, 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 Health Information Technology Board:

Mark A. Latta, DMD, MS, 13010 Craig Street, Omaha, NE 68142

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 23, 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 Information Technology Commission:

Katie Niemoller, RN, 710 Leprechaun Lane, Papillion, NE 68046

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

December 16, 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 Arts Council:

Brian Botsford, 411 E. 26 Street, Kearney, NE 68847

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

December 21, 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 Natural Resources Commission:

Daniel (Dan) L. Steinkruger, 7435 Whitestone Drive, 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

December 21, 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 Accountability and Disclosure Commission:

Andrew N. Ruess, 1410 S. 218th Street, Elkhorn, NE 68022

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

December 21, 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 Commission for the Blind and Visually Impaired:

Miguel Rocha, 814 W. 26th Street, 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

COMMUNICATIONS

Received a copy of House Concurrent Resolution No. 11 from the state of Louisiana relating to urging and requesting the legislatures of each state of the United States to pass similar concurrent resolutions calling upon the Congress of the United States of America to support legislation and to take such actions as a necessary to review and eliminate all provisions of federal law that reduce Social Security benefits for those receiving pension benefits from federal, state, or local government retirement or pension systems, plans, or funds.

Received a copy of Joint Resolution H. 3205 from the state of South Carolina relating to an application to the Congress of the United States to call a convention for proposing amendments pursuant to Article V of the United States Constitution limited to proposing amendments 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.

**2022 INTERIM REPORT
ON THE DISPOSITION OF
INTERIM STUDY RESOLUTIONS**

Agriculture

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
277	Interim study to determine what is needed to develop a plan to protect managed and native Nebraskan pollinators from current harmful practices		X	
328	Interim study to determine whether rules and regulations guiding the inspection and permitting of mobile food units are being applied consistently between jurisdiction		X	
400	Interim study to examine current farm economic conditions in Nebraska and how best to aid and support beginning farmers and livestock and dairy producers in the state		X	

Appropriations

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
330	Interim study to determine what percentage should be used to forecast revenue when preparing fiscal notes and determine if state agencies or political subdivisions should use the same percentage		X	
396	Interim study to examine the funding needs of the Commission on Public Advocacy and to find a long-term funding solution		X	
405	Interim study to examine the operation of the statewide financial systems by the Accounting Administrator of the accounting division of the Department of Administrative Services and ensure that internal controls are properly implemented		X	
406	Interim study to examine the		X	

	implementation of the office of Chief Information Officer's information technology consolidation initiative to ensure efficient use of Nebraska taxpayer resources			
410	Interim study to examine the long-term fiscal sustainability of the Nebraska Health Care Cash Fund			X

Banking, Commerce and Insurance

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
372	Interim study to examine whether the Real Property Appraiser Act should be updated		X	
371	Interim study to review the requirements regarding occupational regulation as administered by the Department of Banking and Finance	X		
361	Interim study to examine insurance coverage for lung cancer screenings and make recommendations			X
364	Interim study to explore the establishment of an insurtech regulatory sandbox			X
415	Interim study to examine the lack of access to quality and affordable health insurance for Nebraska's early childhood workforce and potential solutions			X

Education

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
373	Interim study to examine the feasibility of developing a policy and implementing a statewide process for awarding college credit in specific programs of study across all public educational institutions for military education and training		X	
414	Interim study to examine			X

	programming, opportunities, and interventions for students attending an alternative school, class, or educational program in Nebraska			
354	Interim study to examine the educational experiences and outcomes of youth in foster care		X	
420	Interim study to examine the education process and procedures for serving students with special needs			X
359	Interim study to examine whether section 79-458, which authorizes certain property holders to attach their property to a different school district through a freeholder petition, should be updated or eliminated			X

Executive Board

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
307	Provide the Executive Board of the Legislative Council appoint a special committee of the Legislature to be known as the Special Ethics Investigative Committee of the Legislature	Pending		
305	Interim study to examine issues relating to the personnel policies of the Legislature			X
311	Interim study to examine issues relating to workplace policies of the Legislature			X
370	Interim study to examine the coordination and administration of boundary layers in Nebraska	Pending		
374	Interim study to create a select interim committee of the Legislature known as the State and Local School Aid Committee			X
393	Interim study to examine the committee hearing procedures of the Legislature			X
279	Interim study to examine ways to further support the mission of the office of Public Counsel			X

General Affairs

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
337	Interim study to examine laws relating to brand registration of alcoholic beverages of all types and varieties		X	
338	Interim study to examine all licenses issued by the State Racing and Gaming Commission	X		
339	Interim study to examine matters relating to cemeteries in Nebraska		X	
340	Interim study to examine issues within the jurisdiction of the General Affairs Committee		X	

Government, Military and Veterans Affairs

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
388	Interim study to examine the rating and combined rating system that the Department of Veterans' Affairs uses to determine compensation payments and access to other benefits			X
376	Interim study to determine whether reports of the resistance of public agencies to fulfill public record requests are representative of a broad statewide issue or represent isolated incidents			X

Health and Human Services

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
438	Interim study to identify policy changes for improving communication and sharing of case-specific information among state and local government agencies responsible for care, custody, treatment, and rehabilitation of youth		X	
409	Interim study to examine the		X	

	Department of Health and Human Services' capacity and resources to treat individuals who have been committed to the department for treatment to restore competency to stand trial			
417	Interim study to review the current medicaid reimbursement rates and processes for difficult to place patients in Nebraska's acute care hospitals		X	
390	Interim study to review the current medicaid reimbursement model and processes for Nebraska's critical access hospitals			X
327	Interim study to examine issues relating to severe maternal morbidity			X
407	Interim study to examine how Nebraska is utilizing Temporary Assistance for Needy Families funds		X	
404	Interim study to examine the racial and ethnic disproportionality within Nebraska's child welfare system		X	
366	Interim study to examine at least three of the current certified community behavioral health clinics established through the federal Substance Abuse and Mental Health Services Administration's demonstration program		X	
378	Interim study to examine the process for determining the rate of reimbursement for the child care subsidy program		X	
397	Interim study to examine the needs, workforce, and funding streams for mental health care across Nebraska		X	
368	Interim study to identify deficiencies and inefficiencies in Nebraska public policy surrounding disability-related service provision		X	
367	Interim study to examine home		X	

	visitation for families in Nebraska			
408	Interim study to examine ways to grow and diversify Nebraska's health care workforce		X	
360	Interim study to examine eligibility, enrollment, application, renewal, and redetermination practices for the medical assistance program and the Children's Health Insurance Program under the Department of Health and Human Services		X	
389	Interim study to examine how information on all Parkinson's disease cases can best be collected and reported to the Parkinson's Disease Registry		X	
266	Interim study to examine Nebraska's processes relating to investigation of reports of child abuse or neglect in licensed child care facilities		X	
411	Interim study to examine issues within the jurisdiction of the Health and Human Services Committee			X

Judiciary

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
375	Interim study to examine issues within the jurisdiction of the Judiciary Committee		X	
379	Interim study to examine fentanyl distribution in Nebraska			X
384	Interim study to investigate laws and procedures pertaining to the use of emergency protective custody			X
386	Interim study to examine the Nebraska Juvenile Code			X
395	Interim study to examine the judicial inefficiency and increased costs to the state arising from Nebraska's four separate statutory-based mechanisms for postconviction relief			X
399	Interim study to review and		X	

	identify what judicial resources are necessary to expand problem-solving courts across the state			
403	Interim study to examine the use of no-knock warrants			X
412	Interim study to examine if statutory rights and protections relating to crime victims and survivors are adequate			X
421	Interim study to examine property rights issues			X
423	Interim study to determine whether the current arrangement of court appointment of attorneys is appropriate			X
424	Interim study to research the topic of home equity theft			X
425	Interim study to examine the operational and statutory needs of law enforcement departments of the University of Nebraska			X

Natural Resources

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
355	Interim study to examine and review Chapter 70 of the Nebraska Statutes relating to power districts and corporations		X	
362	Interim study to determine the water quality and quantity benefits and costs of permeable surfacing			X
363	Interim study to examine the reprocessing and recycling of spent nuclear fuel			X
394	Interim study to examine potential changes to Nebraska's net metering policy			X
402	Interim study to assess the ranking criteria and practices of the Nebraska Environmental Trust			X
419	Interim study to examine the existing federal rule process for nuclear generation license renewal applications			X

Nebraska Retirement Systems

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
294	Interim study to examine the public employees' retirement systems administered by the Public Employees Retirement Board		X	
295	Interim study to monitor underfunded defined benefit plans administered by political subdivisions as required by section 13-2402		X	

Revenue

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
333	Interim study to examine modernization of Nebraska's tax system with the goal of facilitating economic growth		X Hearing held 11/04/22	
380	Interim study to examine a potential limit on taxation of public and private pension income		X	
383	Interim study to explore best practices for the implementation of a consumption tax in Nebraska		X Discussions held	
387	Interim study to review the statutes relating to homestead exemptions		X Hearing held 10/28/22	
416	Interim study to examine the risks and potential adverse economic consequences to the State of Nebraska and its residents from the transfer of business interests from one generation to the next			X
418	Interim study to examine the sales tax system in Nebraska with respect to exemptions provided to various industries		X Hearing held 10/28/22	
463	Interim study to examine the structure and administration of and compliance with certain taxes			X

Transportation and Telecommunications

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
401	Interim study to review the administration of the Nebraska Broadband Bridge Act		X	
398	Interim study to examine issues related to the funding of emergency communications in Nebraska			X
365	Interim study to review the operations of the Department of Motor Vehicles			X
351	Interim study to evaluate the feasibility of the construction, operation, and maintenance of public river port facilities on Nebraska waterways			X
392	Interim study to examine issues within the jurisdiction of the Transportation and Telecommunications Committee		X	

Urban Affairs

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
276	Interim study to examine circumstances in which conditional use permits can be approved or revoked			X
347	Interim study to examine the statutes governing metropolitan utilities districts		X	
348	Interim study to review the occupational licenses for master plumbers	X		
349	Interim study to examine issues within the jurisdiction of the Urban Affairs Committee			X
377	Interim study to examine statutes relating to the incorporation of new municipalities			X
413	Interim study to evaluate the		X	

	potential transition to a statewide professional license for heating, ventilation, and air conditioning technicians			
422	Interim study to examine issues related to the Middle Income Workforce Housing Investment Act			X

COMMUNICATIONS

April 28, 2022

Patrick O'Donnell
 Clerk of the Legislature
 State Capitol
 Lincoln, NE 68509

Good Afternoon,

The State of Nebraska Annual Comprehensive Financial Report (ACFR) for the fiscal year ended June 30, 2021, has been completed and is now available on the Department of Administrative Services-State Accounting website or by accessing the following link: 2021 ACFR.

The report will also be available on the Legislative website in the Reports area; and, on the Nebraska Library Commission website.

This e-mail is being distributed to the Governor of the State of Nebraska, the Director of Administrative Services, the Tax Commissioner, the Clerk of the Legislature and the Legislative Fiscal Analyst. Others receiving this report are the State Budget Director, Auditor of Public Accounts, and Audit Managers. The report is available to all State Senators through the Legislative website.

Respectfully Submitted,

Philip Olsen, CPA, C.L.S.S.E.G.B.
 Administrator, State Accounting
 Department of Administrative Services

November 28, 2022

Patrick O'Donnell
 Clerk of the Legislature
 State Capitol
 Lincoln, NE 68509

Good Afternoon,

We are writing to inform you of the anticipated delay in the issuance of the Annual Comprehensive Financial Report (ACFR) for the fiscal year ended June 30, 2022. Auditing standards state that we are responsible for communicating significant matters related to the financial statement audit that are, in the auditor's professional judgment, relevant to the responsibilities of those charged with governance. In accordance with Neb. Rev. Stat. § 81-1125.01, the Director of Administrative Services is to provide the audited ACFR at least twenty days before the commencement of each regular session of the Legislature. However, based on the current progress of the ACFR and back log of items still to be completed, the ACFR will not likely be completed by the statutory deadline of December 15, 2022.

There are several underlying issues contributing to this anticipated delay, including the following:

The fiscal year 2021 ACFR was not completed until April 28, 2022, or four months after last year's deadline. This caused delays in issuing the agency management letters, as the corresponding 2021 DAS ACFR Management letter was not issued until June 2022. These delays, in turn, caused our office to start the fiscal year 2022 ACFR significantly later than usual.

Our process for completing the audit of the ACFR involves an extensive list of items (Prepared By Client Listing) to be provided by DAS on certain dates to assist with meeting the statutory deadline. For fiscal year 2022, DAS began to provide information to our office in two batches per month. We communicated our concerns with this process to DAS on several occasions with no changes in any of the corresponding dates. As of November 28, 2022, there are over 20 items still to be provided, which does not include the final prepared financial statements with all adjustments.

We have 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. This was communicated to Labor and DAS on November 21, 2022.

As you know, a modified audit opinion was issued with several comments and recommendations for the past two Annual Comprehensive Financial Reports. As part of the fiscal year 2022

ACFR, this has required follow-up on over 190 prior year findings for different agencies, adding significant time to the audit process.

Our office lost two staff members with over 25 combined years of experience, who managed and assisted with the ACFR audit. Both were hired by DAS. A third member of the ACFR team left for another position. Those three former APA employees accounted for over 3,600 hours on the 2021 ACFR.

We are still experiencing significant delays in response times from several State agencies.

Our staff continues to work hard on the fiscal year 2022 ACFR. However, given the items noted above, we feel it necessary at this time to communicate the situation to you, so you are aware of the noncompliance and the delay in the ACFR for this year. We had previously communicated such delays with DAS staff and to the Appropriations Committee as part of the LR405 Interim Study.

Please feel free to contact us with any questions you may have.

Thank you,

Craig Kubicek, CPA, CPE
Deputy Auditor
Auditor of Public Accounts

December 15, 2022

Patrick O'Donnell
Clerk of the Legislature
State Capitol
Lincoln, NE 68509

Good morning,

The State of Nebraska Annual Comprehensive Financial Report (ACFR) for the fiscal year ended June 30, 2022, has been completed and is now available on the Department of Administrative Services-State Accounting website or by accessing the following link: [2022 ACFR - Unaudited](#).

Per Neb. Rev. Stat. § 81-1125.01 (Reissue 2014), the ACFR must be completed "at least twenty days before the commencement of each regular session of the Legislature[.]" For the fiscal year 2022, the ACFR was due on December 15, 2022. In order to ensure that the ACFR would be completed timely, an engagement letter was signed with the Auditor of Public Accounts on June 1, 2022. Additionally, a list of items to be submitted to the

APA for testing, with estimated completion dates, was provided on August 3, 2022. Of those 217 items to be provided, 213 were submitted by the due date. A completed draft was delivered to the APA on December 1, 2022, a full two weeks prior to the required issuance date. On November 28, 2022, the APA notified DAS, the Governor's Office, the Legislature, and the Department of Revenue of its anticipated delay in issuing the audited ACFR. An audit opinion has not been provided for this report, the APA expects to issue an Independent Auditor's Report by January 31, 2023. As of this date, all material errors identified by the APA have been corrected. The State Accounting Division of Administrative Services intends to submit an updated report once we are in receipt of the APA's independent audit.

The report will also be available on the Legislative website in the Reports area; and, on the Nebraska Library Commission website.

This e-mail is being distributed to the Governor of the State of Nebraska, the Director of Administrative Services, the Tax Commissioner, the Clerk of the Legislature, the Legislative Fiscal Analyst, and the State Budget Director. The report will be available to all State Senators through the Legislative website.

Respectfully Submitted,

Philip Olsen, CPA, C.L.S.S.E.G.B.
Administrator, State Accounting
Department of Administrative Services

COMMITTEE ON COMMITTEES PRELIMINARY REPORT

Senator Albrecht offered the following Committee on Committees report:

Agriculture (8)

Tuesday

Halloran (C), Brewer, Hansen, Holdcroft, Hughes, Ibach, Raybould, Riepe

Appropriations (9)

Monday, Tuesday, Wednesday, Thursday, & Friday

Clements (C), Armendariz, Dorn, Dover, Erdman, Lippincott, McDonnell, Vargas, Wishart

Banking, Commerce and Insurance (8)

Monday & Tuesday

Slama (C), Aguilar, Ballard, Bostar, Dungan, Jacobson, Kauth, von Gillern

Business and Labor (7)

Monday

Riepe (C), Blood, Halloran, Hansen, Hunt, Ibach, McKinney

Education (8)

Monday & Tuesday

Murman (C), Albrecht, Briese, Conrad, Linehan, Sanders, Walz, Wayne

General Affairs (8)

Monday

Lowe (C), Brewer, Cavanaugh, J., Day, Hardin, Holdcroft, Hughes, Raybould

Government, Military and Veterans Affairs (8)

Wednesday, Thursday, & Friday

Brewer (C), Conrad, Halloran, Holdcroft, Hunt, Lowe, Raybould, Sanders

Health and Human Services (7)

Wednesday, Thursday, & Friday

Hansen (C), Ballard, Cavanaugh, M., Day, Hardin, Riepe, Walz

Judiciary (8)

Wednesday, Thursday, & Friday

Wayne (C), Blood, DeBoer, DeKay, Geist, Ibach, McKinney, Slama

Natural Resources (8)

Wednesday, Thursday, & Friday

Bostelman (C), Aguilar, Brandt, Cavanaugh, J., Fredrickson, Hughes, Jacobson, Moser

Nebraska Retirement Systems (6)

At call of Chair

McDonnell (C), Clements, Conrad, Hardin, Ibach, Vargas

Revenue (8)

Wednesday, Thursday, & Friday

Linehan (C), Albrecht, Bostar, Briese, Dungan, Kauth, Murman, von Gillern

Transportation and Telecommunications (8)

Monday & Tuesday

Geist (C), Bostelman, Brandt, Cavanaugh, M., DeBoer, DeKay, Fredrickson, Moser

Urban Affairs (7)

Tuesday

McKinney (C), Blood, Cavanaugh, J., Day, Hardin, Hunt, Lowe

Committee on Committees (13)

Albrecht (C)

<u>District 1:</u>	<u>District 2:</u>	<u>District 3:</u>
Bostar	Hunt	Erdman
Bostelman	Linehan	Jacobson
Moser	Vargas	Lowe
Sanders	von Gillern	Murman

Enrollment and Review (1)

Ballard (C)

Reference (9)

Briese (C), Aguilar (VC), Arch, Bostar, Geist, Lowe, Riepe, Slama, Vargas, Clements (nonvoting ex officio),

Rules (6)

Erdman (C), Bostar, DeBoer, Hansen, Ibach, Arch (ex officio),

Executive Board of the Legislative Council (9)

Briese (C), Aguilar (VC), Arch, Bostar, Geist, Lowe, Riepe, Slama, Vargas, Clements (nonvoting ex officio)

BILLS ON FIRST READING

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

LEGISLATIVE BILL 1. Introduced by Executive Board: Briese, 41, Chairperson.

A BILL FOR AN ACT relating to agriculture; to eliminate obsolete funds that have terminated; and to outright repeal sections 54-706.12, 54-778, 54-1371, 54-2293, and 54-2757, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 2. Introduced by Sanders, 45.

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

LEGISLATIVE BILL 3. Introduced by Sanders, 45.

A BILL FOR AN ACT relating to bonds; to amend sections 10-110, 10-402, 10-403, 10-405, 10-507, 10-711, 10-804, and 13-509, Reissue Revised Statutes of Nebraska; to change provisions relating to the levying of taxes for bond sinking funds; to provide for the levying of taxes for bonds prior to the bond being issued and a deadline for notifying the county assessor of approved bonds in order to correct valuation of property; to harmonize

provisions; and to repeal the original sections.

LEGISLATIVE BILL 4. 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, and sections 77-3506 and 77-3512, Revised Statutes Cumulative Supplement, 2022; 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 5. Introduced by Blood, 3.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation Act; to amend section 48-101.01, Revised Statutes Cumulative Supplement, 2022; to provide for compensability of mental injuries and mental illness resulting from workplace violence; to define a term; to harmonize provisions; and to repeal the original section.

SENATOR DORN PRESIDING

BILLS ON FIRST READING

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

LEGISLATIVE BILL 6. Introduced by Blood, 3.

A BILL FOR AN ACT relating to political subdivisions; to amend sections 18-2119, 19-929, and 23-114.01, Reissue Revised Statutes of Nebraska; to prohibit granting conditional use permits to persons delinquent in the payment of real property taxes and provide a waiver as prescribed; to provide a duty, a contracting requirement, and a waiver 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 7. 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 actions based upon exposure to hazardous or toxic chemicals; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 8. Introduced by Blood, 3.

A BILL FOR AN ACT relating to mobile homes; to amend sections 60-166, 60-192, 76-1450, 76-1453, 76-1457, 76-1475, 76-1491, 76-1494, 76-1495, 76-14,104, 76-14,105, 76-14,106, and 76-14,109, Reissue Revised Statutes of Nebraska, and section 60-149, Revised Statutes Cumulative Supplement, 2022; 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 eliminate obsolete provisions; 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 Cumulative Supplement, 2022.

LEGISLATIVE BILL 9. Introduced by Blood, 3.

A BILL FOR AN ACT relating to the Nebraska Political Accountability and Disclosure Act; to amend sections 49-1403, 49-1463.01, 49-1467, and 49-1469, Reissue Revised Statutes of Nebraska, and section 49-1401, Revised Statutes Cumulative Supplement, 2022; 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 10. Introduced by Blood, 3.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 60-3,185, 77-202.23, and 77-202.24, Reissue Revised Statutes of Nebraska; to change a motor vehicle tax exemption and a property tax exemption relating to certain disabled veterans; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 11. Introduced by Blood, 3.

A BILL FOR AN ACT relating to the Protection from Domestic Abuse Act; to amend sections 42-903 and 42-924, Revised Statutes Cumulative Supplement, 2022; to define a term; to provide for additional relief for protection orders as prescribed; and to repeal the original sections.

LEGISLATIVE BILL 12. Introduced by Blood, 3.

A BILL FOR AN ACT relating to relating to human breast milk; to create the Nebraska Human Breast Milk Bank.

LEGISLATIVE BILL 13. Introduced by Blood, 3.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend sections 68-901 and 68-911, Revised Statutes Cumulative Supplement, 2022; to require coverage of human breast milk; and to repeal the original sections.

LEGISLATIVE BILL 14. Introduced by Dungan, 26.

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, 2022; 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 15. Introduced by Briese, 41.

A BILL FOR AN ACT relating to the Wage and Hour Act; to amend section 48-1203.01, Reissue Revised Statutes of Nebraska, and section 48-1203, Revised Statutes Cumulative Supplement, 2020, as amended by section 1, Initiative Law 2022, No. 433; to provide a youth minimum wage as prescribed; to change provisions relating to the training wage rate; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 16. Introduced by Briese, 41.

A BILL FOR AN ACT relating to occupational licenses; to amend sections 81-2103 and 81-2120, Reissue Revised Statutes of Nebraska, and sections 84-933, 84-934, 84-940, and 84-947, Revised Statutes Cumulative Supplement, 2022; to change requirements for membership of the State Electrical Board; to provide powers and duties for the State Electrical Board; to define a term; to provide for federal preemption; to provide for applicability of provisions; to require occupational boards to make a determination regarding an applicant with a criminal conviction; 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 change provisions relating to preliminary applications by individuals with a criminal conviction; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 17. Introduced by Dungan, 26.

A BILL FOR AN ACT relating to firearms; to amend section 28-1204.04, Revised Statutes Cumulative Supplement, 2022; to authorize possession of firearms on school grounds by full-time, off-duty peace officers; and to repeal the original section.

LEGISLATIVE BILL 18. Introduced by Wayne, 13; McKinney, 11.

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 19. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 9-262, 9-352, 9-434, 9-652, 23-135.01, 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 28-611, 28-1354, 29-110, and 29-119, Revised Statutes Cumulative Supplement, 2022; to change dollar amount thresholds for criminal penalties for certain offenses; to redefine terms; to provide for applicability of changes; to eliminate obsolete provisions; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 20. Introduced by Wayne, 13.

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, 2022; to provide for the restoration of voting rights upon completion of a felony sentence; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 21. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to cities of the metropolitan class; to amend sections 14-201, 14-201.03, 32-536, 32-537, and 32-554, Reissue Revised Statutes of Nebraska, and section 32-539, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to elections, districts, terms, number of city council members, and redistricting procedures; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 22. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to marijuana; to amend sections 2-505, 2-506, 2-509, 28-417, 28-419, 28-439, 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, and 28-1701, Revised Statutes Cumulative Supplement, 2022; to decriminalize use and possession of marijuana; 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; and to outright repeal sections 2-5701, 28-463, 28-464, 28-465, 28-466, 28-467, 28-468, and 28-469, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 23. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to paternity; to amend section 43-1401, Reissue Revised Statutes of Nebraska, and section 43-1411, Revised

Statutes Cumulative Supplement, 2022; to define and redefine terms; to change provisions relating to interventions in paternity actions; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 24. Introduced by Wayne, 13.

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

LEGISLATIVE BILL 25. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to courts; to state findings; to define terms; and to authorize punitive damages as prescribed.

LEGISLATIVE BILL 26. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to municipalities; to amend section 86-594, Revised Statutes Cumulative Supplement, 2022; 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 27. Introduced by Dungan, 26.

A BILL FOR AN ACT relating to criminal procedure; to amend section 29-2318, Reissue Revised Statutes of Nebraska; to provide for appointment of counsel for defendants; and to repeal the original section.

LEGISLATIVE BILL 28. Introduced by Erdman, 47.

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 decisions on appeals; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 29. Introduced by Erdman, 47.

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, 2022; to change provisions relating to the assessment of real property that suffers significant property damage; to redefine and eliminate terms; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 30. Introduced by Dungan, 26.

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 31. Introduced by Jacobson, 42; Day, 49.

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.

SPEAKER ARCH PRESIDING

BILLS ON FIRST READING

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

LEGISLATIVE BILL 32. Introduced by Jacobson, 42.

A BILL FOR AN ACT relating to the Medical 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 or end-stage renal disease; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 33. Introduced by Jacobson, 42.

A BILL FOR AN ACT relating to municipalities; to amend sections 16-312, 16-404, 16-503, 17-110, and 17-614, Reissue Revised Statutes of Nebraska; to change provisions relating to voting powers of mayors of cities of the first class and cities of the second class; to eliminate obsolete provisions relating to revised election district boundaries; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 34. Introduced by Dungan, 26.

A BILL FOR AN ACT relating to the administration of justice; to amend section 29-2204.02, Reissue Revised Statutes of Nebraska, and sections 29-2204 and 43-245, Revised Statutes Cumulative Supplement, 2022; to provide a presumption of disposition under the Nebraska Juvenile Code for crimes committed by defendants under eighteen years of age; to change the definition of juvenile under the Nebraska Juvenile Code; and to repeal the original sections.

LEGISLATIVE BILL 35. Introduced by DeBoer, 10.

A BILL FOR AN ACT relating to child care; to amend sections 68-1206 and 68-1724, Revised Statutes Cumulative Supplement, 2022; to adopt changes to federal law; to extend the applicability of criteria for eligibility

for assistance; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 36. Introduced by DeBoer, 10.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2715.03, Revised Statutes Cumulative Supplement, 2022; to change individual income tax rates; and to repeal the original section.

LEGISLATIVE BILL 37. Introduced by Dungan, 26.

A BILL FOR AN ACT relating to the Motor Vehicle Certificate of Title Act; to amend section 60-146, Revised Statutes Cumulative Supplement, 2022; to change identification inspection requirements as prescribed; and to repeal the original section.

LEGISLATIVE BILL 38. Introduced by Blood, 3.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716, Revised Statutes Cumulative Supplement, 2022; to provide an income tax adjustment related to federal retirement annuities; and to repeal the original section.

LEGISLATIVE BILL 39. Introduced by Blood, 3.

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

LEGISLATIVE BILL 40. Introduced by Blood, 3.

A BILL FOR AN ACT relating to agriculture; to adopt the Riparian Protection and Water Quality Practices Act; and to provide an operative date.

LEGISLATIVE BILL 41. 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, 2022; 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 42. Introduced by Hansen, B., 16.

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, 2022; 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 43. Introduced by Sanders, 45.

A BILL FOR AN ACT relating to the Administrative Procedure Act; to amend section 84-920, Revised Statutes Cumulative Supplement, 2022; to require hearing officers to interpret state agency rules and regulations de novo on the record; to require courts and hearing officers to interpret statutes and regulations to limit agency power and maximize individual liberty; and to repeal the original section.

LEGISLATIVE BILL 44. Introduced by Dungan, 26.

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

LEGISLATIVE BILL 45. Introduced by Dorn, 30; Brandt, 32

A BILL FOR AN ACT relating to cities and villages; to create the Revitalize Rural Nebraska Grant Program; to provide powers and duties; to create a fund; to provide for fund transfers; and to declare an emergency.

LEGISLATIVE BILL 46. Introduced by Dorn, 30.

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

LEGISLATIVE BILL 47. Introduced by Dorn, 30.

A BILL FOR AN ACT relating to the Open Meetings Act; to amend section 84-1411, Revised Statutes Cumulative Supplement, 2022; to change a public notice requirement relating to meetings by a rural fire district or a suburban fire protection district; and to repeal the original section.

LEGISLATIVE BILL 48. Introduced by Dorn, 30.

A BILL FOR AN ACT relating to appropriations; to appropriate money to the State Department of Education for educational service units.

LEGISLATIVE BILL 49. Introduced by Dungan, 26.

A BILL FOR AN ACT relating to solar energy; to amend sections 66-901, 66-913, and 66-914, Reissue Revised Statutes of Nebraska; to restate legislative findings; to change provisions relating to considerations for zoning regulations, ordinances, and comprehensive development plans; to prohibit certain restrictions relating to solar energy collection and use; to provide a cause of action; to harmonize provisions; to provide severability;

and to repeal the original sections.

LEGISLATIVE BILL 50. Introduced by Geist, 25.

A BILL FOR AN ACT relating to criminal justice; to amend sections 24-1302, 29-2263, 29-2269, 29-2281, and 50-434, Reissue Revised Statutes of Nebraska, and sections 83-1,100.02, 83-1,111, 83-1,114, 83-1,135, and 83-1,135.02, Revised Statutes Cumulative Supplement, 2022; to change provisions regarding problem solving courts, set asides, and restitution; to define terms; to restate legislative intent regarding appropriations; to create pilot programs relating to courts, probation, and parole; to terminate the Committee on Justice Reinvestment Oversight; to provide duties for courts, the probation administrator, the Board of Parole, the Division of Parole Supervision, and the State Court Administrator; to change provisions relating to parole and provide for streamlined parole contracts; to provide for applicability; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 51. Introduced by Briese, 41.

A BILL FOR AN ACT relating to state government; to amend section 81-1120.27, Reissue Revised Statutes of Nebraska; to change provisions relating to the use of the state's telecommunications system; and to repeal the original section.

LEGISLATIVE BILL 52. Introduced by Lippincott, 34; Brewer, 43; Holdcroft, 36; Lowe, 37; Sanders, 45; Wishart, 27.

A BILL FOR AN ACT relating to tuition credits; to amend section 85-505, Revised Statutes Cumulative Supplement, 2022; to change the amount of tuition credits allowed during a fiscal year; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 53. Introduced by McKinney, 11; Wayne, 13.

A BILL FOR AN ACT relating to holidays; to amend sections 25-2221 and 62-301, Revised Statutes Cumulative Supplement, 2022; to establish El-Hajj Malik El-Shabazz, Malcolm X Day; to change provisions relating to holidays; and to repeal the original sections.

LEGISLATIVE BILL 54. 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 55. Introduced by McKinney, 11.

A BILL FOR AN ACT relating to self-sufficiency contracts; to amend

section 68-1735, Reissue Revised Statutes of Nebraska; to allow applicants to complete monthly work activity requirements remotely or online; to provide for verification requirements; and to repeal the original section.

LEGISLATIVE BILL 56. 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 57. Introduced by Cavanaugh, M., 6.

A BILL FOR AN ACT relating to employment; to amend section 48-652, Reissue Revised Statutes of Nebraska, and section 71-7611, Revised Statutes Cumulative Supplement, 2022; 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 58. Introduced by Cavanaugh, J., 9.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2701, 77-2701.04, 77-2701.41, 77-2711, 77-2713, and 77-27,223, Revised Statutes Cumulative Supplement, 2022; to provide a sales and use tax exemption for diapers as prescribed; to define a term; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 59. 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 60. 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, 2022; to change provisions relating to room confinement of juveniles and required reports; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 61. Introduced by Brandt, 32; DeKay, 40; Dorn, 30; Wayne, 13.

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, 2022; 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 62. Introduced by Cavanaugh, M., 6.

A BILL FOR AN ACT relating to the medical assistance program; to amend section 68-911, Revised Statutes Cumulative Supplement, 2022; to provide for coverage of translation and interpretation services; and to repeal the original section.

ANNOUNCEMENT

The Committee On Committees Committee elected Senator Lowe as Vice Chairperson.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 63. Introduced by Bostar, 29.

A BILL FOR AN ACT relating to the Nebraska Telecommunications Universal Service Fund Act; to amend sections 86-324 and 86-328, Revised Statutes Cumulative Supplement, 2022; to withhold universal service support from telecommunications companies using certain equipment or services identified as posing a national security threat as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 64. Introduced by Day, 49.

A BILL FOR AN ACT relating to child abuse or neglect; to amend section 28-713.01, Revised Statutes Cumulative Supplement, 2022; to require the Department of Health and Human Services to provide notice regarding certain persons entered into the central registry; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 65. Introduced by Day, 49.

A BILL FOR AN ACT relating to child care licensing; to amend sections 71-1918 and 71-1920, Reissue Revised Statutes of Nebraska; to add requirements for the complaint tracking system and notification for disciplinary actions against license holders; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 66. Introduced by Slama, 1.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 23-187, 60-103, 60-123, 60-135.01, 60-153, 60-305, 60-339, 60-358.01,

60-3,100, 60-3,104, 60-3,143, 60-3,187, 60-3,190, 60-471, 60-4,114, 60-4,123, 60-4,123.01, 60-601, 60-605, 60-6,252, 60-6,266, 60-6,270, 60-6,279, 60-6,355, and 60-6,356, Reissue Revised Statutes of Nebraska, and sections 60-3,135.01, 60-3,221, 60-462, 60-463, 60-4,124, and 60-501, Revised Statutes Cumulative Supplement, 2022; to authorize county boards to regulate the operation of certain all-terrain vehicles and utility-type vehicles; to redefine terms; to change provisions of the Motor Vehicle Certificate of Title Act relating to all-terrain vehicles and utility-type vehicles; to provide for registration, fees, and taxes for certain all-terrain vehicles and utility-type vehicles under the Motor Vehicle Registration Act; to change provisions of the Motor Vehicle Operator's License Act; to change certain safety provisions and to authorize the operation of certain all-terrain vehicles and utility-type vehicles on certain highways as prescribed under the Nebraska Rules of the Road; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 67. Introduced by Slama, 1.

A BILL FOR AN ACT relating to the state government; to amend section 84-602, Revised Statutes Cumulative Supplement, 2022; to provide duties for the State Treasurer; and to repeal the original section.

LEGISLATIVE BILL 68. Introduced by Slama, 1.

A BILL FOR AN ACT relating to the Nebraska Hospital-Medical Liability Act; to amend sections 44-2824, 44-2825, 44-2827, 44-2831.01, 44-2832, and 44-2833, Reissue Revised Statutes of Nebraska; to increase limits on and change provisions relating to medical malpractice liability; to change provisions relating to proof of financial responsibility and the Excess Liability Fund; to provide for applicability; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 69. Introduced by Jacobson, 42.

A BILL FOR AN ACT relating to insurance; to require issuers of certain life insurance policies to provide notice of lapse and termination of such policies as prescribed; and to authorize senior citizens with certain life insurance policies to designate a third party to receive certain notifications regarding such senior citizen's life insurance policy as prescribed.

LEGISLATIVE BILL 70. Introduced by Cavanaugh, M., 6; Conrad, 46.

A BILL FOR AN ACT relating to government; to amend section 71-612, Reissue Revised Statutes of Nebraska, and section 60-4,115, Revised Statutes Cumulative Supplement, 2022; to eliminate the fee for certain state identification cards and certified copies of birth certificates; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 71. Introduced by Sanders, 45; Albrecht, 17; Briese, 41; 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 the involvement of parents and guardians in the education of their children; to require each public school district to develop and adopt a policy relating to the rights of each parent and guardian to access testing information and curriculum and excuse their child from certain instruction or activities; to provide powers and duties to the Commissioner of Education; and to repeal the original sections.

LEGISLATIVE BILL 72. Introduced by Aguilar, 35.

A BILL FOR AN ACT relating to the Nebraska County and City Lottery Act; to amend section 9-606, Reissue Revised Statutes of Nebraska; to redefine a term; and to repeal the original section.

LEGISLATIVE BILL 73. Introduced by Aguilar, 35.

A BILL FOR AN ACT relating to the Nebraska Visitors Development Act; to amend sections 81-3717 and 81-3720, Reissue Revised Statutes of Nebraska; to change provisions related to authorized uses for a County Visitors Improvement Fund; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 74. 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 Cumulative Supplement, 2022; to change provisions relating to purchasing agents; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 75. Introduced by Vargas, 7; DeBoer, 10; Jacobson, 42.

A BILL FOR AN ACT relating to the Child and Maternal Death Review Act; to amend sections 71-3404, 71-3405, 71-3407, 71-3408, 71-3409, and 71-3410, Revised Statutes Cumulative Supplement, 2022; to provide for the review of incidents of severe maternal morbidity; to define a term; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 76. Introduced by Geist, 25.

A BILL FOR AN ACT relating to the administration of justice; to amend sections 29-2252, 29-2262, 43-2,108, and 83-1,125.01, Revised Statutes Cumulative Supplement, 2022; to provide access to certain information relating to probationers, juveniles, and parolees to law enforcement

agencies; to provide duties for the probation administrator, courts, the Board of Parole, and the Nebraska Commission on Law Enforcement and Criminal Justice; and to repeal the original sections.

LEGISLATIVE BILL 77. Introduced by Brewer, 43; Aguilar, 35; Albrecht, 17; Ballard, 21; Bostelman, 23; Brandt, 32; Briese, 41; Clements, 2; DeKay, 40; Dorn, 30; Dover, 19; Erdman, 47; Halloran, 33; Hansen, B., 16; Hardin, 48; Holdcroft, 36; Hughes, 24; Ibach, 44; Jacobson, 42; Linehan, 39; Lippincott, 34; Lowe, 37; Moser, 22; Murman, 38; Sanders, 45; Slama, 1.

A BILL FOR AN ACT relating to firearms; to amend sections 14-102, 15-255, 16-227, 17-556, 18-1703, 69-2429, 69-2435, 69-2439, 69-2440, 69-2441, 69-2442, 69-2443, and 69-2445, Reissue Revised Statutes of Nebraska, and sections 28-101, 28-1201, 28-1202, 28-1351, and 69-2436, Revised Statutes Cumulative Supplement, 2022; to prohibit regulation of weapons by cities, villages, and counties; to provide for the carrying of a concealed handgun without a permit; to change provisions relating to other concealed weapons; to provide for requirements, limits, and offenses relating to carrying a concealed handgun; to provide an affirmative defense; 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 78. Introduced by Day, 49.

A BILL FOR AN ACT relating to massage therapy; to amend section 38-1706, Reissue Revised Statutes of Nebraska; to redefine a term; and to repeal the original section.

LEGISLATIVE BILL 79. Introduced by Erdman, 47; Brewer, 43; Clements, 2; Halloran, 33; McDonnell, 5; Murman, 38.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 13-319, 13-501, 13-2813, 18-2147, 77-27,148, 77-3507, and 85-2231, Reissue Revised Statutes of Nebraska, and sections 77-201, 77-2004, 77-2005, 77-2006, 77-2701, 77-3506, 77-3508, 77-6406, 77-6827, and 79-1001, Revised Statutes Cumulative Supplement, 2022; to adopt the Nebraska EPIC Option 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; and to repeal the original sections.

LEGISLATIVE BILL 80. Introduced by Aguilar, 35; Blood, 3; Brewer, 43; DeKay, 40; Lippincott, 34.

A BILL FOR AN ACT relating to appropriations; to state intent regarding

appropriations to the Department of Veterans' Affairs; and to declare an emergency.

LEGISLATIVE BILL 81. Introduced by Aguilar, 35; Blood, 3; Briese, 41; Conrad, 46; DeBoer, 10; Ibach, 44; Lippincott, 34; Slama, 1.

A BILL FOR AN ACT relating to county courts; to amend section 24-503, Reissue Revised Statutes of Nebraska; to change the number of county judges in Buffalo and Hall counties; and to repeal the original section.

LEGISLATIVE BILL 82. Introduced by DeBoer, 10.

A BILL FOR AN ACT relating to corrections; to amend sections 83-4,114 and 83-918, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to certain reports; to define a term; to provide a duty for the Department of Correctional Services; to eliminate obsolete provisions relating to a work group; to repeal the original sections; and to outright repeal section 83-173.02, Revised Statutes Cumulative Supplement, 2022.

LEGISLATIVE BILL 83. Introduced by DeBoer, 10.

A BILL FOR AN ACT relating to community property; to amend section 24-517, Revised Statutes Cumulative Supplement, 2022; 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 84. Introduced by Day, 49; Blood, 3; Cavanaugh, M., 6; Conrad, 46; DeBoer, 10; Fredrickson, 20; McKinney, 11; Vargas, 7; Walz, 15.

A BILL FOR AN ACT relating to the Supplemental Nutrition Assistance Program; to amend section 68-1017.02, Revised Statutes Cumulative Supplement, 2022; to remove Legislative intent regarding federal funding for administrative costs; to change the gross income eligibility limit and a reporting requirement; and to repeal the original section.

LEGISLATIVE BILL 85. Introduced by Day, 49; Blood, 3; Cavanaugh, M., 6; Conrad, 46; DeBoer, 10; Dungan, 26; Fredrickson, 20; McKinney, 11; Vargas, 7; Walz, 15.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend section 68-901, Revised Statutes Cumulative Supplement, 2022; to require the Department of Health and Human Services to implement express lane eligibility; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 86. Introduced by Hunt, 8.

A BILL FOR AN ACT relating to state contracts; to amend section 73-104,

Reissue Revised Statutes of Nebraska; to require public works contractors to pay the state minimum wage; and to repeal the original section.

LEGISLATIVE BILL 87. Introduced by Hunt, 8.

A BILL FOR AN ACT relating to relating to minors; to amend section 43-2101, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to the age of majority; and to repeal the original section.

LEGISLATIVE BILL 88. Introduced by Hunt, 8.

A BILL FOR AN ACT relating to public assistance; to amend section 68-1017.02, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to eligibility for Supplemental Nutrition Assistance Program benefits as prescribed; and to repeal the original section.

LEGISLATIVE BILL 89. Introduced by Hunt, 8; Fredrickson, 20.

A BILL FOR AN ACT relating to surrogate parenthood contracts; to eliminate provisions stating that such contracts are void and unenforceable; and to outright repeal section 25-21,200, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 90. Introduced by Day, 49.

A BILL FOR AN ACT relating to the Legislative Performance Audit Act; to amend section 50-1209, Reissue Revised Statutes of Nebraska; to eliminate provisions relating to tax incentive performance audits for certain tax incentive programs; to redefine terms; and to repeal the original section.

LEGISLATIVE BILL 91. Introduced by Hansen, B., 16; Aguilar, 35; Ballard, 21; Brandt, 32; Brewer, 43; Clements, 2; Dorn, 30; Dungan, 26; Erdman, 47; Holdcroft, 36; Jacobson, 42; Lowe, 37; Murman, 38; Slama, 1; Wayne, 13; Wishart, 27.

A BILL FOR AN ACT relating to motor vehicles; to amend section 60-6,279, Reissue Revised Statutes of Nebraska; to change provisions relating to helmets as prescribed; to require eye protection as prescribed; and to repeal the original section.

RESOLUTIONS

LEGISLATIVE RESOLUTION 1CA. Introduced by Blood, 3.

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

Section 1. At the general election in November 2024, 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 2024 or an increased level of service required under an existing program after the year 2024 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 2024.

For

Against.

LEGISLATIVE RESOLUTION 2CA. Introduced by Erdman, 47; Halloran, 33; Wayne, 13.

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

Section 1. At the general election in November 2024, 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, sections 1, 2, 5, 6, 7, 10, 11, 12, 13, 14, 17, 22, 24, and 27; Article IV, sections 1, 4, 7, 10, 12, 15, 16, and 27; Article V, section 5; Article VII, sections 10 and 14; Article XIII, section 1; and Article XVI, sections 1 and 2:

III-1 (1) Until the regular legislative session that begins in January 2027, the legislative authority of the state shall be vested in a Legislature consisting of one chamber. Beginning with the regular legislative session that begins in January 2027, the legislative authority of the state shall be vested in a Legislature consisting of two chambers: a House of Representatives and a Senate.

(2) The people reserve for themselves the power to propose laws and amendments to the Constitution and to enact or reject the same at the polls, independent of the Legislature, which power shall be called the power of initiative. The people also reserve power at their own option to approve or reject at the polls any act, item, section, or part of any act passed by the Legislature, which power shall be called the power of referendum.

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 subject. 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 each house of the Legislature.

III-5 (1) The Legislature shall by law determine the number of members to be elected to the House of Representatives, except that there shall not be more than sixty-three representatives. The legislative districts in effect on January 1, 2023, shall continue as the districts for the House of Representatives until such districts are redrawn following the 2030 federal census as provided in this section. Members of the unicameral Legislature elected or appointed to serve terms beginning in the regular legislative session that begins in January 2025 shall be representatives of the House of Representatives in January 2027 until their terms expire, they are not reelected, or they are otherwise removed from office in accordance with this Constitution.

(2) The Legislature shall by law and divide the state into legislative districts for the House of Representatives. Any bill to draw districts of the House of Representatives shall originate in the Senate. In the creation of such districts, any county that contains population sufficient to entitle it to two or more representativesmembers of the Legislature shall be divided into separate and distinct legislative districts, as nearly equal in population as may be and composed of contiguous and compact territory. One representativemember of the Legislature shall be elected from each such district. The basis of apportionment shall be the population excluding aliens, as shown by the next preceding federal census. The Legislature shall redistrict the state for the House of Representatives after each federal decennial census. In any such redistricting, county lines shall be followed

whenever practicable, but other established lines may be followed at the discretion of the Legislature.

(3)(a) The Senate shall consist of thirty-one members. Each senator shall represent a district composed of three contiguous counties.

(b) On or before May 1, 2025, the Legislature shall by law divide the state into legislative districts for the Senate. Thereafter, the Legislature may by law redistrict such districts whenever deemed appropriate, except that such districts shall always consist of three contiguous counties and such districts shall not be redrawn more often than once every ten years. Any bill to redistrict such districts shall originate in the House of Representatives.

~~III-6 The Legislature shall consist of not more than fifty members and not less than thirty members. The sessions of the Legislature shall be annual except as otherwise provided by this constitution or as may be otherwise provided by law.~~

III-7 (1) The members of the House of Representatives from even-numbered districts shall be elected for terms of four years at the statewide general election in November 2026 and each four years thereafter. The members of the House of Representatives from the odd-numbered districts shall be elected for terms of four years at the statewide general election in November 2028 and each four years thereafter.

(2) The members of the Senate from even-numbered districts shall be elected for terms of four years at the statewide general election in November 2026 and each four years thereafter. The members of the Senate from odd-numbered districts shall be elected for a term of two years at the statewide general election in November 2026. The members of the Senate from odd-numbered districts shall be elected for a term of four years at the statewide general election in November 2028 and each four years thereafter.

~~(3) The 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 elections shall election to be determined by the Legislature.~~

(4) When the House of Representatives or Senate 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.

(5) 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.

III-10 (1) ~~Beginning with the year 1975, regular sessions of the Legislature shall be held annually, commencing at 10 a.m. on the first Wednesday after the first Monday in January of each year. The duration of regular sessions held shall not exceed ninety legislative days in odd-numbered years unless extended by a vote of four-fifths of all members elected to each house of the Legislature, and shall not exceed sixty legislative days in even-numbered years unless extended by a vote of four-fifths of all members elected to each house of the Legislature.~~

(2) Bills and resolutions under consideration by the Legislature upon adjournment of a regular session held in an odd-numbered year may be considered at the next regular session, as if there had been no such adjournment.

(3) Neither house of the Legislature shall adjourn for more than three days without the consent of the other house.

(4) The Lieutenant Governor shall preside in the Senate, but shall vote only when the Senate Legislature is equally divided.

(5) A majority of the members elected to each house of the Legislature shall constitute a quorum for each house. Each house; the Legislature shall determine the rules of its proceedings; and be the judge of the election, returns, and qualifications of its members; and, shall choose its own officers, including a Speaker to preside when the Lieutenant Governor shall be absent, incapacitated, or shall act as Governor.

(6) The Senate shall choose a President pro tempore to preside when the Lieutenant Governor is absent, incapacitated, or acting as Governor.

(7) The House of Representatives shall choose a Speaker. Beginning in 2027, the Secretary of State shall call the House of Representatives to order at the opening of each regular session of the Legislature and preside over the house until a Speaker is chosen.

(8) No member shall be expelled except by a vote of two-thirds of all members elected to such member's house of the Legislature, and no member shall be twice expelled for the same offense. The House of Representatives or Senate Legislature may punish by imprisonment any person not a member thereof who is shall be guilty of disrespect to the House of Representatives or Senate Legislature by disorderly or contemptuous behavior in its presence. No, but no such imprisonment shall extend beyond twenty-four hours at one time; unless the person persists shall persist in such disorderly or contemptuous behavior.

III-11 The House of Representatives and Senate Legislature shall each keep a journal of its proceedings and publish them, except such parts as may require secrecy, and the yeas and nays of the members on any question shall at the desire of any one of them be entered on the journal of the respective house. All votes shall be viva voce. The doors of the Legislature and of the committees of the Legislature shall be open, except when the business shall be such as ought to be kept secret. The yeas and nays of each member of any committee of the Legislature shall be recorded and published on any question in committee to advance or to indefinitely postpone any bill.

III-12 (1) No person shall be eligible to serve as a member of the House of Representatives for four years next after the expiration of two consecutive terms in the House of Representatives regardless of the district represented.

~~(2)(4)~~ No person shall be eligible to serve as a member of the ~~Senate~~ Legislature for four years next after the expiration of two consecutive terms ~~in the Senate~~ 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.

III-13 (1) The style of all bills shall be, Be it enacted by the people of the State of Nebraska, and no law shall be enacted except by bill. No bill shall be passed by the Legislature unless by the assent of a majority of all members elected to each house and the yeas and nays on the question of final passage of any bill shall be entered upon the journal of each house.

(2) All bills passed by one house may be amended by the other house. No amendment to a bill by one house shall be concurred in by the other house and no conference committee report as to any bill shall be adopted by either house, except by the assent of the same number of members as is required for the passage of the original bill. Any bill may originate in either house, except that bills appropriating money shall originate only in the House of Representatives and except as provided in section 5 of this article.

III-14 Every bill and resolution shall be read by title when introduced, and a printed or electronic copy thereof provided for the use of each member. The bill and all amendments thereto shall be made available in printed or electronic form ~~printed and presented~~ before the vote is taken upon its final passage and shall be read at large in each house unless three-fifths of all the members elected to ~~such house~~ the Legislature vote not to read the bill and all amendments at large. No vote upon the final passage of any bill shall be taken until five legislative days after its introduction nor until it has been on file for final reading and passage for at least one legislative day. No bill shall contain more than one subject, and the subject shall be clearly expressed in the title. No law shall be amended unless the new act contains the section or sections as amended and the section or sections so amended shall be repealed. The presiding officer of each house ~~Lieutenant Governor, or the Speaker if acting as presiding officer,~~ shall sign, in the presence of the respective house ~~Legislature~~ while it is in session and capable of transacting business, all bills and resolutions passed by such house ~~the Legislature~~.

III-17 (1) The Senate and House of Representatives in joint session ~~Legislature~~ shall have the sole power of impeachment, but a majority of all the members elected to each house must concur therein. Upon the introduction of a resolution of impeachment by either house, the other house shall at once be notified, and the two houses shall meet in joint session for the purpose of acting upon such resolution within five calendar days after such notification. Proceedings may be initiated in either a regular session or a special session of the Legislature.

(2) Upon the adoption of a resolution of impeachment, which resolution shall give reasonable notice of the acts or omissions alleged to constitute impeachable offenses but need not conform to any particular style, a notice of an impeachment of any officer, other than a Judge of the Supreme Court, shall be forthwith served upon the Chief Justice, by the Clerk of the House

of Representatives Legislature, who shall thereupon call a session of the Supreme Court to meet at the Capitol in an expeditious fashion after such notice to try the impeachment. A notice of an impeachment of the Chief Justice or any Judge of the Supreme Court shall be served by the Clerk of the House of Representatives Legislature, upon the clerk of the judicial district within which the Capitol is located, and he or she thereupon shall choose, at random, seven Judges of the District Court in the State to meet within thirty days at the Capitol, to sit as a Court to try such impeachment, which Court shall organize by electing one of its number to preside.

(3) The case against the impeached civil officer shall be brought in the name of the Legislature and shall be managed by one Senator and one Representative ~~two senators~~, appointed by their respective houses ~~the Legislature~~, who may make technical or procedural amendments to the articles of impeachment as they deem necessary. The trial shall be conducted in the manner of a civil proceeding and the impeached civil officer shall not be allowed to invoke a privilege against self-incrimination, except as otherwise applicable in a general civil case. No person shall be convicted without the concurrence of two-thirds of the members of the Court of impeachment that clear and convincing evidence exists indicating that such person is guilty of one or more impeachable offenses, but judgment in cases of impeachment shall not extend further than removal from office and disqualification to hold and enjoy any office of honor, profit, or trust, in this State, but the party impeached, whether convicted or acquitted, shall nevertheless be liable to prosecution and punishment according to law. No officer shall exercise his or her official duties after he or she shall have been impeached and notified thereof, until he or she shall have been acquitted.

III-22 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 each house of the Legislature. 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.

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 each house of the Legislature.

(4) Nothing in this section shall be construed to prohibit (a) the enactment of laws providing for the licensing and regulation of wagering on the results of horseraces, wherever run, either within or outside of the state, by the parimutuel method, when such wagering is conducted by licensees within a licensed racetrack enclosure or (b) the enactment of laws providing for the licensing and regulation of bingo games conducted by nonprofit associations which have been in existence for a period of five years immediately preceding the application for license, except that bingo games cannot be conducted by agents or lessees of such associations on a percentage basis.

(5) This section shall not apply to any law which is enacted contemporaneously with the adoption of this subsection or at any time thereafter and which provides for the licensing, authorization, regulation, or taxation of all forms of games of chance when such games of chance are conducted by authorized gaming operators within a licensed racetrack enclosure.

III-27 No act shall take effect until three calendar months after the adjournment of the session at which it passed, unless in case of emergency, which is expressed in the preamble or body of the act, the Legislature otherwise direct shall by a vote of two-thirds of all the members elected to

~~each house otherwise direct.~~ All laws shall be published within sixty days after the adjournment of each session and distributed among the several counties in such manner as the Legislature may provide.

IV-1 The executive officers of the state shall be the Governor, Lieutenant Governor, Secretary of State, Auditor of Public Accounts, State Treasurer, Attorney General, and the heads of such other executive departments as set forth herein or as may be established by law. The Legislature may provide for the placing of the above named officers as heads over such departments of government as it may by law establish.

The Governor, Lieutenant Governor, Attorney General, Secretary of State, Auditor of Public Accounts, and State Treasurer shall be chosen at the general election held in November 1974, and in each alternate even-numbered year thereafter, for a term of four years and until their successors shall be elected and qualified.

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. The Governor shall be ineligible to the office of Governor for four years next after the expiration of two consecutive terms for which he or she was elected.

The records, books, and papers of all executive officers shall be kept at the seat of government. Executive officers shall reside within the State of Nebraska during their respective terms of office. Officers in the executive department of the state shall perform such duties as may be provided by law.

The heads of all executive departments established by law, other than those to be elected as provided herein, shall be appointed by the Governor, with the consent of a majority of all members elected to each house of the Legislature, but officers so appointed may be removed by the Governor. Subject to the provisions of this Constitution, the heads of the various executive or civil departments shall have power to appoint and remove all subordinate employees in their respective departments.

IV-4 The returns of every election for the officers of the executive department shall be sealed up and transmitted by the returning officers to the Secretary of State, directed to the President pro tempore of the Senate~~Speaker of the Legislature~~, who shall immediately after the organization of the Legislature, and before proceeding to other business, open and publish the same in a joint session of the Senate and House of Representatives and in the presence of a majority of the members of each house~~the Legislature~~. The person having the highest number of votes for each of such~~said~~ offices shall be declared duly elected; but if two or more have an equal and the highest number of votes, the Legislature shall choose one of such persons for said office. The conduct of election contests for any of such~~said~~ offices shall be in such manner as may be prescribed by law.

IV-7 The Governor may, at the commencement of each session, and at the close of the Governor's~~his~~ term of office and whenever the Legislature may require, give by message to the Legislature information of the condition of the state, and shall recommend such measures as the Governor~~he~~ shall deem expedient. At a time fixed by law, the Governor~~he~~ shall present, by message, a complete itemized budget of the financial requirements of all

departments, institutions, and agencies of the state and a budget bill to be introduced by the Speaker of the ~~House of Representatives~~ Legislature at the request of the Governor. ~~Such~~^{Said} budget bill shall be prepared with such expert assistance and under such regulations as may be required by the Governor. No appropriations shall be made in excess of the recommendation contained in such budget including any amendment the Governor may make thereto unless by three-fifths vote of each house of the Legislature, and such excess so approved shall be subject to veto by the Governor.

IV-10 The Governor shall appoint with the approval of a majority of each house of the Legislature, all persons whose offices are established by the Constitution, or which may be created by law, and whose appointment or election is not otherwise by law or herein provided for; and no such person shall be appointed or elected by the Legislature. The Governor shall have power to remove, for cause and after a public hearing, any person whom the Governor~~he~~ may appoint for a term except officers provided for in Article V of the Constitution, and the Governor~~he~~ may declare such~~his~~ office vacant, and fill the same as herein provided as in other cases of vacancy. The Governor shall have power to remove any other person whom the Governor~~he~~ appoints at any time and for any reason.

IV-12 If any nonelective state office, except offices provided for in Article V of this Constitution, shall be vacated by death, resignation, or otherwise, it shall be the duty of the Governor to fill that office by appointment. If the Legislature is in session, such appointment shall be subject to the approval of a majority of the members of each house of the Legislature. If the Legislature is not in session, the Governor shall make a temporary appointment until the next session of the Legislature, at which time a majority of the members of each house of the Legislature shall have the right to approve or disapprove the appointment. All appointees shall hold their office until their successors shall be appointed and qualified. No person after being rejected by the Legislature shall be again nominated for the same office at the same session, unless at request of the Legislature, or be appointed to the same office during the recess or adjournment of the Legislature.

IV-15 Every bill passed by the Legislature, before it becomes a law, shall be presented to the Governor. If the Governor~~he~~ approves, he or she shall sign it, and thereupon it shall become a law. ~~If the Governor, but if he does not approve or reduces any item or items of appropriations, the Governor~~^{he} shall return it with his or her objections to the Legislature, which shall enter the objections at large upon the~~its~~ journal of each house, and proceed to reconsider the bill with the objections as a whole, or proceed to reconsider individually the item or items disapproved or reduced. If then three-fifths of the members elected to each house agree to pass the bill with objections, it shall become a law, or if three-fifths of the members elected to each house agree to repass any item or items disapproved or reduced, the bill with such repassage shall become a law. In all cases the vote shall be determined by yeas and nays, to be entered upon the journal of each house. Any bill which shall not be returned by the Governor within five days (Sundays excepted) after it shall have been presented to the Governor~~him~~, shall become a law in like manner as if the Governor~~he~~ had signed it; unless the Legislature by

their adjournment prevent its return; in which case it shall be filed, with the Governor's objections, in the office of the Secretary of State within five days after such adjournment, or become a law. The Governor may disapprove or reduce any item or items of appropriation contained in bills passed by the Legislature, and the item or items so disapproved shall be stricken therefrom, and the items reduced shall remain as reduced unless the Legislature has reconsidered the item or items disapproved or reduced and has repassed any such item or items over the objection of the Governor by a three-fifths approval of the members elected to each house.

IV-16 In case of the conviction of the Governor on impeachment, or the Governor's removal from office, his resignation, or his death, the Lieutenant Governor, the Speaker of the House of Representatives, Legislature and such other persons designated by law shall in that order be Governor for the remainder of the Governor's term.

In case of the death of the Governor-elect, the Lieutenant Governor-elect, the Speaker of the House of Representatives, Legislature and such other persons designated by law shall become Governor in that order at the commencement of the Governor-elect's term.

If the Governor or the person in line of succession to serve as Governor is absent from the state, or suffering under an inability, the powers and duties of the office of Governor shall devolve in order of precedence until the absence or inability giving rise to the devolution of powers ceases as provided by law. ~~The After January 1, 1975, the~~ Lieutenant Governor shall serve on all boards and commissions in lieu of the Governor whenever so designated by the Governor, shall perform such duties as may be delegated ~~him~~ by the Governor, and shall devote his or her full time to the duties of ~~the~~ his office of Lieutenant Governor.

IV-27 No executive state office other than herein provided shall be created except by a two-thirds majority of all members elected to each house of the Legislature.

V-5 The Legislature shall divide the state into six contiguous and compact districts of approximately equal population, which shall be numbered from one to six, which shall be known as the Supreme Court judicial districts. The Legislature shall redistrict the state after each federal decennial census. In any such redistricting, county lines shall be followed whenever practicable, but other established lines may be followed at the discretion of the Legislature. Such districts shall not be changed except upon the concurrence of a majority of the members of each house of the Legislature. Whenever the Supreme Court is redistricted, the judges serving prior to the redistricting shall continue in office, and the law providing for such redistricting shall where necessary specify the newly established districts which they shall represent for the balance of their terms.

VII-10 The general government of the University of Nebraska shall, under the direction of the Legislature, be vested in a board of not less than six nor more than eight regents to be designated the Board of Regents of the University of Nebraska, who shall be elected from and by districts as herein provided and three students of the University of Nebraska who shall serve as nonvoting members. Such nonvoting student members shall consist of the student body president of the University of Nebraska at Lincoln, the student

body president of the University of Nebraska at Omaha, and the student body president of the University of Nebraska Medical Center. The terms of office of elected members shall be for six years each. The terms of office of student members shall be for the period of service as student body president. Their duties and powers shall be prescribed by law; and they shall receive no compensation, but may be reimbursed their actual expenses incurred in the discharge of their duties.

The Legislature shall divide the state, along county lines, into as many compact regent districts, as there are regents provided by the Legislature, of approximately equal population, which shall be numbered consecutively.

The Legislature shall redistrict the state after each federal decennial census. Such districts shall not be changed except upon the concurrence of a majority of the members of each house of the Legislature. In any such redistricting, county lines shall be followed whenever practicable, but other established lines may be followed at the discretion of the Legislature. Whenever the state is so 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.

VII-14 On January 1, 1992, there shall be established the Coordinating Commission for Postsecondary Education which shall, under the direction of the Legislature, be vested with the authority for the coordination of public postsecondary educational institutions. Public postsecondary educational institutions shall include each postsecondary educational campus or institution which is governed by the Board of Regents of the University of Nebraska, the Board of Trustees of the Nebraska State Colleges, any board or boards established for the community colleges, or any other governing board for any other public postsecondary educational institution which may be established by the Legislature.

Coordination shall mean:

(1) Authority to adopt, and revise as needed, a comprehensive statewide plan for postsecondary education which shall include (a) definitions of the role and mission of each public postsecondary educational institution within any general assignments of role and mission as may be prescribed by the Legislature and (b) plans for facilities which utilize tax funds designated by the Legislature;

(2) Authority to review, monitor, and approve or disapprove each public postsecondary educational institution's programs and capital construction projects which utilize tax funds designated by the Legislature in order to provide compliance and consistency with the comprehensive plan and to prevent unnecessary duplication; and

(3) Authority to review and modify, if needed to promote compliance and consistency with the comprehensive statewide plan and prevent unnecessary duplication, the budget requests of the Board of Regents of the University of Nebraska, the Board of Trustees of the Nebraska State Colleges, any board or boards established for the community colleges, or any other governing board for any other public postsecondary educational institution which may be established by the Legislature.

The Legislature may provide the commission with additional powers and duties related to postsecondary education as long as such powers and duties do not invade the governance and management authority of the Board of Regents of the University of Nebraska and the Board of Trustees of the Nebraska State Colleges as provided in the Constitution of Nebraska, Article VII, sections 10 and 13. The Legislature may provide that coordination of the community colleges by the commission pursuant to this section may be conducted through a board or association representing all the community colleges.

Nothing in this section providing for statewide coordination shall limit or require the use of property tax revenue by and for community colleges.

The commission shall consist of eleven members, residents of the state or the districts for which appointed, who shall be appointed by the Governor with the approval of a majority of each house of the Legislature. Six of the members shall be chosen from six districts of approximately equal population and five shall be chosen on a statewide basis.

The terms of the members of the commission shall be six years or until a successor is qualified and takes office, except that of the members initially appointed, four members shall serve for terms of two years and four members shall serve for terms of four years. The members of the commission shall receive no compensation for the performance of their duties but may be reimbursed their actual and necessary expenses.

XIII-1 The state may, to meet casual deficits, or failures in the revenue, contract debts never to exceed in the aggregate one hundred thousand dollars, and no greater indebtedness shall be incurred except for the purpose of repelling invasion, suppressing insurrection, or defending the state in war, and provision shall be made for the payment of the interest annually, as it shall accrue, by a tax levied for the purpose, or from other sources of revenue, which law providing for the payment of such interest by such tax shall be irrevocable until such debt is paid; Provided, that if the Legislature determines by a three-fifths vote of the members elected to each house ~~hereto~~ 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 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.

XVI-1 The Legislature may propose amendments to this Constitution. If the same be agreed to by three-fifths of the members elected to each house of the Legislature, such proposed amendments shall be entered on the journal of each house, with yeas and nays, and published once each week for three consecutive weeks, in at least one newspaper in each county, where a newspaper is published, immediately preceding the next election of members of the Legislature or a special election called by the vote of four-fifths of the members elected to each house of the Legislature for the purpose of submitting such proposed amendments to the electors. At such election ~~such~~ amendments shall be submitted to the electors for approval or rejection upon a ballot separate from that upon which the names of candidates appear. If a majority of the electors voting on any such amendment adopt the same, it shall become a part of this Constitution, provided the votes cast in favor of such amendment shall not be less than thirty-five per cent of the total votes cast at such election. When two or more amendments are submitted at the same election, they shall be so submitted as to enable the electors to vote on each amendment separately.

XVI-2 When three-fifths of the members elected to each house of the Legislature deem it necessary to call a convention to revise, amend, or change this constitution, they shall recommend to the electors to vote at the next election of members of the Legislature, for or against a convention, and if a majority of the electors voting on the proposition, vote for a convention, the Legislature shall, at its next session provide by law for calling the same; Provided, the votes cast in favor of calling a convention shall not be less than thirty-five per cent of the total votes cast at such election. The convention shall consist of not more than one hundred members, the exact number to be determined by the Legislature, and to be nominated and elected from districts in the manner to be prescribed by the Legislature. Such members shall meet within three months after their election, for the purpose aforesaid. No amendment or change of this constitution, agreed upon by such convention, shall take effect until the same has been submitted to the electors of the state, and adopted by a majority of those voting for and against the same.

~~To repeal Article XVII, section 1:~~

~~Article XVII, section 1, of the Constitution of Nebraska is repealed. Sec.~~

2. At the general election in November 2024, 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. 3. At the general election in November 2024, 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, sections 10 and 11:

III-10 Beginning with the year 1975, regular sessions of the Legislature shall be held annually, commencing at 10 a.m. on the first Wednesday after the first Monday in January of each year. The duration of regular sessions held shall not exceed ninety legislative days in odd-numbered years unless extended by a vote of four-fifths of all members elected to the Legislature, and shall not exceed sixty legislative days in even-numbered years unless extended by a vote of four-fifths of all members elected to the Legislature. Bills and resolutions under consideration by the Legislature upon adjournment of a regular session held in an odd-numbered year may be considered at the next regular session, as if there had been no such adjournment. The Lieutenant Governor shall preside, but shall vote only when the Legislature is equally divided. A majority of the members elected to the Legislature shall constitute a quorum; the Legislature shall determine the rules of its proceedings and be the judge of the election, returns, and qualifications of its members, shall choose its own officers and committee chairpersons by a public vote, viva voce, including a Speaker to preside when the Lieutenant Governor shall be absent, incapacitated, or shall act as Governor. No member shall be expelled except by a vote of two-thirds of all members elected to the Legislature, and no member shall be twice expelled for the same offense. The Legislature may punish by imprisonment any person not a member thereof who shall be guilty of disrespect to the Legislature by disorderly or contemptuous behavior in its presence, but no

such imprisonment shall extend beyond twenty-four hours at one time, unless the person shall persist in such disorderly or contemptuous behavior.

III-11 The Legislature shall keep a journal of its proceedings and publish them, except such parts as may require secrecy, and the yeas and nays of the members on any question shall at the desire of any one of them be entered on the journal. All votes shall be viva voce. The doors of the Legislature and of the committees of the Legislature shall be open, ~~except when the business shall be such as ought to be kept secret.~~ The yeas and nays of each member of any committee of the Legislature shall be recorded and published on any question in committee to advance or to indefinitely postpone any bill.

Sec. 4. The proposed amendments 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 Legislature from a unicameral body to a bicameral body with a House of Representatives and a Senate.

For

Against.

A constitutional amendment to change elections for members of the Legislature from a nonpartisan ballot to a partisan ballot.

For

Against.

A constitutional amendment to require election of legislative officers and committee chairpersons by public vote of the members of the Legislature and to require all meetings of the Legislature to be open to the public.

For

Against.

LEGISLATIVE RESOLUTION 3CA. Introduced by Cavanaugh, J., 9.

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

Section 1. At the general election in November 2024 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 1:

IV-1 (1) The executive officers of the state shall be the Governor, Lieutenant Governor, Secretary of State, Auditor of Public Accounts, State Treasurer, Attorney General, and the heads of such other executive departments as set forth herein or as may be established by law. The Legislature may provide for the placing of the above named officers as heads over such departments of government as it may by law establish.

(2) The Governor, Lieutenant Governor, Attorney General, Secretary of State, Auditor of Public Accounts, and State Treasurer shall be

(a) ~~Chosen~~ chosen at the general election held in November 1974, and in each alternate even-numbered year thereafter, for a term of four years and until their successors shall be elected and qualified; ~~and~~.

(b) Nominated and elected in a nonpartisan manner and without any indication on the ballot that they are affiliated with or endorsed by any political party or organization.

(3) 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. The Governor shall be ineligible to the office of Governor for four years next after the expiration of two consecutive terms for which he or she was elected.

(4) The records, books, and papers of all executive officers shall be kept at the seat of government. Executive officers shall reside within the State of Nebraska during their respective terms of office. Officers in the executive department of the state shall perform such duties as may be provided by law.

(5) The heads of all executive departments established by law, other than those to be elected as provided herein, shall be appointed by the Governor, with the consent of a majority of all members elected to the Legislature, but officers so appointed may be removed by the Governor. Subject to the provisions of this Constitution, the heads of the various executive or civil departments shall have power to appoint and remove all subordinate employees in their respective departments.

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 nonpartisan nomination and election of the Governor, Lieutenant Governor, Attorney General, Secretary of State, Auditor of Public Accounts, and State Treasurer.

For

Against.

LEGISLATIVE RESOLUTION 4CA. Introduced by Cavanaugh, M., 6.

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

Section 1. At the general election in November 2024, 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 5. Introduced by Blood, 3.

WHEREAS, the Sixty-eighth Congress of the United States of America at its first session, passed by the House of Representatives on April 26, 1924, and the United States Senate on June 2, 1924, resolved by a Constitutional majority of two-thirds of each house that the following article be proposed as an amendment to the Constitution of the United States of America:

JOINT RESOLUTION

Proposing an amendment to the Constitution of the United States.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), that the following article is proposed as an amendment to the Constitution of the United States, which, when ratified by the legislature of three-fourths of the several States, shall be valid to all intents and purposes as a part of the Constitution:

ARTICLE

Section 1. The Congress shall have the power to limit, regulate, and prohibit the labor of persons under eighteen years of age.

Section 2. The power of the several States is unimpaired by this article except that the operation of State laws shall be suspended to the extent necessary to give effect to legislation enacted by the Congress.

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

1. That the Legislature ratifies the article proposed as an amendment to the Constitution of the United States as set forth in United States House Joint Resolution 184, dated June 2, 1924.

2. That the Secretary of State certify copies of this resolution by attaching the Great Seal of Nebraska to each copy and forwarding one such copy to each of the following: The Archivist of the United States, the Administrator of the United States General Services Administration, the President pro tempore of the United States Senate, the Speaker of the United States House of Representatives, and each member of Nebraska's congressional delegation.

LEGISLATIVE RESOLUTION 6CA. Introduced by Erdman, 47; Brewer, 43; Clements, 2; Halloran, 33; McDonnell, 5; Murman, 38.

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

Section 1. At the general election in November 2024, 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 14 to Article VIII:

VIII-14 Notwithstanding any other provision of this Constitution, beginning January 1, 2026, no governmental entity in the State of Nebraska may impose taxes other than retail consumption taxes or excise taxes.

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, 2026, no governmental entity in the State of Nebraska may impose taxes other than retail consumption taxes or excise taxes.

For

Against.

LEGISLATIVE RESOLUTION 7CA. Introduced by Erdman, 47; Brewer, 43; Clements, 2; Halloran, 33; McDonnell, 5; Murman, 38.

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

Section 1. At the general election in November 2024, 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 15 to Article VIII:

VIII-15 Beginning January 1, 2026, the State of Nebraska shall impose a retail consumption tax or an excise tax on all new goods and services, and the Legislature may authorize political subdivisions to do the same. There shall be no exemption from such taxes except for grocery items purchased for off-premises consumption.

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 State of Nebraska shall impose a retail consumption tax or an excise tax on all new goods and services, that the Legislature may authorize political subdivisions to do the same, and that there shall be no exemption from such taxes except for grocery items purchased for off-premises consumption.

For

Against.

MOTIONS - Print in Journal

Senator Conrad filed the following motion to [LB15](#):

[MO1](#)

Indefinitely postpone pursuant to Rule 6, Section 3(f).

Senator Conrad filed the following motion to [LB79](#):

[MO2](#)

Indefinitely postpone pursuant to Rule 6 Section 3(f).

MOTION - Escort Committees

Senator Aguilar moved that a series of committees be appointed to escort the various state and constitutional officers for the purpose of administering their oaths of office.

The motion prevailed.

RECESS

At 11:43 a.m., on a motion by Senator McKinney, the Legislature recessed until 1:30 p.m.

AFTER RECESS

The Legislature reconvened at 1:30 p.m., Speaker Arch presiding.

ROLL CALL

The roll was called and all members were present except Senator Blood who was excused; and Senators Vargas and Wayne who were excused until they arrive.

MESSAGE FROM THE GOVERNOR

January 3, 2023

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 State Fair Board:

Brett R. Lindstrom, 1330 Binney Street, Omaha, NE 68164

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

PRESENTATION OF COLORS

Presentation of Colors by the Nebraska Army National Guard, the Nebraska Department of Correctional Services, and the Nebraska State Patrol.

INAUGURAL CEREMONIES

Chief Justice Michael G. Heavican administered the Oath of Office to the newly elected state officials.

Governor Jim Pillen delivered his inaugural address. The text will appear in the following day's Journal.

The Governor and other newly elected state officials, along with their families, were escorted from the Chamber.

VISITORS

The Doctor of the Day was Dr. Dale Michels of Walton.

ADJOURNMENT

At 2:53 p.m., on a motion by Senator Aguilar, the Legislature adjourned until 10:00 a.m., Friday, January 6, 2023.

Brandon Metzler
Clerk of the Legislature